UNITED STATES AND INDIA-PAKISTAN RELATIONS: ISSUES AND IRRITANTS SINCE 1990

THESIS

SUBMITTED FOR THE AWARD OF THE DEGREE OF

Doctor of Philosophy

IN

POLITICAL SCIENCE

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BY

IRFAN-UL-HAQ

Under the Supervision of

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DEPARTMENT OF POLITICAL SCIENCE
ALIGARH MUSLIM UNIVERSITY
ALIGARH (INDIA)

2010
ACKNOWLEDGEMENT

In the process of originating the research idea, appraisal of the topic, collection of relevant data and giving of final shape to the study undertaken, I have had guidance and assistance from a number of individuals and institutions. I would like to express my deepest appreciation and thanks to them.

Words are insufficient to bear the debt of gratitude that I owe to my esteemed research guide Dr. (Mrs.) Nigar Zuberi for her most readily accessible, intelligent guidance and invaluable suggestions ungrudgingly she offered to me which helped me in understanding and analysing the vagaries involved in this study and the troubles she endured for going through the texts with utmost patience in the midst of her busy schedule, without which this study would not have reached its completion. I would like to express my sincere gratitude to Professor Mohammad Mehmood, Chairman, Department of Political Science and other learned and distinguished teachers of the Department for their contribution to my intellectual growth and inspiration. The spectrum of ideas and activities of any individual is very much influenced by his colleagues and friends. I owe heartfelt thanks to all my friends and colleagues. I shall be failing in my duty if I don’t mention to my beloved Parents, my Brothers Dr.Irshad-ul-Haq, Ubaidullah and Sister Saima. Without their constant encouragement this thesis could have never been completed. They have always been motivating me for this work.

Irfan-ul-Haq
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ABSTRACT
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ABSTRACT

The two states of India and Pakistan were born in August 1947, when India was partitioned at the end of the British colonization. After partition, it was expected that the relations between India and Pakistan would be normal and cordial because the people of the two areas had shared a common history for centuries and the economies of the two countries were complimentary to each other. But unfortunately that did not happen. India-Pakistan relations have been the victim of psychological malaise and both the countries have been suspecting about each others motives since 1947. Pakistan always feared that India would destroy its very existence either directly or through internal subversion in Pakistan. In order to secure herself against the supposed Indian threat, Pakistan tried to seek friendship of China, West Asian Countries and had been the satellite of USA. The purpose of Pakistan’s friendship with these countries was to shift the balance of power in her own favour. The United States has been the most important state which has profound influence on the policy and perceptions of India and Pakistan.

It is a fact that while the fundamental problems of both India and Pakistan have domestic roots, the projection of the superpowers into South Asia severely complicated these problems by exacerbating tensions between India and Pakistan. The Cold War strategy demanded the US to look for friends and allies in South Asia in order to broaden the sphere of its global security system. Initially the US attempted to befriend both India and Pakistan. It was envisaged by US policy makers that if both India and Pakistan were available it was fine. If not at least one of them must brought into US global security system. India adopted the policy of
non-alignment and made it clear that it was not available for serving US global interests. When India turned down US proposal to become its satellite to serve its interests, the latter found in Pakistan a willing partner. The geographical location of Pakistan is such from where US could fulfill many objectives; it could contain Soviet Union and pursue oil interests in the Persian Gulf. By making Pakistan a Cold War partner United States barely helped in improving India- Pakistan relations rather its pronouncement and involvement has further widened the existing gap between India and Pakistan.

Pakistan’s preoccupation with India kept it running for support all over the world to strengthen its defence. Pakistan entered into military pacts and concluded mutual defence pacts with the US, with the result Pakistan obtained massive military aid from US. US defence pacts with Pakistan and its supply of sophisticated weapons to the latter unleashed arms race and embittered the already sullen relations between India and Pakistan. It prevented the normalization of their relations because it not only posed a great security problem for India but it also made Pakistan more adamant towards the outstanding bilateral issues.

Pakistan was important to the US as a strategic ally in the context of America’s Cold War against the Soviet Union. But with the withdrawal of Soviet forces and finally with the disintegration of Soviet Union, the Cold War ended. Thus Pakistan’s usefulness to US policy calculations was changed. The end of the Cold War persuaded the US to re-evaluate and downgrade its relationship with Pakistan on the ground that the new global environment did not warrant the old strategic partnership. An immediate and far reaching consequence was the emergence of
differences between the countries on the nuclear issue. In October 1990, economic and military sanctions were imposed on Pakistan under the Pressler Amendment, a country-specific law that singles out only nation on the nuclear issue. One consequence of the Pressler sanctions was the US decision to withhold Pakistan military equipment contracted prior to 1990, with about $1.2 billion, even though Pakistan had paid for this. US not only suspended her economic and military assistance to Pakistan but also shifted her priorities towards India in place of Pakistan. Thus, whatever the burden India was facing during the Afghan crisis and the Cold War from the side of Pakistan helped by US was reduced and this burden was shifted to Pakistan.

Kargil war further deteriorated the relations between India and Pakistan. Kargil conflict between India and Pakistan raised the specter in the United States that conflict over Kashmir could trigger the first use of nuclear weapons. Finally, USA intervened to save the situation in South Asia from going out of hand.

The 9/11 terrorist attacks against USA suddenly changed the power context in South Asia. The terrorist attacks on the US strengthened the desire of the US to work with India in its strategic plans. There was a transformation in America’s geo-strategic thinking as Afghanistan, the base of the Al-Qaeda, the prime accused in the 9/11 terrorist attacks, became the central focus of its war against terror. India offered to side with the US in its fight against terrorism. The US took India’s help during ‘Operation Enduring Freedom’ in Afghanistan. The Indian navy escorted and protected high value American shipping through the Straits of Malacca. India also allowed US flights across its territory and provided refueling facilities for
American aircraft. American naval ships used Indian ports for rest and refueling. India’s friendly gestures provided the American navy the logistical support required to conduct its trans-oceanic operations.

Though India’s offer of support to the US war against terrorism was immediate and unconditional, it could not provide what Pakistan had: a long border of 2500 kilometers with Afghanistan and a long, close association with the Taliban. Pakistan was clearly the crucible of the US campaign against Al-Qaeda and the Taliban for both geographic and strategic reasons. Islamabad was one of the few countries that recognized the Taliban. Thus the Cold War history was replayed with the US treating Pakistan territory useful for logistical operations. As a result, Pakistan swiftly re-emerged as a frontline state and vital US ally.

Kashmir is the root cause of Indo-Pak conflict. Nothing has bedeviled Indo-Pak relations more than the dispute over the Kashmir. Both countries have fought three major wars over Kashmir but its fate is still unidentified. Though concerns mainly India and Pakistan, Kashmir dispute has attracted the international attention. The failure of India and Pakistan to settle the Kashmir problem has opened the issue for interference and intervention for outside states. United States is one the most important states, external to the dispute, which has shown its interests in Kashmir. The Kashmir issue has been one of the focal points of the US foreign policy in India and Pakistan. In fact, the US involvement in Kashmir dispute will hinder and not promote a settlement. One should also not forget that more the issue is internationalized, the less are the chances of finding a lasting solution to the problem. If the US does not involve itself in the Kashmir issue, Pakistan will be left
with no other option but to settle the matter bilaterally. Thus the best contribution the US can made to a peaceful resolution of the Kashmir issue, therefore would be to keep off it. In fact, the Kashmir problem requires not outside intervention but political will from India and Pakistan. A mutually satisfactory resolution of the Kashmir issue will leave the US with no alibi to intervene and this is where India and Pakistan must focus.

Against this background, the present study which is divided into six chapters, attempts to analyse the United States and India-Pakistan Relations: Issues and Irritants Since 1990. The First Chapter endeavours to present an overview of the evolution of India-Pakistan relations in historical perspective, focusing on the enduring conflictual relationship of these two South Asian neighbours since their independence in 1947. This chapter also gives a brief account of Kargil war and its impact on India-Pakistan relations. The chapter ends with the detailed discussion on the peace process initiatives taken by both India and Pakistan to navigate their enduring conflictual relationship.

The Second Chapter endeavours to present an overview of the evolution of US-Pakistan strategic relationship in historical perspective focusing on how both countries came together and how shrewdly Pakistan used the various opportunities intrusive in the cold war for becoming member of military pacts such as SEATO, CENTO which resulted in massive military assistance from the USA. The prescribed threat of India has been the main factor in Pakistan’s relations with the US. India has been the principal preoccupation of Pakistan’s defence and foreign policies. An endeavour has been made in this chapter to deal with major factors of
cooperation and irritation such as issue of F-16 and Pakistan’s nuclear tests of 1998. Military coup in Pakistan and US attitude towards it, Clinton’s visit to South Asia and bilateral relations are also discussed in this chapter. The chapter ends with September 11, 2001 attack on USA and its grave implications on global security system and how ultimately Washington invented Pakistan’s strategic significance.

In the Third Chapter attempt is made to analyse the India-US relations. Although India-US relationship was generally cordial, the rationale of the Cold War kept them apart. Despite common interests and shared perspectives, bilateral relations remained rancorous for much of the cold war period. India’s nuclear tests of 1998 and the implications of US sanctions imposed on India are also discussed in detail. The new foundation for the Indo-US relations was laid down by the Clinton visit which got a boost during the first Bush administration. How the India-US engagement that had been proceeding at a fairly fast pace right from the beginning of the Bush administration and how it gained a new sense of immediacy after 9/11 is also discussed in this chapter.

The Fourth Chapter tries to analyse India-US defence and military relations. This chapter gives a brief account of US military assistance to India and the high level discussions and negotiations between the two countries on their strategic interests and military cooperation. The chapter ends with the Indo-US Nuclear Deal which would enable India to acquire civil nuclear technology from the US and other members of the Nuclear Supplier Group and accord India defacto status of Nuclear Weapon State.
The Fifth Chapter endeavours to present an overall view of India-Pakistan Nuclear Programmes. It is clear that the legacy of partition is a key driving force behind the nuclear standoff that now exists between India and Pakistan. The skirmishing that has continued now for over sixty years, punctuated by outbreaks of full-scale war (in 1947, 1965, and 1971), have given both nations ample motivation to develop potent weapons to gain advantage over or restore balance with the other. The Nuclear Doctrines of India and Pakistan are also discussed in this chapter.

The Sixth Chapter deals with Issues and Irritants between India and Pakistan. Kashmir Imbroglio, Siachen Issue and Water Disputes between India and Pakistan are discussed in detail in this chapter. Kashmir is the prime contentious issue between India and Pakistan. This chapter seeks to analyse the US perception of the Kashmir dispute and its implications for India-Pakistan relations. It has also been argued that had the US been not involved in the affairs there was greater possibility of resolution of Kashmir issue bilaterally. It also suggests that the best contribution US can make to a peaceful resolution of Kashmir conflict would be to keep off it. US role in Kashmir should be a facilitator and not a mediator.

Both India and Pakistan have paid too much attention to improve their relations with the United States and too little to coming to the terms with each other. In seeking the American policy in their favour, both India and Pakistan lost valuable opportunities to bring a measure of peace and stability to their bilateral relationship. With the result, both India and Pakistan have sought to pull each other down in US and degraded their individual diplomatic standing with the US. It is
thus advisable for both India and Pakistan to end their excessively differential attitude toward the US and concentrate on improving their bilateral relations.

India and Pakistan since partition have been at loggerheads in all fields, particularly in arms build up and acquisition of nuclear technology. At present, both India and Pakistan have larger forces and more sophisticated weapons than in the past. So the cost of war will be substantially greater than that of the previous three wars. Thus, it must be clearly understood by India-Pakistan policy makers that to establish reliable, creditable, and durable relations, both countries have to leave all real or imaginary apprehensions, fears, suspicions and mistrust. Irritants should be removed through diplomacy, cooperation, negotiations and attitude of give and take. It is only then and then alone that lasting, durable and peaceful relations beneficial for both countries can be ensured.
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CHAPTER- I

Evolution of India-Pakistan Relations

Historical Background

India was the life blood of British imperialism. It was a great market for its consumer goods as well as for the products of heavy industry, for owning the means of production and a heaven for export of capital. Tens of millions of pounds were siphoned off from India every year. India became the center and keystone of the whole economic and financial fabric of the British Empire.\(^1\) India occupies an important strategic position. Around the vast expanse of the Indian Ocean, with India as the commanding center, stretches the Persian Gulf, the Middle East on the west; the Red Sea and Egypt and Africa to the south east, Australia and through the straits of Singapore, as well as through the new Burma Yunnan Road, the route to China. The conquest of India therefore became an essential element in the capitalist development of Europe and in particular of Great Britain. For two centuries European capitalism was nourished to a large extent on the spoils gathered from India. As early as 1898, Lord Curzon made a revealing admission that “India is the pivot of our empire....if the Empire loses any other part of its Dominion we can survive, but if we lose India, the sun of our empire will have set.” The popular uprising of 1857-59- the first war of India’s independence was an important landmark in its history. It brought to light the relative weakness of the social basis of British rule and the deep seated hatred of the masses for their oppressors. Muslims were most active participants in the various revolts against the British rulers. Consequently, a number of their officers serving in India became
exasperated with continued Muslim uprisings which lasted over half a century. In 1843, for instance, Viceroy Lord Ellenborough wrote to the Duke of Wellington: “I can not close my eyes to the belief that the Mohammedan race is fundamentally hostile to us and our true policy is to reconcile the Hindus.” Many British officers held the Muslims solely responsible for 1857 uprising.2

As a matter of fact, it was on the basis of this estimate that the British rulers drew up a two-fold strategy to divide the Indian people. On the one hand, they started appeasing the Muslim Landlords and on the other, planting a sense of independent entity among the Muslims. It is significant that in the last two decades of the 19th century, number of communal riots rocked in the country. Some of them were triggered off by the agitation for cow protection and opposition to it. Parallel to the intensification of our national movement, the British rulers too accelerated their drive to divide the country on communal lines.3

The freedom of India and Pakistan from the British rule was the beginning of another era filled with chaos, confusion, hatred, conflict. The people of the two countries feared the social and political turmoil which they had undergone. To make the situation worse, new political, social and economic problems erupted, straining relations between the two countries. For example, the dispute on the sharing of the Indus River waters, immediately after partition, was taken to the World Bank. However, the most notable feature after partition was Pakistan’s fear of India’s strength which outclasses it in every comparison. Pakistan feared India’s retaliation for its dissent from the latter whereas India feared the ideological threat from Pakistan which was claiming to be the champion of the Muslims. This was also
evident in its claim on Kashmir, Junagarh and Hyderabad. In continuation of its theocratic ideology, Pakistan started pressurizing the Maharajah of Kashmir who was undecided about joining either India or Pakistan, to join Pakistan. In 1948, Pakistan sent Waziri and Mansud tribals from the North-West Frontier to free Kashmir from the Hindu Maharajah. India not only countered the attack militarily but also lodged a complaint with the United Nation’s Secretary General on December 30, 1947, against the Pakistani invasion on Kashmir. This led to the appointment of a United Nation’s Commission on India and Pakistan (UNCIP) which proposed ceasefire, demilitarization and plebiscite by its resolutions of August 13, 1948, and January 5, 1949. Both sides agreed to the ceasefire line in 1949.

Pakistan wanted to counter the alleged Indian threat by building up its military strength and was not averse to maintaining relations with the Great Powers. This was evident when in 1954 it entered into a Mutual Security Pact with the US which changed the whole context of the problems existing between India and Pakistan. Pakistan proved useful to the US in its policy of Containment of Communism in the region. The US gave Pakistan the first high performance jet aircraft, including F-86 Sabres and 12 F-104 interceptors and hundreds of World War I and Korean War vintage tanks. Prime Minister Nehru was against the involvement of external powers in the bilateral regional issues which would otherwise bring the Cold War politics into the region. The US arms aid to Pakistan became a lasting and irritating issue in Indo-Pak relations, and in response, India started purchasing arms from non-American sources. Moreover, India had inherited only 15 Ordinance Factories from the British in 1947 and the machinery
and equipment in these was obsolete and worn out. Hence, for the supply of weapons, reliance on outside suppliers, mainly the UK and later France, had to continue. The UK was the first on the preference list of the suppliers of weapons as the existing arms and equipment were mainly of British origin and it was logical to replace the spare parts from the original source. India’s dependence on England can also be attributed to its non-aligned policy of keeping out of the Cold War politics and it thus avoided purchase of arms either from the USA or the former USSR.

Pakistan became frustrated with India’s increasing attempts to integrate Kashmir into its fold. Embolden by a presumed victory against India in the Rann of Kutch in April 1965, Pakistan made plans for “Operation Gibraltar” to recover Kashmir. As it did in 1947, it first sent Pakistani guerrillas into the Valley in August 1965 hoping that the Kashmiri Muslims would rise in rebellion against India. Instead, the guerrillas were apprehended and handed over to the Indian authorities. The situation worsened rapidly. On September 1, when Indian troops crossed the international border, Pakistan launched an attack on Jammu. In response, India launched a series of attacks through the state of Punjab toward Lahore, Pakistan, and battled the Pakistani army. As the clashes continued, the UN Security Council, supported by the United States, Britain, and the USSR, called for an immediate cease-fire, which India and Pakistan accepted on September 6, 1965. Although the war was brief, it was a bitter one. Neither country was a winner.

The Indian authorities informed the US about the use of American weapons by the Pakistani forces. Pakistan was under an obligation under the Mutual Security Act, not to use American weapons in aggression against any other country.
This led the US government to impose an arms embargo on both the belligerents on September 8, 1965. On the following day, the State Department declared US neutrality in the Indo-Pak conflict. The arms embargo fell heavily on Pakistan as it was dependent on American supplies. Pakistan felt let down by the US which should have extended help to them as per the assurances given to them when Pakistan joined the South-East Asia Treaty Organisation (SEATO) and Central Treaty Organisation (CENTO). The neutral stand taken by the US during the September 1965 War further infuriated Pakistan as it had expected the US to use its influence to stop the Indian invasion across the international line which threatened Pakistan’s independence.

In January of 1966, at the invitation of Soviet Premier Alexsei Kosygin, both Shastri and Khan met in the city of Tashkent (Republic of Uzbekistan) and signed the agreement known as the Tashkent Declaration. India and Pakistan agreed to create good relations in accordance with the UN Charter, to promote understanding and friendly relations and a total pull-out of troops before February 25, 1966 to their pre-war positions. Shastri died of a heart attack in Tashkent right after he signed the declaration and Mrs. Indira Gandhi succeeded him.

After the war, the economy of the warring countries was shattered. The attention of the respective governments was diverted towards their internal issues. In Pakistan, troubles mounted in East Pakistan. The elections in Pakistan in December 1970 resulted in the total victory of the Awami League in East Pakistan. The Awami League destroyed the dominance of the Pakistan People’s Party at the central level and this was not acceptable to the ruling elites of West Pakistan. On
March 1, 1971, following the replacement of the civilian Governor of East Pakistan by the Martial Law Administrator and the adjournment of the opening of the Constituent Assembly, riots broke out. On March 25, fresh riots broke out, resulting in the migration of East Bengalis towards India. The Indian government opened its border at the eastern sector for the refugees whose numbers had reached approximately ten million. The increasing numbers of refugees were a great concern to India because of its social and economic fallout.

In 1971, India and Pakistan fought a third war over Bangladesh’s Independence in which the Kashmir dispute was only a peripheral issue. The Indo-Pakistan War started on December 3 which also witnessed the active involvement of the Great Powers. The US sent “Task Force 74” headed by the nuclear powered carrier Enterprise and half a dozen other ships into the Bay of Bengal through the Straits of Malacca. An amphibious assault ship, the Tripoli, with a battalion of 800 Marines, three guided missile escorts, four destroyers, a nuclear attack submarine, and an oilier were sent by the US to support Pakistan to change the outcome of the war. Subsequently, the Soviets dispatched a force of six vessels to the Indian Ocean. At one time, it looked as if a direct confrontation between the two external powers would take place in South Asia. For the first time, the two superpowers were directly involved in the Indian Ocean over the Indo-Pak conflict. The crisis ended abruptly when Pakistani forces in Dacca unconditionally surrendered to the Indian forces on December 16.

After the war, the Government of India tried to resolve the differences with Pakistan on a new and firm basis. In March 1971, India sent a formal note to
Pakistan desiring a summit between Prime Minister Indira Gandhi and President Bhutto. Five-day Indo-Pak Summit talks began on June 28, 1972, at Simla. On July 2, 1972, Mrs. Gandhi signed the Simla Agreement with Mr. Zulfikar Ali Bhutto, the first President and later Prime Minister of Pakistan who had succeeded the military dictator General Yahya Khan in 1971. Under this agreement, India and Pakistan, among others, committed themselves to “settling their differences through bilateral negotiations or by any other peaceful means mutually agreed upon between them,” and that the “basic issues and causes which bedeviled the relations between the two countries for the last 25 years shall be resolved by peaceful means.” They also agreed that in “Jammu and Kashmir, the Line of Control (LOC) resulting from the cease-fire of December 17, 1971, shall be respected by both sides without prejudice to the recognized position of either side.” The agreement became the basis for the renewal of official relations between the two countries both at political and economic levels, thus ending any role for either the UN or outside powers including the US. On July 24, 1973, they both signed another agreement in New Delhi agreeing to repatriate all Prisoners Of War (POW's) except for 195 who were held to be tried but were later released without trial.

The Indo-Pak subcontinent experienced a rise in defence expenditure soon after the war. India tried to give emphasis on self-reliance in armaments. Pakistan also tried to achieve self-reliance in armaments. Pakistan also tried to accumulate weapons from all the available sources. In 1973, the US decided to modify its policy of arms embargo on Pakistan by permitting the sale of non-lethal equipment and spare parts. In 1975, the US lifted the embargo on the supply of arms to Pakistan...
under the pretext that the Soviet Union had dumped excess arms in India. American fears and assumptions became more intense when India exploded a nuclear bomb in May 1974. This enabled Pakistan to persuade the US to lift the arms embargo. The US had been giving aircraft and airfield equipment to Pakistan under the pretext that India had obtained sophisticated weapons from the former USSR whereas Pakistan had inferior weapons from China and a small quantity from the US. America had been constantly supplying weapons to Pakistan in pursuance of its policy of the Containment of Communism which was further aggravated by the presence of the Soviets in Afghanistan and the collapse of its Iranian ally.

Between November 1986 and February 1987, first India, then Pakistan, conducted provocative military maneuvers along their border that raised tensions considerably. India’s “Operation Brass Tacks” took place in Rajasthan, across from Pakistan’s troubled Sindh Province, and Pakistan’s maneuvers were located close to India’s state of Punjab. The crisis atmosphere was heightened when Pakistan’s premier nuclear scientist Abdul Qadir Khan revealed in a March 1987 interview that Pakistan had manufactured a nuclear bomb. Although Khan later retracted his statement, India stated that the disclosure was “forcing us to review our option.” The tensions created by the military exercises and the nuclear issue were defused following talks at the foreign secretary level in New Delhi (January 31-February 4) and Islamabad (February 27-March 2), during which the two sides agreed to a phased troop withdrawal to peacetime positions.

In the early 1990s, Indo-Pak relations remained troubled despite bilateral efforts and changes in the international environment. High-level dialogue on a range
of bilateral issues took place between foreign ministers and prime ministers at the UN and at other international meetings. However, discussions over confidence-building measures, begun in the summer of 1990 as a response to the Kashmir confrontation, were canceled in June 1992 following mutual expulsions of diplomats for alleged espionage activities. In June 1991, Pakistani Prime Minister Nawaz Sharif proposed talks by India, Pakistan, the United States, the Soviet Union, and China to consider making South Asia a nuclear-free zone, but the governments of Chandra Shekhar and subsequently that of Narasimha Rao declined to participate. Nevertheless, negotiations concerning the Siachen Glacier resumed in November 1992 after a hiatus of three years. Between 1990-1994 India and Pakistan were hard pressed for a dialogue due to international pressure following the indigenous Kashmiri uprising which began in the end of 1989. Following the mission of the American President's special envoy, Robert Gates to the region, India and Pakistan were engaged in seven rounds of talks at the foreign secretary level. However this process broke down in January 1994. After the passage of four years, talks were resumed after Nawaz Sharif assumed office in March 1997. Following Foreign Secretary level talks in June 1997, an agreed agenda was adopted which includes the specific issue of Kashmir. More importantly, in the meeting between the Prime Minister of India and Pakistan in September 1998, the two leaders agreed the resolution of the Kashmir dispute is essential for peace and security in the region.

In response to an invitation by the Prime Minister of Pakistan, Mr. Mohd Nawaz Shariff, the Prime Minister of India, Shri Atal B. Vajpayee, visited Pakistan
from 20-21 February 1999 on the inaugural run of Delhi- Lahore Bus service. The two leaders held discussions on the entire range of bilateral relations, regional cooperation with SAARC, and issues of international concern. They decided that:

1. The two Foreign Ministers will meet periodically to discuss all issues of mutual concern, including nuclear related issues;

2. The two sides shall undertake consultations on WTO related issues with a view to co-coordinating their respective positions;

3. The two sides shall determine areas of cooperation in Information Technology, in particular for tackling the problems of Y2K;

4. The two sides will hold consultations with a view to further liberalizing the visa and travel regime;

5. The two sides shall appoint a two member committee at a ministerial level to examine humanitarian issues relating to civilian detainees and missing POWs.12

The two Prime Ministers signed the Lahore Declaration on February 21, 1999 embodying their shared vision of peace and stability between their countries and of progress and prosperity for their people.13 The Lahore Summit has been termed "historic" by official circles in the two countries as well as many South Asian observers. This was the first ever visit by an India Prime Minister to Pakistan in a decade and was seen as "a powerful gesture of hope and reconciliation." Prime Minister Vajpayee described it as a "defining moment in South Asian history" and said before leaving to India, that the two countries should "put aside the bitterness of the past." While Prime Minister "Nawaz Shariff" stated "neither Pakistan nor India has gained anything from the conflicts and tensions of the past fifty years."14
Three documents were signed to turn their countries towards great cooperation. Prime Minister Vajpayee said, "From the historic Minar-i-Pakistan, I wish to assure the Peace and friendship. A stable, secure and prosperous Pakistan is in India's interest. Let no one in Pakistan be in doubt about this, India sincerely wishes the people of Pakistan well." This explicit statement of support for a strong, stable and prosperous Pakistan was seen in the region and particularly in the US as a courageous and dramatic opening in a relationship bound by half century of suspicion and enmity.

1999 was a watershed of sorts for the conflict in Kashmir. Within a span of a few months, starting from February 1999, the world was treated first to hopes of a negotiating settlement in the wake of Lahore Process and subjected to the specter of a full- fledged war between the two South Asian Nuclear States. In 1999, over 1000 Pakistani based militants and Pakistani regulars crossed the line of Control into the Indian Kargil area and seized Indian army outposts in a surprise attack.

Relations between India and Pakistan reached their lowest ebb after the 13 December 2001 terrorist attack on India's parliament, in which over a dozen people, including five security guards, were killed. Despite Islamabad's swift and strong condemnation of the attack, Prime Minister Vajpayee accused Islamabad of supporting Kashmir militant outfits Lashkar-i-Tayyiba and Jaish-i-Mohammed, whom he blamed for carrying out the attack. Islamabad denied these allegations and accused New Delhi of "stage managing" the attack to discredit the Kashmiri struggle for freedom, and also to give a bad name to Pakistan as a state supporting terrorism.
New Delhi initiated a full-scale military mobilization, and in May 2002, war between India and Pakistan seemed like a distinct possibility. Faced with the nightmare scenario of an India-Pakistan shooting war turning into a nuclear conflagration - with devastating consequences for the region and the American anti-terror campaign against Al Qaeda -Washington exerted intense diplomatic pressure on New Delhi and Islamabad, asking them to pull back from the precipice.

With warlike noises emanating from New Delhi, on 12 January 2002 President Musharraf announced a sweeping reform agenda in his address to the nation. Condemning the radical Islamists who had unequivocally set up a “state within a state”, he declared his determination to rid Pakistani society of their pernicious influence. He announced a ban on all sectarian activity, and set up speedy trial courts to punish those involved. Most significantly, he banned six extremist Islamic groups involved in sectarian campaigns in the country, including Lashkar-e-Tayyiba and Jaish-e-Mohammed, both of which had already been designated as terrorist groups by the US State Department. Signaling a qualitative shift in Pakistan’s involvement in Islamic militancy in Kashmir, President Musharraf said, “No organization will be able to carry out terrorism [under] the pretext of Kashmir.”

Two days before President Musharraf’s landmark speech, Islamabad announced the setting up of National Kashmir Committee, under the presidency of moderate Sardar Muhammed Abdul Qayyum Khan, a former President of Azad Kashmir. The purpose of this committee was to continue the struggle for the rights of the Kashmiri people by new means. Islamabad’s sweeping measures to curb
Islamic militancy in Pakistan and to end armed support to the insurgents in Kashmir, however, failed to dissipate the clouds of war. Fearing that war with India was imminent, Pakistan withdrew more than 50,000 troops it had deployed along its border with Afghanistan to prevent Al Qaeda and Taliban forces from entering its territory. Islamabad also informed Washington that in the event of an India-Pakistan war, it would have to reclaim some of the airfields that it had loaned to the United States for its military operations in Afghanistan. To prevent a looming India-Pakistan war from playing havoc with its military campaign against Al Qaeda forces, Washington launched a frantic diplomatic campaign to defuse the India-Pakistan crisis. Following the visit of Deputy Secretary of State Richard Armitage to New Delhi and Islamabad in June 2002, both countries agreed to pull themselves back from the brink of a catastrophic war.

In response to President Pervez Musharraf's pledge that he would "permanently" end his country's support for armed militancy in Indian-held Kashmir, New Delhi lifted some of the diplomatic and economic curbs imposed on Islamabad in the wake of the 13 December 2001 terrorist attacks on the Indian parliament. President Musharraf's decision to limit Islamabad's strategic support for the militancy in Kashmir, although greeted with howls of "sell out" by Islamic hard-liners in the country, evoked a positive response from New Delhi in May 2003. India's Prime Minister, Atal Behari Vajpayee, told the Indian parliament on 2 May 2003 that he was willing to make his "third and final" effort at peace by agreeing to hold "decisive talks" with Pakistan to resolve the India-Pakistan dispute.
Two weeks earlier, during a visit to Kashmir, he had said that he wanted to extend a “hand of friendship” to Pakistan, his country’s arch enemy. Taking advantage of this peace offer, Pakistan’s Prime Minister, Mir Zafarullah Khan Jamali, called Mr. Vajpayee on 28 April 2003, and thus broke the ice between the two feuding neighbours. Following their telephonic conversation in which the two prime ministers discussed way of improving bilateral ties, both sides announced the return of diplomats to each other’s capitals, and also agreed to re-establish communication and sporting links. Having realized the futility of war in resolving their differences over the central issue of Kashmir, India and Pakistan, under constant prodding from the world community, have slowly but steadily moved towards rapprochement. In a remarkable reversal of Islamabad’s verbal strategy on Kashmir, President Pervez Musharraf publicly stated on 17 December 2003 that even though “we are for United Nations Security resolutions . . . now we have left that aside.”

President Musharraf categorically pledged in a joint statement issued in Islamabad following his meeting with the Indian Prime Minister, Atal Bihari Vajpayee, on 6 January 2004, that he would “not permit any territory under Pakistan’s control to be used to support terrorism in any manner”. This statement was meant to mollify New Delhi’s concerns relating to the issue of alleged “cross-border” infiltration from Pakistan. By dropping its longstanding demand for UN-mandated plebiscite over divided Kashmir, and by assuring New Delhi that Islamabad would not encourage violent activity in Indian-held Kashmir, President Musharraf has helped to create much-needed political space for New Delhi to
substantively engage itself with Islamabad for finding a workable solution to the festering Kashmir dispute. Following the 6 January meeting between Musharraf and Vajpayee, the first round of official talks between the two countries was held in Islamabad from 16 to 18 February, 2004. The joint statement issued in Islamabad on 18 February announced that both sides had agreed to resume their stalled composite dialogue. It further mentioned that the foreign ministers of both countries would meet in August 2004 to review the overall progress of the composite dialogue.23

The surprise victory of the Congress Party, led by Sonia Gandhi, in the May 2004 Indian national elections further raised hopes of a permanent peace between India and Pakistan. Such hopes are not only exaggerated, but must be tempered by three fundamental realities. First, the Congress-led government of Dr. Manmohan Singh is a coalition government pitted against a very strong BJP-led opposition. Second, the Congress has historically had a status quo orientation towards the Kashmir issue. Having signed the Simla Agreement in July 1972, its policy on Kashmir since then has been to endow the Line of Control with characteristics of an international boundary. Third, even if it managed to muster the necessary political resolve to move beyond the status quo solution for Kashmir, the Congress will have to contend with the reality of the parliamentary resolution on Kashmir, which was passed unanimously under its aegis on 22 February 1994. The Resolution called upon Pakistan “to stop forthwith its support to terrorism” which it described as “the root cause of tension between the two countries” and to cease “violation of the Simla Agreement and the internationally accepted norms of inter-state conduct”.

23
Expressing its concern at the “pitiable conditions and violations of human rights and denial of democratic freedoms of the people in those areas of the Indian state of Jammu and Kashmir, which are under the illegal occupation of Pakistan”, it claimed on behalf of the “people of India” that:

The state of Jammu & Kashmir has been, is and shall be an integral part of India and any attempts to separate it from the rest of the country will be resisted by all necessary means;

• India has the will and capacity to firmly counter all designs against its unity, sovereignty and territorial integrity; and demands that Pakistan must vacate the areas of the Indian State of Jammu and Kashmir, which they have occupied through aggression; and resolves that

• All attempts to interfere in the internal affairs of India will be met resolutely.

Kargil War and its Impact on India-Pakistan Relations

In February 1999, when Atal Behari Vajpayee, Prime Minister of India, journeyed by bus to Lahore at the invitation of Prime Minister Nawaz Sharif of Pakistan, most people on the sub-continent hailed it as a bold and courageous political act of the two leaders. It was felt that with nuclear weapons capability out of their respective closets in May 1998, India and Pakistan would be less suspicious and more transparent with each other. The conducive strategic environment and common people’s desire would enable their political leaders to work genuinely for confidence building measures and improvement of relations between the two nations, which, since independence in August 1947, had fought four wars and seen several minor actions. But that was not to be. Even as Prime Ministers Vajpayee
and Nawaz Shariff hugged and talked with each other, and then signed the Lahore declaration, the Pakistan Army had already initiated a deliberate and well-planned intrusion across the Line of Control (LoC), delineated on maps as part of Simla Agreement in 1972.

The Kargil War was an armed conflict between India and Pakistan that took place May and July 1999 in the Kargil sector of Kashmir. The cause of the war was the infiltration of Pakistani soldiers and Kashmiris militants into position on the Indian side of the line of Control, which serves as the De-facto border between the two states. During and directly after the war, Pakistan blamed the fighting entirely on Kashmiri insurgents; however documents left behind by casualties and later statements by Pakistan’s prime Minister and Chief of Army staff showed involvement of Pakistani paramilitary forces. The Indian Army, supported by the Indian air Force, attacked the Pakistani positions and with international diplomatic support, eventually forced the Pakistani withdrawal across the LoC.

Both Pakistan and India have their observation posts along the LoC in the Kashmir area. During winter when the weather becomes very cold and snowfall defies logistical support, the military posts are vacated only to be reoccupied again once the snow melts.24 In the spring of 1999, before the Indian forces returned to reoccupy their posts, over 600 armed militants infiltrated the LoC into two to three dozen well fortified steep ridges along the Kargil, Dras and Batalik sectors of Indian held Kashmir. The area is very strategic and sensitive as it overlooks the only highway that connects Kashmir’s capital, Srinagar to Leh, the largest city in the Ladakh region.25 Not only that, it is the life line to hundreds of Indian troops.
deployed up north in the Siachen Glaciers. The constant supply line of food, ammunition and heating resources needs to be maintained to assure survival of the troops. Kargil and Dras strategic location gave the infiltrators the advantage where they were able to choke this supply line.26

However, things were made complicated for infiltrators when the Indian army returned to occupy the bases a bit early than normal that year. Though, the infiltrators were able to keep the Indian forces at bay, they soon found it hard as more reinforcements came in from other areas. Especially by the end of May 1999, when the Indian leadership realized the extent to which the infiltrators had taken positions, they called in more support and operation Vijay (literal meaning: Operation Victory) got into gear. By this time Indian troops had suffered great losses due to tactical errors in approaching the infiltrators. The infiltrators had dug in well and were in good strategic position where their snipers easily took out approaching Indian soldiers.27

It is now fairly certain that the decision to launch Operation Badr (Pak codename for the operation) across 160 Km of the LoC in Kargil Sector was soon after General Pervez Musharaff took over as the Pak Army Chief in October 1998. The New Chief made some quick changes in the top echelons of the Army. He brought in Lieutenant General Mohammad Aziz khan from the Inter Service Intelligence (ISI) to take over as chief of General staff, without commanding a Corps, as was the usual practice. An old contingency plan28 was updated, and after carrying out detailed preparations during winter, the operation was launched to
coincide with the melting of snow and the opening of India’s National Highway 1A linking Srinagar to Leh via Kargil. The military objectives were to:

1. Occupy approximately 700sq km area on the Indian side of the LoC in Kargil-Turtuk Sector.

2. Interdict Srinagar-Kargil-Leh Road.

3. Capture Turtuk and cut off Southern and Central parts of Siachen Glacier Sector, and

4. Intensify militants’ activities in J&K, which had received a setback after the State assembly and National parliament elections in 1997-98.

End of May, the Indian forces utilised their air power and used the Indian Air Force (IAF) to target the infiltrators’ positions. However, lack of good missile technology and the strict orders from the political leadership not to cross the LoC made it hard for the fighter jets to cause significant damage. In addition, the IAF lost two jets to enemy fire. Using IAF to “soften up” the targets, the Indian military was able to take control of the key positions of Dras and Batalik by June 16. By the 20th of the same month they had control over the sector.

On June 12, Pakistan’s foreign Minister Sartaj Aziz visited New Delhi to talk to Jaswant Singh. But the talks failed. India identified Pakistan as an aggressor that had violated the LOC, while Aziz surprisingly questioned the validity of the line, which was based on the 1972 Simla Agreement signed by both countries. He also called for a joint working group to help settle India’s claim of the Kargil, which Singh angrily rejected. Before he visited New Delhi, Aziz had visited China, a Pakistan ally, China, seeking its support, but was rebuffed. His visit also did not
diminish any of publicity mileage that Singh’s up-and coming visit to China was
designed to garner. This was especially important to India, since it was the first time
Singh visited China after the Pokhram II nuclear tests. As the battle turned bloodier
and more intense, the Clinton administration intervened to help defuse the crisis. In
the second week of June, Bruce Reidel, Special Assistant to President Clinton, in a
briefing at the Foreign Press Center, asserted the inviolability of the LOC by stating
the following: “we think the Line of Control has demarcated the area over the years.

The two parties have not previously had significant differences about where
the LOC is and the “forces which have crossed the line should withdraw to where
they came from.” He noted that the President in his recent letters to both Prime
Ministers had stressed that point. On June 15, in separate telephonic conversations,
Mr. Clinton told Sharif to withdraw the infiltrators from across the LOC, and
Vajpayee that he appreciated his display of restraint in the conflict. To Pakistan’s
further sense of isolation, the G-8 members, at their annual meeting in Cologne,
Germany, June 19-20, came out strongly in support of India’s contention that the
Kargil crisis was precipitated by mercenaries backed by Pakistani troops. Mr.
Brajesh Mishra, the Principal Secretary to Vajpayee, who had taken Vajpayee’s
letter to Mr. Clinton at the G-8 in Cologne, also took the opportunity to explain the
situation to the rest of the G-8 leaders. Following that meeting, a communiqué was
issued on June 20 by the G-8, which condemned in unequivocal terms the violation
of the LOC and dubbed Pakistan’s military action as “irresponsible” in its attempt
to change the status quo at the LOC, and called on it to end the intrusion. The
communique also urged the two countries to resolve the Kashmir dispute with “dialogue”. This position was also supported by China.

There had been attempts at various levels to resolve the issue before it turned into an all out conventional war. United States had tried to endorse a visit by the Pakistani foreign minister to New Delhi. At one time there was also a proposed plan to get Nawaz Sharif himself go to India. However, because of the mood of general public in both countries it was overlooked.30

There were attempts made unofficially to end the fighting. India had dispatched a notable Journalist R.K. Mishra and a diplomat Vivek Katju. The Pakistanis reciprocated it by sending their former foreign secretary Niaz Naik, a person known to be close to Shariff as well as to the Americans.31 He met Indian Prime Minister, Vajpayee and his principal Secretary Mishra, and slipped back to Pakistan. Although Pakistan’s foreign office insisted that it was “Naik’s private visit and had nothing to do with Pakistan’s foreign policy”, it was speculated that he presented a set of ‘face saving’ proposals to Shariff that would allow Pakistan to escape from the Kargil imbroglio as gracefully as possible. In June, General Anthony Zinni, the Commander-in-Chief of the United States Central Command visited Pakistan and made his nation’s stance known. He asked the Indians to exercise caution and restraint.32

By this time Pakistan was under heavy international pressure to withdraw the infiltrators. Nawaz Shariff had not found much support from its allies, China and United States; instead they were also mounting pressure on him. On July 3, Shariff requested a meeting with Clinton on ‘an urgent basis’ and met with him on July 4,
in Washington. After a three hour meeting, both leaders issued a joint statement in which Shariff agreed to withdraw the infiltrators. This was supposed to be a face saving effort but instead it turned out to be a diplomatic embracement for Pakistan as it had been denying any contention to the infiltrators.33

This was followed by the White House statement which stated that the President shared with Shariff the view that the current fighting 'contains the seeds of wider conflict' and that it was vital for the peace of South Asia that that LOC in Kashmir be respected by both parties in accordance with their 1972 Shimla accord, and that bilateral dialogue begun in Lahore in February provides the best approach for resolving all issues dividing India and Pakistan including Kashmir, and that the President would take a "personal interest in encouraging an expeditious resumption and intensification of those bilateral efforts once the sanctity of the LOC has been fully restored.

Shariff's Agreement to withdraw intruders upset the military so much so that on October 12, 1999 he was ousted from power in a bloodless coup. Musharaff declared himself the Chief executive, the Chief of Army, and later as President. Shariff, who was convicted and given a life sentence by military court, was subsequently exiled to Saudi Arabia in December 1999. The coup upset India and got Pakistan suspended from the Commonwealth Conference.

In Kargil war more than 400 Indian soldiers, 679 intruders, and 30 Pakistani regulars were killed excluding those who were wounded. The bad part of these figures is that most of the casualties were commissioned officers.34 The Kargil Conflict was also India's first televised war and it made a great difference in
mustering support for the Indian Government and demonizing Pakistani leadership. People all over the country were in support of a strong response to the aggressors as they saw their own coming back dead.\(^{35}\)

**Reasons for Pakistan’s incursion in Kargil**

Nawaz Shariff as Prime Minister of Pakistan had appointed General Musharraf after superseding half a dozen senior generals. Nawaz Shariff was an ambitious Prime Minister and he had selected an equally ambitious Chief of Army Staff. Both of them were keen to achieve something spectacular for their country. Both India and Pakistan had become nuclear powers and could use nuclear weapons in case of war. The Pakistani leaders not only felt but believed that India would not like to start a conventional war, if Pakistan occupied certain heights in J&K, which was not only a disputed territory between the two countries but which was also accepted as a disputed territory in international circles. This gave them the idea to capture some important heights in J&K, at the appropriate time of their choice.

The Kargil sector was selected due to many reasons. It was held by minimum Indian forces. There was only one Brigade, 121 Infantry Brigade, which was responsible for looking after a nearly 142 Kms long border. This long stretch started from just south of ‘Siachen’ and Kargil would give Pakistan an opportunity to advance toward Ladakh or outflank India’s defence in the ‘Turtok’ and ‘Chalunka’ sectors, thus rendering Indian defence untenable in Turtok and to some extent in the Siachen Sectors. The Pakistan’s action in Kargil sector, if successful, would force Indian Commanders to draw troops away from the J&K valley to the Kargil sector. This would give a fillip to militancy in the valley. So far the Kargil sector had
been free from the activities of terrorists. Pakistan's projected operations in Kargil and Turtok sectors would activate militancy in this sensitive area. This operation would also open new routes of infiltration from the north into the valley and Ladakh. Perhaps the most important Pak objective was to interdict the vital Srinagar- Kargil- Leh road. The Pak Commanders hoped to cut off this vital road by bringing down effective fire which would be controlled by their observers on the heights, north of the road Srinagar- Kargil- Leh. This would have both military as well as political implications for India, for Ladakh would be cut off from J&K. If these were military reasons to indulge in the Kargil incursion, there were equally compelling politico-strategic objectives for undertaking this operation: First, it would internationalize the Kashmir dispute as a possible flash point requiring urgent international or third party intervention. The proxy war in J&K has been going on for many years and its sudden escalation into active operations in Kargil sector would convince the major world powers that India and Pakistan were nearing a nuclear war. It would work against India, which had been stating that the testing of nuclear weapons by India and Pakistan had not endangered a nuclear war between the two countries. So India would remain on the defensive while Pakistan would get away by once again highlighting the J&K dispute. Second, the capture of heights on the Indian side of the LoC over a sufficiently long stretch of about 142 Kms would alter the LoC in Pakistan's favour, It would erode as well as damage the sanctity of the LoC. India attaches great importance to the LoC while Pakistan has always considered it irrelevant because it wants to bury the Indo-Pakistan Simla agreement for good. Thirdly, the successful outcome of the Pak incursion in Kargil
would give Pakistan a much better bargaining position for a possible trade off against the positions held by India in ‘Siachen’. Since Pakistan has failed in all its efforts to capture Indian picquets in the Siachen, the indirect approach of making India vacate the Siachen heights by occupying heights in Kargil sector, was another scenario in Pakistan’s capturing heights in Kargil sector, as India had done in Siachen.36

Besides Pakistan believed that its Defence Forces has the latest technology. As a matter of fact, General Musharaff boasted that his defence forces had a qualitative edge over India.37 On the Other hand, the head of Germany’s Intelligence Services ‘August Hanning’, the Bundesnacrichtendient (BND) estimated that ‘Pakistan can put up a tough fight against India only for 14 days in conventional war, because of India having the much superior forces’.38 But whether Pakistan military and strategists would agree with this assessment was another matter that is why Musharaff has stated that ‘he would be the last man to apologize for Kargil.’39

India-Pakistan Peace Process

The India-Pakistan Peace Process, technically known as the Composite Dialogue Process (CDP) has sailed through numerous highs and lows in bilateral relations since 1990. It has remained susceptible to unforeseen incidents which have derailed the peace process several times in the past. Since 1990, the India-Pakistan Joint Commission has been superseded by a series of foreign secretary-level discussions. These meetings have produced the Pre-notification Agreement, the Airspace Agreement, and the bilateral Chemical Weapons Declaration. India and Pakistan have confined their initial steps after 1990 war scare to conflict prevention.
Subsequently, both the countries explored other steps in the economic, cultural and humanitarian fields. Progress in this regard has been limited given the continued grievances over Kashmir issue.

In a rather war atmosphere, on May 28, 1990, India proposed a number of military related CBMs to Pakistan which were to be accompanied by high-level talks. As a unilateral gesture to reduce tension, India also withdrew its troops from Mahajan area near Bikaner. Though the details of these proposals were not made public, these CBMs were reportedly intended to reduce hostile rhetoric, increase contact between military commanders, share information on military exercises, prevent airspace violations by military aircraft and open negotiations on a wide range of outstanding issues at a ministerial level.40

In January 1991, India and Pakistan ratified the pledge not to attack each other's nuclear facilities. It was the 1988 agreement which came into force on January 1991 and lists of facilities covered by this agreement were exchanged in January 1993 and each side reportedly left off one enrichment facility although the first such data exchange was marred by some accusations.41

On April 6, 1992 Indian Foreign secretary, Muchkund Dubey and his Pakistani counterpart, Shahryar Khan signed the Agreement on prevention of Airspace Violations and for permitting Over Flights and Landings by Military Aircraft and the Agreement on Advance Notification of Military Exercises, Manoeuvres and Troop Movements. In addition, the two foreign secretaries promised to resume talks on the disputed Siachen glacier, which has been suspended in 1989, to discuss Wullar barrage/ Tulbul Navigation Project and to demarcate the
boundaries in the contentious Sir Creek region.\textsuperscript{42} There was also a commitment from the Prime Ministers of both the countries to push the dialogue forward, especially in the areas where concrete gains could be made. Though Shariff did promise to support the Kashmir people he did not link progress in Kashmir dispute with movement on other proposals.

In August 1992, India and Pakistan signed a memorandum stipulating a code of conduct for the treatment of each other’s diplomatic and consular personnel and signed a joint declaration on the complete prohibition of chemical weapons. Both countries agreed not to develop, produce, acquire, or use chemical weapons. Both the countries also ratified the chemical weapons convention (CWC) in 1997. When the government of India joined the CWC, it declared having stocked as well as production and storage facilities for the express purpose of dealing” with any situation arising out of possible use of chemical warfare against India”. It was further agreed that the DGMOs of India and Pakistan would resume communicating via hotline once a week.

In May 1997, in Male, capital of the Maldives, on the sidelines of a South Asian Association for Regional Cooperation (SAARC) summit, Indian Prime Minister Inder Kumar Gujral and his Pakistani counterpart Nawaz Sharif mooted the idea of a structured dialogue or the CDP. I.K. Gujral, a visionary and thinker (also known for his ‘Gujral Doctrine’ which called for a constructive and pro-active relationship with South Asian neighbours on a non-reciprocal basis) and Nawaz Sharif, whose government was in absolute majority in the National Assembly provided the necessary political will that was required for the realisation of such an initiative.
Based on a compromise approach, the peace process enabled the two countries to discuss all issues including J&K, simultaneously. In other words, the peace process discarded the 'Kashmir first' approach and followed a 'middle-path' wherein progress on all issues was possible simultaneously. It was a compromise in the sense that while India agreed to include Kashmir in the agenda for talks, Pakistan relented to include terrorism, the two major irritants in bilateral relations.

On October 6, 1997 Chief Minister of Jammu and Kashmir, Farooq Abdullah announced phased withdrawal of Indian army and paramilitary forces from five major towns in predominantly Muslim Kashmir valley including Srinagar and Baramulla. The phased withdrawal began promptly the next day, leaving the maintenance of law and order in the 'demilitarised' towns of Jammu and Kashmir’s state police. Remarkably Shariff had previously asked Gujral to withdraw troops from Kashmir as a show of good faith towards resolving outstanding Indo-Pakistan disputes. The 1997 talks were significant in the sense that Shariff and Gujral took steps to create a positive atmosphere for the negotiations. Measures announced by the two countries after the United Front government took over in India to remove restrictions on trade have unfolded many potentialities.

With the May 1998 detonation of nuclear bombs by both India and Pakistan, the past is no longer relevant. The nuclear issue came to be placed high on agenda on Indio-Pakistan relations. The testing of nuclear weapons accentuated existing tensions and divisions between the two countries, making confidence building and reconciliation harder to achieve. The Indo- Pakistan foreign secretary level talks in October 1998 made some headway. Both sides restated their views. Mindful of the
post-nuclear tests situation, both the sides quite reasonably put forward a number of proposals termed CBMs. India proposed for NFU pact, secure and safe hotlines, and advance intimation of military exercise. Pakistan rejected the NFU proposal, saying it cannot be accepted till India's conventional forces are reduced. India also proposed a dialogue on Kashmir but to which Pakistan responded saying first accept the right of self determination of the people of Kashmir. India also proposed a safety package to prevent an unauthorized and accidental nuclear war but Pakistan responded saying acceptable but final agreement depends on the progress of Kashmir.

The Indian Prime Minister, Mr. Vajpayee, has shown courage in taking certain welcome initiatives to break the long jam in Indo-Pakistan relations and re-inject the long absent note of civility into bilateral interactions. The decision to fill up the long vacant post of the Indian High Commissioner in Islamabad and to move for the restoration of the normal transportation links between the two countries has made possible a second look at the entire gamut of bilateral relations.

The fresh attempt to revive the dialogue process set in motion at the bilateral political summit at Lahore in February 1999 was aborted before it could take off by the clandestine occupation of unguarded Indian territory by the Pakistan Army in the Kargil area of J&K in the subsequent months, which triggered off a limited military response by India to eject the invaders. Active diplomatic intervention by the U.S. through pressure on Pakistan's political leadership then headed by Prime Minister Nawaz Shariff and the Army to respect the Line of Control (LOC) in J&K
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facilitated India’s military task, without letting the limited military conflict degenerate into a full fledged war.46

On 24th July, 2000 the declaration of unilateral ceasefire by the militant organization, Hizbul Mujahideen, was so sudden and unexpected for Kashmiris that the people refused to believe it. When the Chief Commander, from across the border, confirmed it, the people (of Kashmir) felt as if a gust of fresh air had blown in the scorching heat of the desert and realized that this rejuvenating hope of peace was neither a day dream nor an illusion. They felt that the long night of massacres, violence and gloom was coming to an end and a new dawn was the precursor of a happy morning. This belief got further strengthened by the manner in which New Delhi welcomed it. It is being said that the Prime Minister Vajpayee had a strong desire to accomplish two tasks i.e. to make India economically strong and stable and to find the final but durable solution to Kashmir conflict.47

On the 23rd of November, Prime Minister Vajpayee declared a unilateral ceasefire of his own, to mark the Muslim holiday of Ramadan. Pakistan greeted this gesture with skepticism and finding a basis for negotiation remained a daunting challenge. India continued to insist that Pakistan end its support for insurgents, and refused to consider “triangular engagement,” with Pakistan at the table, as a basis for talks with Kashmiris. However, in December India agreed again to bilateral talks with separatist groups, and dropped its insistence on a pledge of loyalty from them to the Indian constitution. Musharraf, perhaps encouraged by an American-brokered IMF loan, seemed willing to allow talks to proceed without Pakistan’s direct involvement, and Pakistani troops moved back from the border area. The
Indian ceasefire extended through the spring of 2001, but peace talks remained stalled.\textsuperscript{48}

On 5\textsuperscript{th} April, 2001, the Indian Government nominated the Deputy Chairman of the Planning Commission, Mr. K.C Pant as its embassy to hold a broad based dialogue with all Kashmiri groups, including those who do not favour the idea of a negotiated settlement of the issue of or the local who have taken up the arms. The Central Government in Delhi in its communique spelled out its agenda as “peace and how it may be attained in the troubled state” and said: The doors are open for the Hurriyat to join the talks. The doors are also not closed for Kashmiri organizations, which are currently engaged in militancy in the state but are desirous for peace.” It called upon all right thinking people in J&K “to join the hands and march purposefully in the quest of peace that has eluded them for the last twelve years.” The Central Government also reiterated its stand that it was ready to reciprocate Pakistan’s offer of dialogue “in accordance with the Shimla agreement and the spirit of Lahore Declaration”, provided it curbed cross border terrorism and put an end to the vicious anti-India propaganda. “Meanwhile the Hurriyat Conference had not rejected the offer but shown their indifference and called it another attempt at procrastinating and delaying matters. According to Hurriyat, bringing in the crowd for negotiations means Delhi’s approach is not serious and not even sincere.

The Hurriyat Chairman also called the offer as an effort at presenting the old in a new manner and suggested that New Delhi should come forward with a formula of meaningful talks. According to him, “negotiation need not be held for the sake of
negotiations," because it will serve no purpose. The Hizb as usual rejected the offer saying that any negotiations based on tripartite strategy and not including Pakistan, would be fruitless, serving no purpose.⁴⁹

In order to improve bilateral relations with Pakistan, New Delhi extended an invitation to Pakistan Chief Executive, General Musharaff to visit India. Musharaff who was soon to declare himself as President of Pakistan accepted it and the meet slated for June 14-16, 2001 at Agra. However this summit did not produce anything to bring Kashmir into focus and demanded that All Party Hurriyat Conference be made a party to the bilateral talks. Mr. Vajpayee and his government’s coalition friends on the other hand insisted on Pakistan withdrawing support to Kashmir terrorism, stop narcotic trafficking and give up its claims on Sir Creek and Wular Barrage and stood stoutly against Musharaff’s no compromise stand on Kashmir question. Indian unwillingness to withdraw forces from the Siachen Glacier too upset the plans of Pakistan and naturally the Agra summit ended a failure. After all what could be expected of Musharaff who openly though sarcastically had said while at Agra that he had better purchase his ancestral property and live safely in his native land than return to Pakistan settling all disputes with India. Once the disputes with India were settled, he knew, he would have to face more serious domestic problems of Pakistan which the General would not be able to solve. Therefore, he too like his predecessors felt it convenient to continue playing the Kashmir card. But to Musharaff, his India visit proved a personal success. His aggressive postures in his meetings with Indian editors sent his popularity graph soaring in Pakistan where the major parties like Pakistan Peoples Party (PPP) and
Pakistan Muslim League (PML) were opposed to his military dictatorship.\(^5^0\) And the Pakistani delegation left for Islamabad blaming the hardliners in the BJP for the failure of the Summit.

**Agra Summit in the Indian Parliament**

Across the board there was disappointment with the outcome of the Summit. For the opposition, it was predictable and for others, it was the product of intransigence of the Pakistan side. For the opposition, this was predictable since preparations for it, had not been made. For the opposition it was a failure but for the government there was possibility of further dialogue since Indian side could have an idea of both the President’s mindset as well as some understanding between the two had been reached.

Mulayam Singh Yadav of Samajwadi Party raised the issue of foreign pressure and lack of preparation and considered the summit a failure.\(^5^1\) The government said that there was no pressure exercised by anyone. Rather there was support to the summit in the desires of the people of the two countries, the countries of South Asia wanted this as well as there was international support for it. Madhav Rao Scindhia of the Congress party raised the issue in Lok Sabha with regard to the issues and level of understanding. Scindhia asked “Let us know the areas of agreement and the areas of disagreement.”\(^5^2\) In the Rajya Sabha, Karan Singh raised the issue of history to say that the failure of the summit was inevitable.\(^5^3\) R. L Bhatia raised the issue in the Lok Sabha: ‘When you want to change your policy, you may be aware that it has to be based on a national consensus…….’ He further asked ‘was there any indication from the talks that Pakistan has changed its mind and that they are ready
to come to the table with an open mind and have a dialogue with us.' Like others from his party, he went into the history and ideology of Pakistan polity and its differences from India. He blamed the government for ignoring this history and thus felt that the talks had failed.\textsuperscript{54}

In his statement, the Prime Minister said, "I conveyed in clear terms that India has strength and stamina to counter terrorism and violence until it is decisively crushed. I want to reiterate this determination today on the floor of this House." It is worthwhile to mention here that in January, 2001 in his musings from Kumarakom in Kerala, the Prime Minister had acknowledged Kashmir problem as a 'legacy of the past' and has said: "In our search for a lasting solution to the Kashmir problem, both in its external and internal dimensions, we shall not traverse solely on the beaten track of the past. Rather, we shall be bold and innovative designers of a future architecture of peace and prosperity for the entire South Asian region. In this search, the sole light that will guide us in our commitment to peace, justice and the vital interests of the nation.\textsuperscript{55} However, Agra summit showed that the issue was so much mired in the past that it will require not only innovativeness but also mindsets on both sides to approach the problem from the pragmatic point of view.

Kuldeep Nayyar, who described the Summit as positive had this to say on substantive issue: 'Prime Minister must have conveyed to Pakistan that as far as this problem (Kashmir) is concerned, it will never be settled on the basis of religion.' Further he supported the Prime Minister on the issue of cross border terrorism. He suggested that further steps could be taken to create a conducive atmosphere, like
removing the ban on newspapers and books unilaterally and allowing the intelligentsia from Pakistan to come to India for creating the goodwill."56 Thus, the difference between the two sides was on whether the summit was a failure or not but not on whether the dialogue should continue or not. In conclusion the Agra Summit did not produce anything as expected.

India-Pakistan Peace Process under Congress Government.

With the change of government in India in May 2004, after the Lok Sabha elections, there were concerns in Pakistan as well as within the international community regarding the continuity of the peace process between India and Pakistan. On May 14, 2004, while congratulating Ms. Sonia Gandhi, leader of Congress (I), on winning elections Mr. Boucher, US State Department spokesman, commented on the future prospects of the India-Pakistan peace process and said that Washington would keep encouraging the two countries to settle their differences through dialogue. Speaking at the Pakistan Institute of International Affairs in Karachi, on May 13, 2004, the Ambassador and Head of the European Commission in Pakistan, Mr. Ilkka Uusitalo, referring to the dialogue process said, 'We very much hope that the surprise results announced today after elections in India would not in any way derail the process.'57 US Secretary of State, Colin Powell, in an interview published on May 28, 2004, expressed the hope that the new government in India would continue with the framework of peace process between India and Pakistan.58

The Congress (I), even when in the opposition, supported the peace process initiated by the BJP-led government. For example, in May 2003, referring to the
moves by BJP-led government for normalisation of relations with Pakistan the Congress party spokesman, Anand Sharma, said that they were on expected lines. He emphasised that the party had always held the opinion that diplomatic channels should be kept open between the two countries. Its Election Manifesto 2004 stated, ‘The Congress has been consistent, unlike the BJP, on the issue of dialogue with Pakistan on all issues including Jammu and Kashmir.’ The manifesto stated that the Congress (I) has always ‘advocated formal and informal talks on the basis of the historic Shimla Agreement of 1972. At the same time, the Congress is firm in its view that Pakistan’s sponsorship of cross-border terrorism must end completely once and for all.

The Congress party president, Ms. Sonia Gandhi, speaking to reporters on May 13, 2004, pledged to continue the dialogue process with Pakistan and said, ‘From the very beginning we have been supporting Prime Minister Vajpayee’s initiative vis-à-vis Pakistan.’ Later, the new Prime Minister, Manmohan Singh, also expressed his government’s willingness to continue the process. On May 20, 2004, speaking at a press conference he favoured talks with Pakistan to find solution to outstanding problems, and for making friction between the two neighbours ‘a thing of the past.’ Moreover, in the Common Minimum Programme released on May 26, 2004, it was stated, ‘Dialogue with Pakistan on all issues will be pursued systematically and on a sustained basis.’

However, in view of Pakistan’s support for the continuation of the dialogue process and also the international community’s concern and focus on the dialogue process, that the Congress government expressed its willingness to carry forward
the agreed dialogue process. Mr. Natwar Singh, during his first news conference in New Delhi, on June 1, 2004, in an attempt to reverse his earlier image said, ‘The future of Indo-Pak relationship no longer lies in the past. We cannot forget the past but neither we can be prisoners of the past.’62 He also announced the new dates for the talks on nuclear CBMs and the foreign secretary level talks. Therefore, after some rescheduling of dates, which was understandable, as the new government needed time, the Congress government adopted the policy of continuing dialogue with Pakistan.

April 2005 was important for two main reasons. On 7 April 2005, Srinagar Muzaffarabad bus service was started and 18th April India and Pakistan signed a joint statement known as the “Delhi joint statement” in the wake of President Pervaiz Musharraf's three days visit to India. The leaders of the two countries decided to solve their issues through negotiations. They discussed all the main issues especially Jammu & Kashmir. In 2006 another agreement was signed on the speedy return of inadvertent line crossers and an agreement not to develop new posts and defence works along the Loc. Besides, India has proposed a bus services between Skardu and Kargil and Pakistan had agreed to look into the suggestion. In the fourth round of dialogue on Kashmir held in March 2007, both sides agreed to ensure implementation of already Kashmir- related CBMs and rationalization of five crossing points across the LOC. Since March 2004, there have been four rounds of composite dialogue while the fifth round is facing rough weather ever since it was launched in July 2008.63
The latest peace process has been described as ‘the most vibrant epoch in India Pakistan détente’ that is different from previous engagements. Many have termed the process as ‘irreversible’, as it has withstood terrorist bombings of July 2006 and of the Samjhauta Express in February 2007. After the Samjhauta Express bombing in which more than 50 Pakistani civilians were killed, Pakistan refused demands to freeze talks saying that it would be tantamount to falling into the trap of terrorists. This has strengthened the feeling that India-Pakistan relations have matured and the dialogue process has reached ‘a level of self-sustainability.’ In a sense, the peace process has shown its irreversible character as it has continued through various changes in the governments in both countries- from a Hindu fundamentalist BJP government to a secular coalition led by the Congress party in India; and from a military dictatorship to a broad based secular democratic government in Pakistan.

Although ‘India and Pakistan did not seem to have reached a mutually hurting stalemate which is regarded as a key element in conflict resolution theories, and pushes parties into negotiating a compromise solution’ there are many motivations for both the countries to lower their hostilities and engage in a peace process. The economic liberalisation and overt nuclearisation exhibited the deficiencies of their respective positions and 9/11 not only crystallized those anomalies, but also proved a convenient façade for a change. This followed ‘a significant increase in the numbers of analysts, academics, research scholars and policy-makers in both countries who have argued that all issues can be resolved through peaceful negotiations and not by coercion and confrontation. Viewed in this way, the peace-process is indispensable for both sides’
The singular achievement of the Dialogue, till now, has been the cease fire on the International Border, Line of Control and Actual Ground Position Line (Siachen), which came into effect in November 2003. There have been undoubtedly, other gains from the process, notably increased people-to-people contact through trade and transit facilities, and an entire slew of Confidence Building Measures (CBMs), both civilians and military, which contributed considerably in creating atmosphere of cordiality.

Some tangible outcomes of the Peace Process are listed below:

1. Judicial Committee on Prisoners: The Judicial Committee on Prisoners was set up after External Affairs Minister’s visit to Islamabad in January 2007. It comprises retired judges from both the countries and it held its first meeting on February 26, 2008.

2. Joint Anti Terrorism Mechanism (JATM): The mechanism was established after the meeting between Prime Minister Manmohan Singh and President Musharaff on September 16, 2006 in Havana. The first meeting was held on March 6, 2007 and discussed ways and means to cooperate in-counter-terrorism measures and investigations. At this meeting, which was held seven months after the July 2006 bombings in Mumbai, the two sides agreed that specific information would be exchanged for: (i) helping investigations on either side related to terrorist acts and (ii) prevention of violence and terrorist acts in the two countries. The most recent meeting was held on June 24, 2008.

3. Trade and Commerce: Following Manmohan Singh’s meeting with Asif Ali Zardari in September 2008, the Srinagar- Muzaffarabad and the Poonch-Rawalkot
roads were opened to trade from October 21, 2008. In the shipping sector, India and Pakistan signed a revised shipping protocol in December 2006 that removed restrictions in place since 1975. The protocol allows lifting of third country cargo by India and Pakistani vessels from each other’s ports and it also lifted the restriction that the cargo destined for the other country could be carried only by an Indian or Pakistani vessel. In July 2008, Pakistan has allowed the import of compressed natural gas (CNG) buses from India under its trade policy for 2008-09.

4. Transport Links: The Delhi Lahore bus service that was started on February 20, 1999 was stopped on January 1, 2002 after the attack on Parliament. The service resumed from July 11, 2003 and its frequency was increased from two to three trips per week in the meeting of India-Pakistan Standing Committee on Bus Service held on February 21, 2008. Subsequently, other routes were also opened.


5. Energy sector cooperation: On February 9, 2005, India agreed to discuss the Iran-Pakistan-India gas pipeline between Iran, Pakistan and India with Pakistan in the frame work of security and assured supplies. On April 24, 2008 India signed a framework agreement with Turkmenistan, Afghanistan and Pakistan on a $7.6 billion gas pipeline project.

Such notable gains notwithstanding, the Composite Dialogue had its share of disappointments and failures for instance, the most notable of the achievements,
the Ceasefire, has seen been violated several times in the past without any
provocation. Soon after Musharaff's exit, the period between May-September 2008
(the traditional season for cross border infiltration) witnessed more than 30
ceasefire violations committed by Pakistan. According to an August 2009
government assessment there are 42 training camps still operational inside
Pakistan Occupied Kashmir (PoK) and almost half of the militants present inside
Kashmir are of foreign origin. The violations and renewed attempts to keep the LoC
'hot' by Pakistan now threaten to undo this gain and point to the vulnerability of
such positive outcomes of the Dialogue with the military-political compulsions
within Pakistan. The violations of the Ceasefire have raised serious concerns about
the continuity of the Composite Dialogue itself.

Despite the setbacks and disappointments at the inevitably slow process of
reconciliation, broad contours of a new way of approaching the contentious bilateral
relationship, which marked departures from the past, could be identified. The three
visible lines were:

a) Bringing to an end all violence, including terror acts,
b) Reasonable resolution towards all issues, including Jammu and Kashmir
c) Encouragement to putting in place a superstructure of cooperation in different
fields. It is against such an evolving paradigm that the India-Pakistan relationship
would be tested after the Mumbai attacks.

Engaging Pakistan after Mumbai Attacks

Given the tenuous nature of the relationship, and the persistent threat of terrorism
from Pakistan-based groups, the Mumbai attack of November 2008 undoubtedly
posed the most serious challenge to the peace process. The attack triggered a frenzy of political statements and diplomatic moves in India to build pressures on Pakistan to act against Lashkar-e-Tayyeba (LeT). India, made it quite clear that any revival of the peace process would depend on Pakistan's commitment to contain terrorist groups targeting India. The Indian leadership insisted that Pakistan must produce tangible results in arresting and punishing those who carried out the Mumbai attacks as a precondition for the resumption of the Composite Dialogue. Yet, seven months after the attacks, India and Pakistan issued a joint statement about their intention to talk which, as expected, kicked up an unholy row, more visceral in India than in Pakistan.

There were a few 'acts of omission' which characterized India's post-Mumbai response and offered a tentative insight into how events would develop in the immediate future. The most significant was the troop deployment which did not take place. The government spoke of "keeping all options open." but made no visible move to launch a possible war. Unlike in 2002, after the December 13, 2001 attack on Indian Parliament, when hundreds and thousands of men were moved to the borders to position for a conflict, the armed forces this time were merely put on 'war alert'. Within weeks if not days, the war rhetoric too was tempered down.

The second missing dot was the telling absence of any formal statement from the government about severing diplomatic and other ties with Pakistan. Neither was the Delhi-Lahore bus service terminated nor the Samjhuata Express; the air link also remained intact. In short, the attack had not completely disrupted the engagement between the two neighbours as was widely perceived. This continuity
was also amply reflected in the Indian government's official stance— it wanted Pakistan to act against terrorist groups and not launch an attack on Pakistan.

The communication channels between India and Pakistan also remained open and, in fact, became the sole vehicle for keeping up with the engagement. In just over a month from the attack, the formal exchange began on January 5, 2009. Pakistan's reaction was unprecedented—it admitted on February 12 that the Mumbai attack was indeed planned in Pakistan and arrested LeT Operational Commander Zaki-ur-Rehman Lakhvi. It also handed to India a list of 32 questions to assist in the investigations.

Interactions at Track II level resumed within months of the attacks and helped pave the way for the first series of meetings between the top leadership. The first such interaction was on June 17, 2009 when Prime Minister Manmohan Singh met with President Zardari on the sidelines of the summit of Shanghai Cooperation Organisation in Russia on June 17, 2009. Later Prime Minister Yousuf Raza Gilani on the sidelines of the 15th Non-Aligned Movement (NAM) Summit in Sharm-el-Sheikh, Egypt, where the controversial Joint Statement was issued. The first one read ‘action on terrorism should not be linked to the Composite Dialogue process and these should not be bracketed’. The second one mentioned Pakistan possessing ‘some information on threats in Balochistan and other areas’, for all purposes, an euphemism for Indian role in facilitating the insurgency in Balochistan.

The Sharm-el-Sheikh stand can be explained by acknowledging some of the variables in the India-Pakistan equation which have been witnessing visible elements of change. For instance, there has been a consistent attempt on the part of
the Indian government, since the inception of the Composite Dialogue in 2004, not to freeze negotiations in the events of terrorist strikes emanating from Pakistan. Such a stand, contrary to conventional wisdom betrayed three important realizations on the part of India; one, that Pakistan was no longer in control of all the terrorist and extremist groups operating from its territory and second, that the army could not be considered a willing partner in the peace process indefinitely. The third, which flowed naturally from the above considerations, that the traditional military-centric stand would only benefit the terrorist groups and sections of the Army, both harbouring, and surviving on, deep animosity towards India.
References:

3. Ibid, p.261
8. Ratna Tikoo, No.4, p.1
11. Ibid.p225
13. Ibid. p.382
14. Musa Khan Jalalzai, No.10, p.128
15. Ibid. p.129


18. Ibid.

19. Ibid.


22. Dawn, 18 December 2003


29. Sumit Ganguly, No.27, p.117.


31. Ibid. p.386.

32. Sumit Ganguly, No 27, p.118.
33. Ibid. p.119.

34. Ibid. p.117.

35. The Kargil Review Committee Report, p.20.


42. Times of India, April 8, 1991.


44. India- Pakistan should Reduce their Defense Budgets, says Shariif”, The Times of India, June 7, 1997.


56. Lok Sabha Debates, Friday, August 10, 2001, p.276.


68. An overview on India-Pakistan relations, Ministry of External Affairs (New Delhi: Government of India).

70. One of the failures has been the slow death of IPI pipeline. With Pakistan refusing to offer counter guarantees for the uninterrupted supply of gas and safety of the pipeline running through the troubled Balochistan, while charging a hefty transit fees of $750 million per annum, there is hardly any enthusiasm in the government as well as private circles about the commercial validity of the project.


73. The composite Dialogue was put on pause on December 1, 2008. ‘External Affairs Minister’s Suo Motu statement in parliament on follow Up to Mumbai Terrorist Attack’, Ministry of external Affairs, February 13, 2009


75. India formally handed over evidence linking the Mumbai attack to LeT, which included transcripts of intercepted communication between the terrorists and their handlers in Pakistan and those of Kasab’s interrogation; recovered weapons and other equipment. This, in fact, was the fourth official communication between the two countries after the attack. Earlier, on November 28, Pranab Mukherjee spoke
with his counterpart, Shah Mehmood Qureshi over the telephone and followed it with a written account. On December 1, India made a formal demarche to Pakistan. Later on December 22, 2008, a letter from Kasab was forwarded to Pakistan. On January 15, Pakistan began a formal investigation headed by the Federal Investigation Agency (FIA), banned Jammat-ud Dawa and placed its leader, Hafiz Saeed under house arrest after the organization was declared as terrorist group by the United Nations.

76. Pakistan also claimed that the attackers had links to a “network of Islamists” United States, Austria, Spain, Italy, Russia; a move Indian Analysts argue was an attempt to divert attention from complicity of state actors. Other arrested were Hamad Amin Sadiq and Zarar Shah, Mohammad Kaif, Mohammad Ashfaq and Javed Iqbal.

77. Facilitated by the United States (CIA helped India, Pakistan Share Secrets in Probe of Mumbai Siege’ The Washington Post, February 16, 2009), the exchange of information led a softening of position by both sides. On March 13, India responded to Pakistan’s query and further investigations continued. However the slow pace of legal proceeding (a norm in South Asia) raised doubts in New Delhi over Pakistan’s sincerity in bringing the case to its logical solution.

78. After promise of talks, track II diplomacy restarts, The Indian Express, May 18, 2009.

Second Chapter
CHAPTER-II

US-Pakistan Relations: Through the Prism of History

The most remarkable consequence of the Second World War for post war international relations was the emergence of the USA and Soviet Union as the two mutually antagonistic superpowers dominating the world scene. The Post II World War world was witness to many other things, in an accentuation of nationalism in Asia and Africa and the emergence of India and Pakistan as two sovereign independent states. The USA, now being easily the greatest world power, started involving itself not only in all affairs of Europe and Latin America but also in all significant developments all over the world. The era of American Isolationism was at an end. The US was playing a new role as the leader of the advanced industrialized countries of the West. The supremacy of the USA was not, however, universally accepted. It was challenged by the socialist countries led by the Soviet Union. Confrontation between the USA and Soviet Union resulted in the emergence of Cold war era, and containment of communism became the chief objective of the US foreign policy. The USA having checked the advance of Communism in Europe through the Marshal Plan and NATO was now turning its attention towards Asia. But the task was not so easy as the Soviet Union was also striving to expand its space of influence, or at least to deny the US the friendship of many countries in Asia as it could.

The stability of US-Pakistan relation is based on the situation in the Persian Gulf region, because the area has strategic importance due to its crude oil resources and its processing facilities. Pakistan is fortunate to may be situated at the cross
roads of Central, South and South West Asia which is the most important strategic zone in the world. The geographical location of Pakistan is volatile and its value has been upgraded on various occasions in the eyes of the US policy makers for the protection of short term objectives in the region. However, the US has never accepted Pakistan’s view that it is an essential asset to the free world and that they should treat it as a permanent “strategic need”. In this regard, the Pakistan-US partnership is largely based on self serving reasons from the global perspective of its dispute with India and as the anchor of its security, stability and economic development. According to Stephen P. Cohen, Pakistan-US relations are characterized by their partial nature, asymmetry, non-congruence and perceptual distortion. The partial nature of the relationship arises because for each state, there are other interests more important than their overlapping interests.¹

Beginning with the less than sympathetic attitude in Washington towards Pakistan movement in undivided India both the states established diplomatic relations in 1947, shortly after Pakistan gained its independence.² Since then, relations have witnessed alternating episodes of close partnership and sharp friction-reflecting the ups and downs of global and regional geopolitics.

From Engagement to Estrangement

The period of US-Pakistan relation defines three major engagements. The first two engagements fall in the Cold War era and the 3rd, emerges from post 9/11 war against terrorism. The first of the US engagements with Pakistan occurred during the height of the Cold War, from the mid-1950s to mid 1960s; the second was during
the Afghan Jihad in the 1980s, again lasting about a decade; and the third engagement dates to September 11, 2001 and relates to the war on terrorism.

Cold War Engagement

The U.S.-Pakistan relationship began during the Cold War especially after the Korean War when US was looking for allies to fight in containing communism. Economic and military imbalances made Pakistan deeply conscious of the disparity and to look for the ways to redress it. Tensions with India showed no signs of abatement and no respite or headway on Kashmir issue were forthcoming. These heightened security concerns and need for economic development impelled Pakistan to look towards the United States for support, which was also in search of allies in Asia to check the expanding lines of Communist influence. Pakistan begun recognition of its strategic importance when in March 1949, US joint Chief of Staff note significance of Karachi-Lahore area ‘as a base for air operations’ against the Soviet Union and ‘as a staging area for forces engaged in the defence or recapture of Middle East oil areas’. Pakistan was the point at which the alliances geographically converged and thus was a linchpin in their continuity.

The US-Pakistan relationship continued to improve as Pakistan joined the South East Asia Treaty Organization (SEATO) in 1955 and the Central Treaty Organization (CENTO) in 1956. These agreements placed Pakistan in the United States sphere of influence. A main pillar of the relationship was the military cooperation between the two countries, which blossomed through an active training exchange programme and the fielding of US weapons and equipment within the Pakistan military. Additionally, Pakistan gave the United States access to the
Bataber Air Force Base near the Afghan border for U-2 reconnaissance flights over the USSR-at substantial risk to its own security. Joining the Baghdad Pact and SEATO gave Pakistan a strengthened claim on US resources and, in turn, the US acquired an even larger stake in Pakistan's well being. Pakistan thus became 'the most allied ally' of the United States in Asia. Altogether, over the period of 1954-1962, U.S. economic assistance to Pakistan amounted to $3.5 billion, not including $1.372 billion for defence support and purchase of equipment. Whereas, India was given $4 billions only in economic aid during 1959-1963. President Nixon used the Pakistani links with China to start a secret diplomacy with China, which culminated with Henry Kissinger's secret visit to China in July 1971 while he was visiting Pakistan. The Chinese relationship was vital for the US as it was trying to fix the mess in its Vietnam policy.

Period of Estrangement

The US-Pakistan alliance partnership of 50s, however, proved detrimental to Pakistan's national interests in 60s. The first period of disengagement or estrangement, speaks of the period stemming from differing perceptions between the decision makers of both states. Pakistan's opening to China in the early 1960s and the shift in U.S. interest toward India to balance China's growing power in post Sino-India conflict distanced them further. Pakistani perceptions of what is best for Pakistan and its national security have not been shared by America, especially when it concerned India. As then-secretary of state Dean Rusk says, "Fear, distrust, and hatred of India" mean "we cannot rely on Pakistan to act rationally and in what we think would be in its own interest."
Following points suffice to remark that Pakistan was found looser at the end with its friendship with USA:

1. Kennedy and Johnson, followed by Nixon in the White House did not stand by to the pledges they made in the agreements. In Article 1 of the April 1959 Pakistan-US Cooperation Act, US pledged that it ‘regards as vital to its national interests and to world peace the preservation of independence and territorial integrity of Pakistan.’ It further stated that ‘incase of aggression against Pakistan, the United States of America will take such appropriate action, including the use of armed forces, as may be mutually agreed upon in order to assist Pakistan in its requests. And in Article II, the US pledged ‘to assist Pakistan in the preservation of its national independence and integrity and in the effective promotion of economic development’. USA failed to honour its agreements and SEATO members did not consider 1965 war or 1971 Indian military intervention in East Pakistan to come under the purview of the treaty. When East Pakistan was severed and turned into Bangladesh, Pakistan withdrew from the organization, in November 1972.10

2. During the post Sino- India conflict of 1962, U.S. and Britain continued to supply India with military aid including arming of six Indian divisions for mountain warfare and enabling India to raise her standing army from 11 to 22 divisions.11 The gradual slashing down of both economic and military aid to Pakistan since 1962 and progressive increase to India widened the imbalance between India and Pakistan. The American policy shift was tantamount to abandoning friends and embracing neutrals. Resultant out come to these US military and economic aids were Indian bold adventures of marching in the village Chaknot of Azad Kashmir in 1963, and;
declared integration of the occupied territory of Jammu and Kashmir with India by Prime Minister Shastri in October 1964. For USA it was not more than a diplomatic “shock and surprise”.12

3. Suspension of military assistance to both sides after the Indo-Pakistani wars of 1965 and 1971 is regarded as a stab in Pakistan’s trust over America as Pakistan was the only country which for over a decade had received military equipment solely from the U.S and her defence establishments were accustomed to American weapons and thinking. Sudden drying up of the source strengthened the perception among Pakistanis that the United States was not a reliable ally. Eventually, with the re orientation of its strategic interests in the region, the United States dumped Pakistan with its sacrifices for a decade or so, until the Soviet invasion of Afghanistan in 1979.

Engagement against Communism

Twin events in 1979, the Iranian revolution and the Soviet invasion of Afghanistan, renewed American interest in improving the US-Pakistan relationship. Pakistan suddenly became a key geo-strategic player as it served as a buffer between the USSR and the Persian Gulf. The United States then decided to fight a proxy war in land-locked Afghanistan, and America sought Pakistan’s support to spearhead this fight. General Zia ul Haq who had assumed control of Pakistan in a 1977 military coup offered America Pakistani support in the effort to drive the Soviets from Afghanistan. Pakistan more than served the US aims and was instrumental in forcing the Soviet Union to leave Afghanistan in 1988.
The period from 1980 to 1988 ushered most intense period of U.S.-Pakistani cooperation and Pakistan again became a frontline ally to check Soviet expansionism. Pakistan became a recipient of aid package amounting $1.625 billion in economic assistance and $1.5 billion in military assistance spread over six years, and exempted from Symington and Glenn Amendments. In return, Pakistan became a key transit country for arms supplies to the Afghan resistance, and hosting more than 3.5 million Afghan refugees, many of whom have yet to return home. The two countries collaborated to expel the Soviet army from Afghanistan, which ultimately dismantled the Soviet empire.

Although it forced the withdrawal of the Soviets from Afghanistan, the war effort also produced many negative consequences in the region. An immediate effect of the US policy was a sharp rise in the number of madrassas (religious seminaries) in the North West Frontier Province (NWFP). These madrassas were configured to indoctrinate young Muslim students from Afghanistan, Pakistan’s tribal areas, and some Arab countries. The students were also given military training and were recruited in Afghanistan to fight the Soviets. The indirect effects of US policies in Pakistan in the 1980s included the spread of what has been called the “Kalashnikov culture.” Thus, the United States indirectly supported many of the less desirable policies of the Zia regime: suppressing freedom of the press; a rise in ethnicity and sectarianism; and the deterioration of Pakistani domestic institutions. Overall, the joint policies of the American and Pakistan governments, with active support from some Arab countries, resulted in the militarization of a number of the Muslim youth, with far-reaching consequences related to the growth of terrorism.
When the Soviet Union left Afghanistan in 1988, the US interest in South Asia began to wane. Afghanistan, at that time, was in deep turmoil as a result of a decade of Soviet occupation and civil war. America's treatment of Pakistan was not much better. Not only was its promised aid of $4.02 billion to Pakistan withdrawn, the United States imposed sanctions on Pakistan for pursuing the development of nuclear weapons. India-centered relations, controlling proliferation of weapons of mass destruction and missile delivery systems and preserving regional stability in South Asia were declared policy objectives of the United States. U.S. sanctions contributed to the widespread feeling among Pakistanis that the United States had once again used their country and discarded it when it was no longer needed. Whenever Pakistan's help was critical to the success of U.S interests, all the irritants like democracy, nuclear proliferation and conflict with India, are overlooked by the United States and US turns its back when her own interests are met. The Pressler sanctions were applied when Pakistan's co-operation was no longer needed following the demise of the Soviet Union. Crisis-ridden first half of the nineties became a crucial period in post-cold war relations between the two countries, unfolding nuclear issue, terrorism and narcotics one after the other. Besides, threatening Pakistan for labeling as a State sponsor of terrorism, more sanctions were imposed on Pakistan under the MTCR (Missile Technology Control Regime) for allegedly receiving missile technology from China. During the period, Pakistan's status of most favoured allied ally changed to most sanctioned ally by number of legislations made against Pakistan.
In June 1989, the Pakistani Premier Benazir Bhutto visited United States and held talks with President Bush. The latter reiterated US pledges for the security and economic development of Pakistan, and agreed to sell Pakistan 28 F-16 fighter planes. He also asked the US Congress to provide Islamabad with $380 million economic aid and $240 million military aid in FY 1990. The official rational for the aid was that the Afghan communist regime installed by Moscow still existed, and the Afghan resistance forces had yet to overthrow it. In other words, the US had to work closely with Pakistan for the sake of containing Soviet influence in Afghanistan.14

In 1989, the Bush administration certified that Pakistan did not possess a nuclear device, although the Central Intelligence Agency (CIA) informed the Bush administration that ‘Islamabad had taken the final step toward a nuclear device. Both Congress and the Bush administration were increasingly alarmed by the ongoing nuclear ballistic missile arms race in South Asia, which was driven largely by the continuing India- Pakistan dispute over Kashmir. The Central Intelligence Agency (CIA) informed the administration that China had supplied M-11 surface-to-surface missile technology, including medium range ballistic missile to Pakistan.15

The U.S. administration warned that Washington would impose Pressler amendment sanctions unless Pakistan ended its nuclear programme.

In 1990, the ruling elites in Pakistan, particularly President Ghulam Ishaq Khan, strongly refused to ‘roll back’ the nuclear programme, which they said was necessary for Pakistan’s survival and security.16 In these circumstances, the well trained and influential Indian lobby mobilized American Congress members against
Pakistan and built pressure to impose Pressler sanctions on Pakistan.\textsuperscript{17} As a result, President Bush decided not to issue a certificate for Pakistan and demanded that not only must Pakistan freeze the nuclear programme but also Islamabad must destroy its existing capability.\textsuperscript{18}

The Clinton Era

The Clinton administration began in October 1993 to explore avenues for breaking the impasse over the aid cut-off, dealing with the major bilateral issues such as Pakistan's nuclear programme, the turbulent state of its policies and the U.S. aid programme. For this reason, an administration draft for eliminating country specific provisions from the Foreign Assistance Act, including the Pressler Amendment, was dropped when it ran into Congressional opposition. Thus, Congress partially released the scope of the aid cut-off to allow for food assistance and continuing support for non-governmental organizations (NGOs). On the other hand, Nawaz Shariff and Benazir Bhutto governments both struggled to cleanse the country of radical elements and took strict actions against the Muslim volunteers. For this purpose, in 1993 the Nawaz Shariff government took sufficient steps to avoid having Pakistan placed in the group (Libya, Syria, Iran, North Korea and Sudan) of terrorist states. \textsuperscript{19} The government deported many Muslim radicals illegally residing in Peshawar, Lahore, Karachi, Multan, Quetta and other parts of the country. The Shariff government also offered full supports to India and other countries in apprehending the perpetrators of the Bombay bombing and Cairo bus bomb blast, some of whom had reportedly fled to Pakistan. The Director of Pakistan's ISI, which allegedly had been involved in supporting militants in
Kashmir and the rest of the world, was replaced. Extensive talks on the terrorist issue were held between U.S. and Pakistan government officials, both in Washington and Islamabad. Ultimately in July 1993, Pakistan was removed from the informal terrorist watch list when the State Department determined that Pakistan had implemented a policy of ending official support for Kashmiri freedom fighters.

However, the Bhutto government further improved the situation when in 1994 it refused to extend the visa of many Arab and non Arab war veterans living in the North West Frontier Province (NWFP) and Karachi and also closed down some organizations suspected of being used as cover agencies for Islamic militants from the Middle East, and concluded an extradition treaty with Egypt. It was interesting to note that more than 5,000 religious schools, suspected to be fronts for military training, reportedly received funding from Iran, Iraq, Libya, Saudi Arabia, Kuwait, and the United Arab Emirates (UAE) who sought to protect their interests and make Pakistan their battle ground, were closed. In these circumstances, the Clinton administration proposed that Pakistan should agree to a verifiable cap on their production of fissile material in return for the release to Pakistan of 28 F-16 aircraft, which Pakistan had purchased but which had not been delivered under the Pressler Amendment. Pakistan refused to accept any suggestion concerning its nuclear programme and demanded the return of the money which had been paid advance.

In 1995, Benazir Bhutto, the then Prime Minister of Pakistan for a second time visited America and obtained President Clinton’s agreement to support an amendment to ease the Pressler sanctions. He also promised to search for a third
country buyer in order to reimburse Pakistan’s $658 million which it had paid for the F-16 fighter aircraft. Deeply frustrated by the non delivery of its planes and the non-refund of its money, the Pakistan government reportedly considered going to Court over the matter. On this matter President Clinton told Bhutto, “I don’t think it is right for us to keep the money and the equipment” President Clinton also told Bhutto that he would ‘ask Congress to show some flexibility’ on the aid cut off so that there could be some economic and military cooperation.”21

After Bhutto returned home, Clinton made great efforts to get the Congress to agree to deliver the F-16 fighters to Pakistan. On October 24, 1995, the congress passed the Brown Amendment, authorizing the President to deliver to Pakistan the military equipment, for which Islamabad had ordered prior to October 1, 1990. It excluded the delivery of the fighter planes, but authorized the President to sell them to third countries and pay back Pakistan through the earnings from the sale. The Amendment did not abolish the Pressler Amendment, nor did it permit arms sales to Pakistan, however, it did help to improve U.S.-Pakistan relations. Bilateral relations once again became normal and Pakistan found the Clinton administration favorable towards Pakistan, although its support was relatively thin in terms of substance. The Clinton administration also supported Pakistan’s efforts for the promotion of democracy and institutionalization of representative government.22

In September 1996, the two countries signed a Memorandum of Understanding, establishing a US-Pakistani commerce development forum. In July 1997, the U.S. Congress passed the Henkin-Werner Amendment which permitted American Overseas Investment Corporations to provide guarantees to American
investors in Pakistan and allowed the government to develop limited military cooperation with Pakistan including international military education and training programmes. There were three main reasons for the change in American attitude toward Pakistan. First of all, judging from the effect of sanctions the U.S. had imposed against Pakistan since 1990, Washington not only failed to realize its objectives, but also greatly weakened its influence in Pakistan. Second, as the armed conflicts and terrorist actions in the Middle East and the Balkans continued to increase, the U.S. recognized again the strategic importance of Pakistan as a moderate Muslim country. Third, the security challenges the U.S. faced in the 1990s and even in the 21st Century included the proliferation of Weapons of Mass Destruction (WMD), the international narcotics traffic, and Muslim fundamentalism. In all these issue areas, Pakistan could play an important role.

On May 11, 1998, India conducted an underground test of three nuclear explosive devices, and followed it two days later with claims of two more. After India’s nuclear tests in May 1998, the Clinton administration mounted an intense diplomatic campaign to dissuade Prime Minister Nawaz Sharif from testing in response. Dispatching Deputy Secretary of State Strobe Talbott to Pakistan and talking with Nawaz personally by telephone on four occasions, Clinton offered a massive U.S. aid programme. He would find a way, he promised, to get around Pressler and other sanctions and deliver vast amounts of economic and military aid to Pakistan, including the long-embargoed F 16s. Nawaz replied that what he really needed from the United States in order to withstand heavy domestic pressure to test was a security guarantee against India. This Clinton would not provide, and
Pakistan tested its nuclear capability soon afterward. On May 28th, Pakistan announced that it had set off five nuclear devices, followed by a further test on May 30th. Pakistan defended the tests, noting that the incoming hard line government of its neighbouring rival, India, had just carried out that country’s second nuclear test (the first was in 1974). After the 1998 nuclear tests, A.Q. Khan boasted that he made Pakistan’s programme more advanced and reliable than the Indian programme, citing Pakistan’s mastery of the uranium enrichment process. India-Pakistan Nuclear tests of 1998 triggered sweeping U.S. economic sanctions as required by the Arms Export Control Act and the Export-Import Bank Act. Prior to the tests, for international treaty purposes, the two countries were classified as non-nuclear-weapon states; the tests put each country in jeopardy of world condemnation and sanctions.

Military Coup

On 12 October 1999 General Pervez Musharaff overthrew Prime Minister Nawaz Shariff’s democratic elected government in a bloodless coup and declared a state of emergency and issued the Provisional Constitutional Order (PCO), which suspended the federal and provincial parliaments, held the constitution in abeyance, and designated himself as chief executive. On 18 October 1999, Musharaff pledged to address Pakistan’s many pressing and longstanding problems, including the beleaguered economy, corruption, terrorism and poor governance. He promised to restore civilian rule and promote a moderate form of Islam. General Musharaff went to the Pakistan Supreme Court to argue his government’s legitimacy and the Supreme Court accepted that the government’s stand on widespread corruption and
economic mismanagement under the Shariff government justified the coup. The court gave the military government until 12 October 2002 to accomplish economic and political reform and ordered that it hold elections and returns the country to civilian rule. Nawaz Shariff and six other defendants were charged with attempted murder and kidnapping for denying landing access to the plane returning General Musharraf and 200 other passengers from Sri Lanka to Karachi on 12 October 1999. The United States urged the Pakistan military government to provide a transparent, fair and impartial trial of the former Prime Minister and to set a timetable for the restoration of democracy.26

In March 2000, Bill Clinton paid a historic visit to the subcontinent, marking the first US presidential visit to India in 22 years. He was also the first American President to visit Pakistan in over 30 years, not to mention “the very first to address the people of Pakistan on television.”27 Throughout his five-day stay in India, Clinton repeatedly called India a great nation and welcomed its leadership in the region. On the other hand, in his remarks during his five-hour stopover in Pakistan, Clinton reportedly urged General Musharraf to develop a timetable and a roadmap for restoring democracy at the top as well at the local level and to use its influence with the Taliban government of Afghanistan to close down terrorist training camps in the country.

Moreover, a senior US official pointed out what Pakistan needed: “It needs better governance. It needs to end its dangerous associations with extremist groups in the region. It needs to demonstrate restraint, practically on the ground in Kashmir. It needs to find ways to renew, broaden, and deepen dialogue with India.
It needs to stay away from adventures like Kargil. It needs to use its influence with the Taliban in Afghanistan to end that war, to shut down terrorism camps and to bring terrorists to justice. It needs to sign the Comprehensive Test Ban Treaty (CTBT) and demonstrate restraint in developing weapons of mass destruction and the missiles to deliver them.\(^{28}\)

The US administration was not happy about the undemocratic change in Pakistan but compromised with the emerging situation because a silent majority of the people seemed to support General Musharaff's coup against Shariff's government. The Clinton administration triggered an additional layer of sanctions under Section 508 of the Foreign Appropriations Act which include restrictions on foreign military financing and economic assistance. The Common Wealth Action Group suspended Pakistan from the association, pending its return to democracy. The International Monetary Fund (IMF) warned that planned $1.5 billion loans approved in 1997 would be held up following the military coup. This aid was vital for Pakistan's attempts to right its floundering economy. The US and the Western world put tremendous pressure on the Musharaff regime to provide a timetable for a democratic rule in Pakistan but Musharaff repeatedly argued that it was too early to put a date on when Pakistan's corrupt body politic would be healthy enough for government.

**US Military Assistance to Pakistan and India’s security**

The perceived threat of India has been the main factor in Pakistan's relations with the US. India has been the principal preoccupation of Pakistan's defence and foreign policies. In overall weakness and strategic vulnerability vis-a-vis India, the
continuance of several disputes in which it accused India having changed the rules of the game according to its convenience, and lingering memories of partition disturbances and communal hysteria, have combined to present India as the most important threat to its existence and security. This has often loomed large over the political horizon of Pakistan and impelled it to seek allies and military aid.

In the 1950s and 1960s, at the height of the Cold War, the United States saw Pakistan as a useful ally in the effort to contain the military expansion and political influence of the Soviet Union. For its part, Pakistan saw its relationship with the United States as a useful counterweight to India's military power and its prospective threat to Pakistan's security. During the early decades, Pakistan acquired arms mainly from the USA (for high technology systems) and China (for low cost but efficient systems) although a certain proportion contributed by France. In fact, the massive US arms aid to Pakistan in the late 1950s provided it with both the incentive to initiate the 1965 War as well as demonstrated the philosophy of high technology weapons providing a competitive advantage against India which, in any case, was saddled at that time with obsolete systems being employed after the war in 1962. The classic case was the shooting down of the first four Vampire vintage aircraft by a combination of F-104 Star fighters and F-86 Sabres on the opening day of the war, forcing India to withdraw these and older fighters from combat, thus, reducing the quantitative advantage that India was supposed to enjoy.

A mutual defence assistance agreement signed on May 19, 1954, between the US and Pakistan was the first formal bilateral security commitment between the two countries and also provided the legal basis to the US military assistance.
this, in the same year, the US officials presented a secret aide-memoire boosting the military aid to $50 million with specific programme goals. The aide-memoire committed Washington to equip “4 army infantry, and 1.5 armoured divisions, to provide modern aircraft for 6 air force squadrons, and to supply 12 vessels for the navy. The estimated cost of this programme was $171 million.” America’s interest in providing military aid to Pakistan was driven mainly due to two factors:

Firstly, the geographical location of Pakistan abutting the oil rich Persian Gulf region (where the US and UK had extensive commercial interests) and the strategic location of the Strait of Hormuz offered Washington easy access to energy resources and also a monitoring point for the southern Soviet Union and western China. Pakistan’s strategically important location, in fact, turned it into a convenient launching pad for the Cold War strategies. Secondly, fear of Soviet expansion into the Middle East.

In fact, Pakistan by itself has never been and will never be a serious threat to Indian security. It is only after acquiring massive arms aid from the USA that the balance of power started tilting in its favour, which certainly has a direct bearing on India’s security. It may practically be impossible for India to dislodge any power from its territory, particularly if the invading power (India’s neighbour adversaries) is supported or assisted by any of the big powers. Thus, India’s opposition to Pakistan’s membership of the western Alliance System and demand for insulating the region from the external power need to be seen from this perspective.

Pakistan entered into the Southeast Asia Treaty Organisation (SEATO) in 1955 and the Baghdad Pact (renamed the Central Treaty Organisation (CENTO)
after Iraq left the pact in 1956) ostensibly joining the chain erected by the United States around the Soviet Union and its then military-ideological ally, China, to check the spread of Communism. This resulted in a robust inflow of military and economic aid for Pakistan. Being a member of these two security alliances provided Pakistan a stronger claim on US resources and the US also benefited with the regular interaction between the Pakistani civilian and military officials and their counterparts from the other member countries, including the United States. On the other hand, the US acquired a larger stake in the well-being of Pakistan. India felt unsecured because Pakistani leaders had publicly confessed that their alliance with the US and membership of the various defence pacts (SEATO & CENTO) had little to do with avowed objects of the pacts to contain international communism. Rather, Pakistani object was merely to strengthen itself against India, at least in order to be able to settle its disputes with India from a position of strength.

By the year 1957, Pakistan was receiving a massive amount of sophisticated military equipment, training and economic aid. The inflow from Washington included sophisticated Patton main battle tanks (MBTs), modern artillery, howitzers, F-86 jet fighter squadrons, F-104 Starfighter supersonic interceptors, air-to-air missiles, submarine, and state-of-the-art radar, communications and transportation equipment. A further qualitative boost came from the military training by the US military teams and also in the US military schools to the Pakistan Army. The US military also provided assistance in setting up intelligence and special operations facilities. While Pakistan failed to win the war in 1965, its
military, nevertheless, projected it as a victory, especially in the air, and the thirst for high-technology systems intensified.

The assessment of the threat created by the US arming of Pakistan, despite conflicting and concurrent goals and interests between them, has to be essentially based on the extent of arms and the military equipment supplied by the US to Pakistan along with its sophistication in pursuance of the American policy of using Pakistan as potential instrument for moving towards Asia to achieve extrovert and strategic economic interests. Pakistan’s enmity towards India and its past history of aggressiveness are other factors to be reckoned with. In fact, the US military aid encourages Pakistan in its aggressiveness. 36

The history of the past five decades shows that whatever Pakistan filled its arsenal with US weapons, it started a misadventure against India. The first US military aid to Pakistan encouraged Ayub Khan to launch the ill fated operation Gibraltar which escalated into the 1965 war against India. In 1969-70, the US again supplied arms to Pakistan, this time the military aid prompted General Yahya Khan to unleash genocide in erstwhile East Pakistan culminating in 1971 war with India. The recent US largesse of military equipment worth of $368 million (1995), thus certainly caused concerned to India’s security.

Pakistan has not only been ruled by military directly or indirectly, for most of its existence, military power has been a predominant element in its foreign policy. And these military dictators diverted the attention of Pakistani people from their oppressive dictatorship by imposing an armed invasion in India. Thus, the induction of sophisticated armaments into a ‘troubled area’ like Pakistan under a leadership
lacking strong base holds in it the seeds of a threat to Indian security and could be a cause of instability and threat to peace in the region as a whole. The massive arms build up which is specifically in the nature of improving its defensive capabilities offers Pakistan a tempting opportunity to seek a way out of its growing difficulties. A similar situation arose when Zia came into power in Pakistan through a military coup.

The Soviet invasion in Afghanistan in the December 1979 led the Americans to review their South Asian policy and, consequently, Pakistan entered into a new engagement with the US. Pakistan was declared a “frontline state” and in return received massive military aid. General Zia-ul-Haq managed to negotiate an elaborate military and security-related aid package of $3.2 billion. The US military assistance programme included the sale of 40 F-16 Falcon multi-role combat aircraft, one of the most advanced military aircraft in the world at that time. Pakistan also received Harpoon anti-ship missiles, upgraded M-48 tanks, tank recovery vehicles, towed and self-propelled field artillery, attack helicopters, and second-hand destroyers. The second US package worth $4.02 billion commenced in 1987 but was suspended due to the US arms embargo in 1990 due to Pakistan crossing the “red line” to acquire nuclear weapons capability.

Selig S Harrison, a senior Associate of Carnegie Endowment for International Peace has argued that F-16s and 155mm howitzers are not suitable for the Afghan frontiers, to meet the Soviet challenge. He emphasized that if America was seriously interested in Pakistan’s defence vis-à-vis USSR, it should have offered F-5G to it
because that was more suitable in those circumstances. In the opinion of the defence experts F-5Gs would not enhance the striking capability of Pakistan against India.\textsuperscript{39}

The supply of F-16 NATO model offensive aircraft which has far greater technological superiority over the fighter bombers that India has, and brings a large number of Indian Cities within its range of striking capability increased India’s security concerns. The deployment of F-16 might cause inestimable to India’s airfields, oil and nuclear installations, military depots and might involve the loss of lives of civilians. The superiority of F-16 has been established when it was used by Israel in destroying nuclear plant of Iraq. It is in this context that India seriously viewed the US proposal to sell E-2C Hawkeye airborne warning and control system aircraft to Pakistan. It is true that Indian Air Force is stronger than that of Pakistan; nevertheless the tremendous striking power at bay and weaken its defence.

Pakistan propounded that its defence capabilities must correspond to the size of threat it faced and not to the size of its territory and population.\textsuperscript{40} No doubt, the Soviet presence in Afghanistan actually posed a grave threat to the peace and security of the region which was quite often projected by Pakistan, but most of the weapon systems inducted by Pakistan could not be used in Pakistan’s northern or western theatres and secondly, the improved strength of Pakistani Navy through supplies of sophisticated weapons had no relations to the situation in Afghanistan. It has been pointed out that the equipment provided was not appropriate for fighting in the mountain areas which was needed to check a Soviet move through Himalayas, rather the arms provided to Pakistan consisted of tanks, motorized artillery etc.
which could be used only on relatively flat terrain, in other words, according to Chester Bowles, “on the plain of North India.”

In October 1990 the U.S. aid and arms sales to Pakistan were suspended because President Bush did not certify to Congress that Pakistan did not possess nuclear weapons, as required under Section 620 E (e) of the foreign Assistance Act (FAA) and the Pressler sanctions went into effect. Pakistan lost $564 million economic assistance slated for the fiscal year 1991. However under Section 552 of the foreign Operations, Export Financing and Related Programs Appropriation Act, added in 1992, provision of PL 480 food aid was permitted, which totaled about $7 million in FY1995. Narcotics assistance of $3-5 million annually, administered by the State Department’s Bureau of International Narcotics Matters, was exempted from the aid cut-off. One of the most serious results of the aid cut-off for Pakistan was the non-delivery of 28 F-16 fighter aircraft ordered in 1989, for which Pakistan had already paid $658 million. In late 1993, the CIA Director James Woolsey described the India-Pakistan arms race as posing ‘perhaps the most probable prospect for future use of weapons of mass destruction, including nuclear weapons.’ However, the majority of Pakistani was not happy with the U.S. decision to cut off aid and reacted strongly. As one senior civil officer said: ‘You Americans have discarded Pakistan like a piece of used Kleenex.’ Pakistan also looks upon U.S. nuclear diplomacy as selective, discriminatory and detrimental to Pakistan’s security.

Although the US military and economic aid came to a halt following the sanctions in 1990, Pakistan still purchased sizable amounts of U.S. weaponry prior
to Sept. 11, 2001. Direct Commercial Sales (DCS) totaled more than $150 million between FY 90 and FY 01, and Foreign Military Sales (FMS) totaled more than half a billion dollars during the same period. Pakistan declared the importation of 24 M-198 large caliber artillery pieces, 3 P-3C Orion aircraft, 28 Harpoon missiles, and 498 AIM-9-L missiles from the United States to the UN Register of Conventional Arms in 1996, when the Clinton administration approved a one-time waiver of the sanctions.

However, Pakistan received no Foreign Military Financing (FMF) or International Military Education and Training (IMET) after FY 90, except for a grant of $174,000 for IMET in FY 99, nor did Pakistan receive any weapons through the Excess Defense Articles (EDA) programme during that period. In FY 2000, Congress gave the administration the ability to waive the application of the Glenn, Symington and Pressler amendments to Pakistan (and India) indefinitely; however, in the same year, Congress banned all military aid to Pakistan until a democratically elected government replaced the government of Musharraf. Pakistan received no US military training or weapons between FY 00 and FY 01.44

Post 9/11 Relationship: Rediscovery of Pakistan as the Frontline State

Prior to the September 2001 terror attacks on the United States, and especially after Islamabad’s 1998 nuclear tests and 1999 military coup, U.S. relations with Pakistan had become marked by discord and distance. U.S.-Pakistan relations strained over a number of issues including Pakistan’s support for the Taliban in Afghanistan.45 Pakistan was being subjected to a wide range of U.S. sanctions under the Pressler, Glenn and Symington Amendments and the “Democracy Sanction”
that limited all economic and military aid to Pakistan.\textsuperscript{46} To make matters worse, the U.S. was in the process of forging close diplomatic and strategic ties with India, Pakistan's most hated enemy. Pakistan's domestic situation was in shambles. It had a weak institutional architecture, a stillborn political process following a recent coup, an underdeveloped economy, a poor educational system, and internal tension with Islamist extremism on the rise.

On 11 September 2001, al-Qaida operatives hijacked four airplanes crashing two into the World Trade Towers and a third into the Pentagon with the fourth forced down in a Pennsylvania field before it could complete its mission. This attack represented the single largest terrorist attack in history and the largest attack ever on U.S. soil. It did not take long for the U.S. to determine that al-Qaida was to blame. The U.S. pressured the Taliban to turn over bin Laden. When they refused, the U.S. started planning for the invasion.

The terrorist attacks against New York and Washington D.C. on September 11, 2001, suddenly changed the power context in South Asia. The anti-terrorist campaign in general and, and the U.S. led war against the Taliban and Al-Qaeda in particular, revived the strategic value of Pakistan to U.S. The September 11 attacks changed dramatically the focus of U.S. global strategy. The U.S. strategic priorities shifted from the concern with the 'Chinese threat' to the global war against international terrorism. Pakistan was clearly the crucible of the U.S campaign against Al-Qaeda and the Taliban for both geographic and strategic reasons. Islamabad was one of the few countries that recognized the Taliban. Though India's offer of support to the U.S. war against terrorism was immediate and unconditional,
it could not provide what Pakistan had: a long border of 2500 kilometers with Afghanistan and a long, close association with the Taliban. Thus the Cold War history was replayed with the U.S. treating Pakistan territory logistical operations. As a result of the decision, however, Pakistan swiftly re-emerged as a key regional power and vital U.S. ally.

After the attacks, and under intense diplomatic pressure, Pakistani President Gen. Pervez Musharraf made a swift decision to end his government's support for the Taliban regime in Afghanistan and join the U.S.-led anti-terrorism coalition. He readily agreed to all requests by Secretary of State Colin Powell. According to a number of sources, his positive response exceeded expectations. The United States and Pakistan now share pressing interests in the region. These chiefly are related to ending Islamic militancy that continues to wreak terror and destruction in South Asia and elsewhere, and that poses a threat to the continued existence of moderate government in a nuclear-armed Pakistan.

The policy reversal by Musharraf took place without the full support of the country's Islamic citizens or its military and intelligence organizations. Indeed, President Musharraf has been frequently criticized within Pakistan for cooperating too readily and conceding too much to the United States without adequate recompense. Islamabad subsequently has asked the United States for military equipment, aid, and other forms of security cooperation to both assist in the anti terror campaign and in an effort to maintain balance with India's conventional forces.
After the abhorrent incidents of 9/11, the world once again saw Pakistan a front-line state in US led war in Afghanistan. Thus the 9/11 presented another chance for both countries to marry up again. Two factors contributed to Pakistan’s renewed significance in U.S. eyes: first, Pakistan shared a border with Afghanistan and was among the few countries which had a formal diplomatic relationship with the Taliban regime. Second, Pakistan “combined the two major security threats to the United States: weapons of mass destruction and perceived links with terrorism.” On the Pakistani side, General Pervez Musharraf correctly calculated that if Pakistan did not cooperate with the United States, his nation, at the very least, would be marginalized and isolated by the U.S. and the international community; at worst, Pakistan itself could be targeted because of its support of and close relationship with the Taliban.

In a speech to the nation on September 19, 2001, Musharraf explained that his decision to support the U.S. was based on four key Pakistani interests: the country’s security; its economic revival; the need to safeguard its “strategic nuclear and missile assets”; and the Kashmir cause. Musharraf addressed his nation talking about “wrong decisions” in the country’s moment of crisis (by which he implied declining to join the coalition against terrorism). In another address to his people on January 12, 2002 he stated, “We decided to join the international coalition against terrorism . . . We took this decision on principles and in our national interest.” He added, “Pakistan will not allow its territory to be used for any terrorist activity anywhere in the world.” He also identified economic and social reform as critical priorities for his government.
Musharraf's speech was well timed, for only a day later, President Bush gave his famous "either you are with us, or you are with the terrorists" speech to a joint session of Congress and the American people. This was an informal threat by the U.S. to Pakistan that if Pakistan refused to cooperate, it would be treated like the terrorists. On 22 September, the U.S. lifted the economic and military sanctions that had been imposed against Pakistan under the Pressler, Glenn, and Symington Amendments and Section 508 of the Foreign Assistance Act. All were waived by Bush under the authority of Brownback II.52

Pakistan agreed to provide blanket flyover and landing rights, access to naval and air bases, and critical petrol supplies. Much of the logistical support was initially provided without any of the formal agreements or user fees that are normally required for such privileges; thus demonstrating Pakistan's full support. The United States recognized Pakistan's role as a frontline state in the global campaign against terrorism and expressed gratitude for Pakistan's vital support in the international campaign. On the occasion of Musharraf's visit to the United States in February 2002, President Bush announced new bilateral programmes, which included: debt relief; democracy assistance; strengthening education; expanded defense cooperation; and cooperation in law enforcement, science and technology. This is the third time that the United States has allied itself with Pakistan- "the most allied ally in Asia" during the Cold War. History shows us many parallels. In 1954, President Dwight Eisenhower signed a mutual defense assistance agreement and sent $1.7 billion to Pakistan in a bid to induce General Ayub Khan to confront the so-called "communist threat." In 1981, President Ronald
Regan persuaded Congress to restore economic and military aid to Pakistan in exchange for General Zia ul Haq’s agreement to help strengthen the anti-Soviet resistance in Afghanistan. And then twenty years later, President George W. Bush asked Congress to lift sanctions in order to obtain President Musharraf’s help in the counter-terrorism efforts aimed at its troublesome neighbour.

Since September 11 however, Pakistan has once again clearly become important to the U.S. as a critical frontline state in the war against terrorism. The United States and Pakistan launched a Joint Working Group on Counter-terrorism and Law Enforcement. Moreover, a defense consultation group was reestablished to revive military ties. Pakistan cooperation with the United States included; granting logistics facilities, capturing and handing over al-Qaida suspects, sealing off its western border and made two naval bases, three air force bases, and its airspace available to the U.S. military. Pakistan provided fuel to aircraft, averaging 100,000 gallons per day, initially without any established repayment mechanism. Finally, Pakistan provided intelligence support to coalition forces, most notably human intelligence which coalition forces desperately needed to complement its technical intelligence.

The U.S. also followed through with its commitments. Shortly after sanctions were lifted, the U.S. started to provide economic and military assistance to Pakistan. Between 1954 and 2002, the United States provided Pakistan a total of $12.6 billion in economic and military assistance. Since 9/11, the United States has provided $4.422 billion in economic and military assistance to Pakistan, but when $4.586 billion in reimbursement for Pakistan’s military contribution to Operation
Enduring Freedom is added, the total amount of direct U.S. Treasury outlay to the Government of Pakistan in 2002-2007 amounts to $9.008 billion. Fully $6.393 billion of this amount is directly or indirectly related to Pakistani military programmes.

The United States has made available to Pakistan a wide variety of top-of-the-line military equipment hitherto considered politically sensitive. Air force systems delivered or in the pipeline include 36 F-16 C/D block 50/52 fighter aircraft, the most modern version currently flown by the U.S. Air Force; a program to modernize all 34 of Pakistan's existing F-16 fleet to the same standard; 500 Advanced Medium-Range Air to-Air Missiles (AMRAAM)-the largest single international AMRAAM purchase in the history of the program; 200 AIM-9M Sidewinder missiles; and six C-130E transport aircraft. Navy systems delivered or in the pipeline include eight P-3C Orion maritime surveillance aircraft; a program to modernize Pakistan's existing P-3 fleet; Harpoon block 2 missiles, and three additional P-3 aircraft that will be configured with the E-2C HAWKEYE airborne early warning electronics suite. Army equipment delivered or in the pipeline includes 26 Bell 412 helicopters; 20 AH-1F Cobra attack helicopters and modernization of Pakistan’s existing Cobra fleet, Harris high frequency radios, TOW-2A anti-tank missiles, and 115 M-109A5 howitzers. To manage these programs the embassy security assistance office, the Office of the Defense Representative, Pakistan (ODRP) has expanded from a small office of four officers and three foreign nationals headed by a colonel in 2001, to a complex organization.
of approximately 40 military personnel headed by a major general, the first time since the 1960s that an officer in that grade has been posted in Pakistan.

On October 27, 2001, the President signed S.146 (P.L. 107-57) into law, officially waiving sanctions on Pakistan related to democracy and debt arrearage through 2003. In addition, the removal of sanctions allowed the United States to extend $600 million in Economic Support Funds (ESF) to Islamabad. In 2002, Pakistan received an estimated $624.5 million in development assistance and Economic Support Funds (ESF), while India received $164.3 million in development aid, Economic Support Funds (ESF) and food aid grants.54

U.S. arms sales to Pakistan during the five years after Sept. 11 were worth 13 times more than those concluded during the five prior years. Both Direct Commercial Sales (DCS) and Foreign Military Sales (FMS) have increased dramatically, with more than a billion dollars worth of sales projected for the upcoming two fiscal years. In 2003, President Bush announced that the US would provide Pakistan an economic and military package worth $3 billion spread over a period of 5 years. This assistance package has commenced during the financial year 2005.55

Meanwhile, US President George W Bush has urged the US Congress to approve selling F-16 jets to Pakistan as the US nuclear deal with India progresses. The Bush administration indicated that the deal was not related to the passage of Indo-US nuclear cooperation bill. In FY 05, Pakistan received two F-16A fighter jets through the EDA program (which it reported to the UN Register of Conventional Arms) The administration already submitted a package that includes an option to
purchase a further 18 jets and an offer to upgrade Pakistan’s existing F-16 fleet and, in October 2006, Pakistan and the United States concluded a $5 billion sale of 18 new F-16s - with all jets scheduled to be delivered by 2010 despite the vehement objections of members of the U.S. Congress. However, Pakistan has not yet succeeded in managing F-16 aircrafts from the US. Their demand for missiles could be one way of improving their conventional superiority over India.

In FY 05, the United States made it part of its policy toward Pakistan to allocate a minimum of $300 million in military assistance each year, and Foreign Military Financing (FMF) appropriations in the FY 05 and FY 06 (as well as FY 07 and FY 08 requests) satisfied that agreement, with additional assistance provided from the International Military Education and Training (IMET) account, as well as several others. Pakistan received $500,000 through the Regional Defense Counterterrorism Fellowship Program (CTFP) in FY 06 and is slated to receive an additional $300,000 in FY 07. Pakistan was also one of roughly a dozen countries to receive military assistance through the new Section 1206 authority in the defense budget. More than $20 million was designated for improving Pakistan’s counterterrorism capabilities in FY 06, adding to the $300 million in Foreign Military Financing (FMF) also designated for that same purpose in FY 06. Pakistan has also received funding through the Foreign Operations budget’s Anti-Terrorism Assistance program (NADR-ATA), which is part of the Nonproliferation, Antiterrorism, Demining, and Related Activities account, since FY 02. Pakistan received $7.3 million in FY 06, and is slated to receive another $8 million in FY 08. Pakistan is also a beneficiary of Global Peace Operations Initiative (GPOI) funding, provided through the
Peacekeeping Operations (PKO) account, which assists countries to participate in international peacekeeping missions.
References:


4. Ibid.p.41.


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Third Chapter
US interest in India was evident as early as 1942, five years before independence when President Franklin D. Roosevelt suggested to Winston Churchill that he supported India’s independence movement. This support soon evaporated after the Indian National Congress decided not to support the war effort and launch the Quit India movement.1

Independent India, under Prime Minister Nehru (who was the primary architect of India's foreign policy), was determined to keep away from the Cold War. Nehru chose a middle path, which subsequently came to be known as non-alignment. As early as 1947, in a note to India’s Ambassador designate to China, K. P. S. Menon, he wrote:

“Our general policy is to avoid entanglement in power politics and not join any group of powers as against any other group. The two leading groups today are the Russian bloc and the Anglo-American bloc. We must be friendly to both and yet not join either. Both America and Russia are extraordinarily suspicious of each other as well as of other countries. This makes our path difficult and we may well be suspected by each of learning towards the other. This cannot be helped. The Soviet Union, being our neighbour, we shall inevitably develop close relations with it. We cannot afford to antagonise Russia merely because we think that this may irritate someone else. Nor indeed can we antagonise the USA.”2 Consequently, India under Nehru pursued a globally oriented foreign policy while trying to maintain a careful distance between the power blocs of the East and West. Its stand on disarmament,
anti-colonialism and world peace won for India the respect of the newly independent countries of Asia and Africa, gratified that one of them could speak on equal terms with the two great powers. It was also a source of satisfaction for Indian nationalists who viewed it as final proof that Independence had truly been won.

The Early Years

In the past, India-US relations have been marked by divergent worldviews that led both countries not to develop the type of relations that the United States had with other major democracies, despite several instances of overlapping security interests. While the relationship briefly blossomed during and immediately after the Korean War with India as a member of the United Nations (UN) armistice commission, it soon ran aground with the twin crises of 1956-Hungary and Suez. India condemned the Israel-French-British invasion of Suez but was far more reluctant to condemn the Soviet Union’s brutal crushing of the Hungarian revolt.

Relations between the two countries again briefly flourished after the Sino-Indian war of 1962 when the United States transferred conventional weapons to India, discussed covering India under its nuclear umbrella, and for a while was inclined to set up intelligence posts in the country to monitor China. At the economic level, India became a major recipient of U.S. assistance. The United States provided significant amounts of food aid to India in the 1960s first to tide over the country during the Bihar famine and, later, to start an agricultural Green Revolution in the country.

Difficult relations with the United States continued in 1971 during the Bangladesh war. Indian officials believe that the Nixon administration sent an
aircraft carrier, the U.S.S. Enterprise, into the Bay of Bengal to put pressure on
India to halt the military campaign against Pakistan.3 India’s victory in the 1971
war with Pakistan and the creation of Bangladesh owed their success to Prime
Minister Gandhi’s primary policy objective: that India’s security goals ranked
foremost in its foreign policy. India had now emerged as South Asia’s pre-eminent
regional power. This was further demonstrated by the fact that the Shimla
Agreement (July 1972) with Pakistan was arrived at without the involvement of any
external powers. Further, the two countries agreed to resolve any future problems
bilaterally and work towards the development of friendly relations.

The relationship remained cool in the 1970s both due to American disinterest,
the Vietnam war and events in the Middle East had taken priority in U.S. foreign
policy and because India, in 1974, decided to test a nuclear device. U.S.
nonproliferation measures automatically were implemented against India, and the
1974 test led to a strengthening of both U.S. nonproliferation policies (with the
Glenn-Symington Amendments to the Foreign Assistance Act and the 1978 Nuclear
Nonproliferation Act) as well as those of other western suppliers through the
creation of the London Club in 1975 and the decision by Western nuclear suppliers
to ask for “full scope” safeguard over any future technology transfers to other
countries. At the same time, the United States had decreasing interest in Pakistan
because it was no longer relevant as a frontline state in the Cold War.

In 1975, President Ford lifted the embargo on arms sales to India and
Pakistan. In theory both countries could seek to buy arms which would be
considered on a case-by-case basis. During the subsequent Carter Administration
India did enter into negotiations with the US for the purchase of TOW anti-tank missiles and light howitzers. The US agreed to sell anti-tank missiles worth $32 million in 1980 but the deal fell through because the US would not allow their manufacture under licence in India. The howitzer deal also failed to materialise on the issues of licence manufacture, supply of spares and ammunition with the US refusing to guarantee more than a twenty day supply of ammunition at a time.India clearly did not want to be put in a situation where its military capabilities would be reliant on US policies. On the nuclear front, while the US had imposed sanctions on the transfer of nuclear technology after the 1974 test, it had continued to supply fuel for the Tarapur nuclear plant. In March 1978 US Congress passed an act, with a two-year grace period, that prohibited nuclear exports to countries that did not accept safeguards. In 1980 President Carter approved a temporary waiver that allowed the export of 32 tons of fuel and in 1982 an agreement allowed France to supply fuel in return for India’s acceptance of safeguards for the facility. With the advent of the Missile Technology Control Regime (MTCR) in 1987, India also faced embargoes on missile related technology. In 1992-94 the United States allowed India to buy a cryogenic rocket engine from Russia but blocked the transfer of related technology.

Although the personal relationship between President Reagan and Indian Prime Minister Indira Gandhi was cordial, and her son and successor, Rajiv Gandhi, was able to garner considerable goodwill in the United States, the rationale of the Cold War kept the two countries apart. In a letter to Prime Minister Rajiv Gandhi, President Reagan not only extended his ‘appreciation’ but was also
impressed by your willingness to restore order without unnecessary bloodshed. I have no doubt that your action will be remembered as a valuable contribution to regional stability.6 It was also during the Rajiv Gandhi period (1984-89) that the first discussions about transferring defense related technology began. India expressed an interest in purchasing American avionics and power plants for its Light Combat Aircraft programme.7 India-US Economic and trade relationships improved. Cooperation in the fields of defence and technology transfer also increased. Symbolic of this was the visit to the US by Defence Minister K. C. Pant in July 1989, the first visit by an Indian Defence Minister in over 25 years. This followed the visit of the US Secretary of State Caspar Weinberger in 1987 followed by his successor Frank Carlucci in 1988. President Reagan also issued a directive (1984) instructing government agencies to seek improved relations with India and accommodate its requests for dual-use technology. In 1986 the US agreed to supply a number of General Electric F-404 engines and avionics for India’s Light Combat Aircraft (LCA) then under development. Later, the US also agreed to sell a Cray XMP-14 supercomputer, the first such sale to a country outside the western alliance.8

India-US relations in the first half of the 1990s have been described as one of ‘missed opportunities and contradictory policies’.9 The international system was fundamentally transformed between 1989 and 1991. The toppling of the Berlin Wall, the ‘velvet revolutions’ in Eastern Europe, the reunification of Germany, and the disintegration of the Soviet Union were successive geopolitical earthquakes whose global aftershocks rumble even today. Every state in the world faced the
necessity of adapting to the end of bipolarity and the emergency of a new, unipolar international order. This transition was all the more challenging for New Delhi, because it came at a time when India itself was undergoing its own social, economic and political transformations.\textsuperscript{10} It was only after the end of the Cold War and the coming to power of the Narsimha Rao Government in India in 1991 that relations began to improve. The new Indian government, recognizing that the economy was in a crisis, sought to carry out a series of structural and market reforms that relaxed previous obstacles to foreign investment in the country and allowed the economy to be rejuvenated. Indian and American groups began to meet to discuss defense cooperation, especially the transfers of technologies to assist in the development of India’s conventional weapons production programmes. At the same time, the first Bush administration declared in 1990 that Pakistan was not complying with the non-proliferation measures and cut off military and economic assistance to Islamabad.

From 1994 on, the Clinton administration took various steps to improve relations with India. On May 14, 1994, the Indian Premier Narsimha Rao made an official visit to the U.S., the first visit by an Indian Premier since Rajiv Gandhi’s visit in 1987. Rao delivered a speech to the US Congress, the first head of a foreign government to do since Clinton had come to power. Both countries looked upon Rao’s visit as an opportunity to eliminate the cool and even tense relations between them. In order to create a friendly atmosphere, Clinton and Rao concentrated their talks on economic and trade cooperation and exchanges, and barely touched upon such sensitive issues as human rights and nuclear proliferation. Rao’s trip was
followed in 1995 by the beginnings of tentative military collaboration, outlined in an “Agreed Minute on Defense relations” which established an institutional framework that continues to structure Indo-U.S. military ties.11 In mid-January 1995, Defense Secretary “William Perry” visited South Asia. During his stay in India, he signed with his Indian counterpart a security agreement whereby a “Defense Policy Forum” was established to review strategies in the post-Cold War era, promote exchange of senior officials and military officers, and gradually upgrade the scale of training and joint exercises. The agreement was a break through in bilateral relations. Immediately after Perry’s visit Secretary of Commerce Ron Brown visited India. Leading a large group of American business leaders, he signed an agreement with his Indian counterpart to establish a “Commerce Forum”, a sort of joint venture between government officials and business executives, whose function was to promote bilateral economic relations.” The period from 1995 to 1998 brought joint naval exercises, an air force pilot exchange programme, and cooperative military training as U.S. International Military Education and Training (IMET) funding for India doubled. However, despite these expanding links, the overall political relationship continued to be undermined by what Indian leaders viewed as Washington’s excessive preoccupation with the India-Pakistan dispute over Kashmir and India’s nuclear weapon and ballistic missile programmes.

Pokhran II and US Sanctions

The nuclear tests conducted by India in May 1998 took the world by surprise, particularly the United States. The latter felt deceived at the decision taken by India to go nuclear at the time when non-proliferation was high on its foreign policy
agenda. The anger was intense when the US realised that this might threaten its policy design to construct an international non-proliferation regime. US official statements either delivered unilaterally at home or in any multilateral forum were full of annotations to convey clearly to the parties concerned (India and Pakistan) as well as to the world that this kind of action would never be tolerated.\textsuperscript{12}

Washington's intention of taking stringent action against India was clearly visible in President Clinton's statement issued on May 12, 1998. It read:

"I want to make it very, very clear that I am deeply disturbed by the nuclear tests which India has conducted, and I do not believe it contributes to building a safer 21st century. The United States strongly opposes any new nuclear testing. This action by India not only threatens the stability of the region, it directly challenges the firm international consensus to stop the proliferation of weapons of mass destruction. I call on India to announce that it will conduct no further tests and that it will sign the Comprehensive Test Ban Treaty now and without conditions. I also urge India's neighbours not to follow suit - not to follow down the path of a dangerous arms race. As most of you know, our laws have very stringent provisions, signed into law by me in 1994, in response to nuclear tests by non-nuclear weapons states. And I intend to implement them fully."\textsuperscript{13}

US felt hurt over the Indian action. In the American perception, India took a step which was bound to hamper the rising security understanding and economic cooperation between the US and India. Since 1994, a new American law known as the Nuclear Proliferation Prevention Act, has been in place. This Act combined all major previous legislations on proliferation issues to facilitate a clearer position of
the US on the subject. One of the key parts of the legislation was incorporation of the Glenn Amendment which authorized sanctions against countries detonating one or more nuclear devices. Acting under this law, President Bill Clinton imposed the following sanctions on May 13, 1998:

1. Termination of assistance under the Foreign Assistance Act of 1961, except for humanitarian assistance for food and other agricultural commodities;
2. Termination of sales of defence articles, defence services, or design and construction services under the Arms Export Control Act, and termination of licences for the export of any item on the United States munitions list;
3. Termination of all foreign military financing under the Arms Export Control Act;
4. Denial of any credit, credit guarantees, or other financial assistance by any department, agency or instrumentality of the United States government;
5. The United States' opposition to the extension of any loan for financial or technical assistance by any international financial institution;
6. Prohibition of United States banks from making any loan or providing any credit to the Government of India, except for the purposes of purchasing food or other agricultural commodities; and
7. Prohibition of export of specific goods and technology subject to export licensing by the Commerce Department.14

The imposition of sanctions soon sparked off various kinds of speculation in India, the United States and elsewhere. While the Government of India kept issuing statements to the effect that India could sustain American pressures and sanctions, the US government officials initially calculated that the Indian economy could lose
several billion dollars of financial assistance and foreign investments due to the sanctions. Japan, Australia, New Zealand and a few European countries followed the US line in condemning the Indian tests. Japan, Denmark, Sweden and some other countries imposed their own sets of sanctions. However, Russia, France, Britain and Germany were relatively more restrained in reacting to the Indian nuclear tests. France, Russia and Britain openly went against the US policy of imposing blanket sanctions against India.

Notwithstanding the fact that India defied US policy, the US administration, at the request of the Government of India, showed willingness to engage in a high-level dialogue and work out a mutually-agreed upon relationship. This intent paved the way for the Jaswant Singh-Strobe Talbot Dialogue, which started on June 12, 1998. Such quick action was unprecedented in the history of India-US relations. Also unprecedented was the urgency and need felt by policy-makers in Washington (due to the factors inherent with India’s nuclear status) to rethink and reshape US policy towards India. A delicate stage had been reached in India-US relations and it required sagacious handling by both interlocutors. Jaswant Singh and Strobe Talbot skilfully managed to guide their respective governments towards a positive direction. Although the dialogue continued behind closed doors, after a few rounds of talks, one witnessed a change in US’ tone as far as the non-proliferation issue was concerned. It also helped both countries to buy time to enable creation of a proper atmosphere to harmonise their positions.\textsuperscript{15}
The Clinton Visit

U.S. President Bill Clinton visited India in March 2000. The visit of a US President to India took place after a long gap of 22 years. The visit has been considered a major success by the Indian government, business groups, media people and also the general public. Now one has to analyse what it means for India. In the first instance, President Clinton’s visit to India has opened a new partnership in the history of their bilateral relations. Clinton at his address to the Joint Session of Parliament said, “let us make this dialogue into a genuine partnership”. It has been considered a ‘success of India’s diplomatic initiatives’. The new statement of vision signed between President Clinton and Prime Minister Vajpayee sought to “seek a natural partnership of shared endeavours”. The fact that India and the United States are the largest democracies seemed to have brought them closer, particularly in the context of India’s neighbour, Pakistan having undergone a military coup.

Indian Prime Minister Vajpayee and US President Clinton signed the Vision Statement that has outlined the future of Indo-US relations. The highlights of the Vision Statement are:

1. As part of the vision for the future relationship, a regular, wide-ranging dialogue is important for achieving the goal of establishing closer and multifaceted relations between India and the US and for the two countries to work jointly for the promotion of peace and prosperity in the 21st century.

2. The president of the United States and the prime minister of India will hold regular bilateral ‘summits’ in alternating capitals or elsewhere, including on the
occasions of multilateral meetings, to review bilateral relations and consult on international developments and issues.

3. The two countries will also hold an annual foreign policy dialogue at the level of secretary of state of the United States and external-affairs minister of India.

4. The two countries also consider the ongoing dialogue on security and nonproliferation between the deputy secretary of state of the United States and the external affairs minister of India important for improving mutual understanding on bilateral, regional and international security matters.

5. Foreign Office consultations between the under secretary of state for political affairs of the United States and the Indian foreign secretary will continue.

6. The two leaders consider combating international terrorism as one of the most important global challenges.

7. The two leaders see an enormous potential for enhancement of economic and business relations between the two countries in the Knowledge Age. They have decided to institutionalise bilateral economic dialogue.

8. The two leaders consider cooperation between the two countries in the energy and environment sectors an important part of their vision for the future. They have agreed to set up a Joint Consultative Group on Clean Energy and Environment.

9. The two leaders believe that the strong scientific resources of the two countries provide excellent opportunities for scientific collaboration between them.16

Prime Minister Vajpayee also accepted President Clinton’s invitation to visit Washington later that year. In his address to the joint sitting of the Indian Parliament on 22 March, President Clinton spoke of the commitment by both
countries to forego nuclear testing and said that India could pursue defence policies in keeping with its commitment not to pursue a nuclear or missile arms race 'which the Prime Minister has forcefully reaffirmed just in these last couple of days'. On the question of India-Pakistan relations, he praised the Prime Minister for 'his courageous journey to Lahore'. He made it clear that he had not come to South Asia to mediate the dispute over Kashmir, and that this was a matter for resolution between them.17

Although many analysts were skeptical about the real outcome of the President’s visit, at the fag end of his tenure, it nonetheless, was perceived by many, particularly in India as a landmark event that symbolized goodwill and improved relations between the two states. It was again believed that the Clinton visit laid the foundation for transforming Indo-US relations, which got a boost during the first Bush Administration. The pragmatic nature of US foreign policy was also becoming apparent in Clinton’s two-pronged strategy towards India, one emphasising the issues of markets and trade, and the other non-proliferation.18

The Bush Administration

Under the new Bush administration Indo-US relations have developed at a pace that few could have foreseen. In his confirmation hearings before the Senate Foreign Relations Committee, the then Secretary of State designate Colin Powell stated, ‘India has the potential to help keep the peace in the vast Indian Ocean area and its periphery. We need to work harder and more consistently to help them in this endeavor.’ During a visit to Washington by the Indian Minister for Foreign Affairs and Defence, Jaswant Singh in April, his meeting with the National Security
Adviser, Condoleezza Rice, was ‘interrupted’ by President Bush who then proceeded to have a 40 minute ostensibly unscheduled private dialogue with him.19

George W. Bush who had been elected to the American Presidency in 2000, placed due importance on relations with India and decided to include India in his strategic doctrine. The Republican Party, which Bush (Jr.) represented, was less obsessed with non-proliferation than the Democrats. As one Indian foreign policy expert has correctly observed, “The Republican Administration under President Bush is less didactic and intrusive on non-proliferation issues compared to the Clinton administration. This has also helped reduce mutual tensions.”20

President Bush also signaled his good intentions to India when he lifted the last remnants of the economic sanctions imposed by the earlier administration without any reference to the CTBT. The sanctions were lifted unconditionally in late 200121 and this act sent signals that the new President was willing to work closely with India. The Deputy Secretary of State of the new administration, Richard Armitage, visited India soon after President Bush took charge. India’s Foreign Minister, Jaswant Singh, was one of the first few statesmen to visit Washington, D.C. after President Bush assumed office. These visits created a ‘feel-good’ factor in India-U.S. relations that was nurtured by both the countries.

However, it should be pointed out that while politico-military ties have continued to grow, the trade and investment relationship, despite its enormous potential, has continued to flounder if not stagnate. India, after successfully implementing its first round of economic reforms in the early 1990s failed to maintain the momentum. Many bureaucratic hurdles remain and progress on
privatisation has slowed. Structural reforms appear to have stalled and the economy is now in its fourth year of slowdown. As the US Trade Representative Robert B. Zoellick has pointed out, India's tariffs and regulatory barriers remain high. Although the average tariff rate has fallen to about 30 per cent, it is still twice as high as China's average rate and 10 times as high as that of the United States. Consequently, while India's exports to the United States have steadily expanded since the mid-1990s (from $5.7 billion in 1995 to $10.7 billion in 2000), US trade flows to India since 1995 have stagnated, averaging $3.5 billion during the same period. US investment in India has not had a very successful track record either. However, attempts are underway to improve India-US business links. The two countries have initiated a dialogue in economics (with the full participation of the private sector) and in the areas of trade, finance, environment, energy security and power. Additionally specific fields including information technology, agricultural biotechnology and medical technology and pharmaceuticals have been identified as having significant potential for future business ties.

India-US Counter terrorism Cooperation

The beginning of India-US cooperation in counterterrorism can be traced to 1981 when some Sikh organizations, acting in the cause of an independent Khalistan in Punjab, started engaging in terror acts, including the hijacking of aircraft. Some of these organizations, such as the Babbar Khalsa, the Dal Khalsa, and the International Sikh Youth Federation, had an active clandestine presence not only in Punjab, but also in the US, Canada, and West Europe. The fact that almost all the hijacked aircraft were forced to fly to Lahore, Pakistan, created fears in the minds
of the US authorities that if such activities were not controlled, they could exacerbate the tensions between New Delhi and Islamabad. While refraining from criticizing Pakistan for the activities of the Sikh terrorists from its territory, the US started showing greater sensitivity to the problems faced by India in dealing with these terrorists. This cooperation passed through four stages. In the first stage (1981-85), cooperation was confined to the training of Indian intelligence officers in the US in subjects such as anti-hijacking and hostage negotiation techniques. There was also exchange of intelligence. In the second stage (1985-91), exchanges of intelligence began with US Federal Bureau of Investigation (FBI) reporting the discovery of a plot to assassinate Indian Prime Minister Rajiv Gandhi during a June, 1985 visit to the US. The third period (1991-95) saw further improvement in counterterrorism cooperation. The fourth period of cooperation (1995-2000) saw a sharp decline in terrorism in Punjab. Since 1995, the main area of concern for India's intelligence agencies with regard to foreign terrorism has been violence perpetrated by Pakistani jihadi organizations such as the Harkat-ul Mujahideen (HUM), the Harkat-ul-jihad-al-Islami (HUJI), the Lashkar-e-Toiba (LET) and the Jaish-e-Mohammad (JEM). The first three of these organizations came into existence during the Afghan war of the 1980s in order to combat Soviet troops. The JEM emerged in 2000 as a consequence of a split in the HUM.23

The formal launch of the India-US Joint Counter Terrorism Working Group in January 2000 marked the transformation of a previously obscure partnership into a lead element of the haltingly expanding bilateral relationship. Then as now, counterterrorism was assumed to easier and less contentious than other potential
areas of security cooperation. New Delhi, too, welcomed the official launch of the joint working group as evidence of renewed engagement with Washington, as well as a channel for engaging US officials regularly on India’s terrorism concerns, specifically Pakistan. At the strategic dialogue meetings of 1997, Foreign Secretary K.Raghunath had underscored India’s concerns about cross border terrorism; Prime Minister Inder Kumar Gujral highlighted Pakistan-sponsored terrorism as the cause of Indo-Pakistani tensions. The tone of the meetings cheered some Indian observers. Political commentator Raja Mohan, for example, described comments by Under Secretary of State for Political Affairs Thomas Pickering as “marking a new American sensitivity to the profound impact terrorism has had on India’s security in the last decade and a half. India has welcomed the new American approach and wants more follow-up action.”  

The 9/11 attack by Islamic radical on twin Towers of WTC and the Pentagon made U.S. see some congruence with India which had been facing such attacks through most of the preceding decade. In the months following 9/11 attack when India survived a body blow of terrorists to its Parliament, U.S began to realize India’s security concerns and the rationale behind its nuclear tests. It started finding merit in India’s arguments to refuse to sign CTBT. India’s changing profile was written into the U.S. National Security Strategy in 2002. For the first time, the U.S. administration began to take cognizance of India’s geo-political virtues, economic strength as well as genuineness of its security concerns. Experts feel that it was during that period that India began to emerge as a strategic partner to the U.S.
Post September 2001 and India-US relations

While the India-US engagement had been proceeding at a fairly fast pace right from the beginning of the Bush administration, it gained a new sense of immediacy after September 2001. In a speech delivered in New Delhi on 2 September (soon after he had presented his credentials), the US Ambassador to India, ‘Robert Blackwill’, reiterated the earlier US position saying that ‘President Bush has a global approach to US-India relations, consistent with the rise of India as a world power’ adding that this was ‘because no nation can promote its values and advance its interests without the help of allies and friends’.

The September 11, 2001 terrorist attacks on the U.S. strengthened the desire of the U.S. to work with India (and also Pakistan) in its strategic plans. There was a transformation in America’s geo-strategic thinking as Afghanistan, the base of the Al Qaeda, the prime accused in the 9/11 terrorist attacks, became the central focus of its war against terror. While Pakistan shares a border with Afghanistan, it was one of the three countries which recognized the Taliban regime. India on the other hand had never recognized it. While the U.S. needed Pakistan’s logistic support, India may have been seen as a second line of defence. India was very quick to condemn the 9/11 attacks, and offered to side with the U.S. in its fight against terrorism. The U.S. took India’s help during ‘Operation Enduring Freedom’ in Afghanistan. The Indian navy escorted and protected high value American shipping through the Straits of Malacca. India also allowed U.S. flights across its territory, and provided refueling facilities for American aircraft. American naval ships used Indian ports for rest and refueling. India’s friendly gestures provided the American
navy the logistical support required to conduct its trans-oceanic operations. More importantly, India’s support to the U.S. in its fight against terrorism had a far-reaching impact on bilateral relations.

Close cooperation between the two countries in the defence sector and counter-terrorism areas increased to a great extent after the 9/11 incidents. Regular joint exercises between the army, navy and air force of the two countries took place after 9/11. In 2001, India and the U.S. restarted the Defence Policy Group Dialogues after a lapse of five years. The U.S. administration appeared to understand, for the first time, India’s concern for terrorism. This could be ascertained from the measures taken by the Bush administration. The new administration sent positive signals to India by banning terrorist groups like the Lashkar-e-Toiba, condemning the underworld mafia don Dawood Ibrahim who is a suspected mastermind behind terrorist attacks in Mumbai. In 2002, the Bush administration released the National Security Strategy (NSS), a guiding document that focused on the transformation of India-U.S. relations. The NSS noted, “The United States has undertaken a transformation in its bilateral relationship with India based on a conviction that U.S. interests require a strong relationship with India.” However, it must be noted that in spite of an atmosphere of close cooperation between the two countries, the U.S. was unwilling to include India’s fight against terrorism in its own war on terrorism. Due to the geo-strategic advantages of Pakistan, the U.S. relied more on that country to fight the Al-Qaeda in Afghanistan during this period (2001-02). Since the U.S. required Pakistan for its counter-terrorism activities in Afghanistan, it did not wish to antagonize Pakistan by inducting India’s fight against terrorism.
into the American war on terrorism. America, therefore, was following a kind of issue-based diplomacy at the beginning of the new century. For counter-terrorism, it developed closer links with Pakistan; for economic, as also counter-terrorism (because the U.S. requires both Pakistan and India for this purpose), the U.S. endeared India.

In 2004, India and the U.S. announced the “Next Steps in Strategic Partnership” (NSSP) between the two countries. Under NSSP, India and the U.S. agreed to expand cooperation in three specific areas: civilian nuclear activities, civilian space programmes, and high-technology trade. In addition, the two countries agreed to expand their dialogue on missile defence. These areas of cooperation were designed to progress through a series of reciprocal endeavours. Under NSSP, the two countries have worked closely to implement measures to address proliferation concerns and ensure compliance with U.S. export controls. Under NSSP, the U.S. made modifications to American export licensing policies that would encourage cooperation in commercial space programmes and permit exports to power plants at safeguarded nuclear facilities. India and the U.S. have set up a joint implementation group for achieving the objectives outlined in the NSSP.

There were also speculations that the U.S. would strengthen security relations with India to counterbalance China in a new balance of power game in Asia. Such speculations gained credence from a six-day joint naval exercise from September 4-9, 2007 in the Bay of Bengal, called “Malabar 07”, by India, the U.S., Japan, Australia and Singapore. Together they put 25 warships into this naval exercise to combat, as per the declared objectives, piracy and terrorism. But the undeclared
objective, as per reports of a leading Indian daily, is to put pressure on China, which has formed the Shanghai Cooperation Organization (SCO) with Russia, Kazakhstan, Uzbekistan, Tajikistan and Kyrgyzstan and conducted similar military exercises. However, given India’s friendly relationship with Russia and the Central Asian countries noted above, it is unlikely that India would enter into this new balance of power game; but as far as China is concerned, both India and the U.S. would be willing to curb its dominance in Asia.
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Fourth Chapter
CHAPTER-IV

India - US Defense and Military Relations

India-US bilateral relations have witnessed several highs and lows in the past five decades. Relations began on a good note when India became independent and both countries had certain sympathy for each other. But it did not translate into lasting good relations. Despite common interests and shared perspectives, bilateral relations remained rancorous for much of the Cold War period. The beginning of the 21st century has seen a remarkable turnabout. The end of the Cold War, the disintegration of the Soviet Union, the opening of India’s economy, globalization, the revolution in information and communication technologies, India’s acquisition of nuclear weapons, the war on terror, and finally, the specter of a rising Asia in which India will play a major role, has set a new stage for the relationship to takeoff on a more robust note.

US Military Aid to India

The U.S. was the first one to give military aid to India after it became independent. It approved the sale of 200 Sherman tanks worth $19 million, although it rejected another request for 200 fighter aircraft worth $150mn and questioned the justification for making such defense expenditure when India was taking huge development aid from the U.S. Later, rebuffing Pakistan’s claim that any army supply would alter the military balance in the region, the U.S government supplied 54C-119 Fairchild military transport aircraft to India. In a short reconciliation period after the Sino-Indian border war in 1962, the U.S responded positively once again and gave more defense aid to India. This assistance came in the form of small
arms, ammunition and communication systems for mountain warfare. Thereafter, the defense component in Indo-U.S. relations remained minimal until the mid-1980s.

The end of the cold war eased the pressure on the Indo-US relationship. Cooperation in the field of defense increased after the visit of General S.F Rodrique to the U.S. in September1991. The focus was on the transfer of sophisticated technology and equipment for the Right Combat Aircraft project. The U.S. also made provision for some aid under the international military education and training program, to finance visits and exchanges between the Indian and U.S. armed forces personnel. In December1991, the U.S. dropped its Super-301 trade threat against India by formally extending the on-going investigation by another three months. These suspensions removed an irritant which had disturbed Indo-U.S Relations since 1989. After being on the backburner for years, the Indo-US defense and military ties were given a fillip in 1991 after the visit to India by Lieutenant General Claude M. Kicklighter, Commander-in-Chief, US Army Pacific command. The Kicklighter proposals, as they came to be called, contributed in no small part to a major change in bilateral relations. These proposals included service-to-service exchanges and expansion of a defense cooperation framework.

During the post cold war, the first high level discussion and negotiations between these two countries on their strategic interests and military cooperation held in January 1992 in New Delhi. Lt-General Johnny Corns of the US Pacific Command from the US side and Lt. General V.K. Sood from the Indian side participated the meeting of the Indo-US Army Executive Steering Committee. During the meeting, the US expressed its concerns about the rise of “Militant Islam”
in the region. The US also viewed that in the most volatile part of the world, which included the Islamic Crescent from Turkey to Malaysia, India was the only actor who could safeguard the US interests and act as an active regional stabilizing force. This strategic partnership and military cooperation between India and US was further developed and strengthened by the setting up of the Joint Steering Committee of the two Navies, which conducted joint naval exercises in 1992. Executive Steering Groups (ESGs) were established in both countries to intensify military-to-military cooperation. An Army ESG was set up in January 1992, followed by the formation of Navy and Air Force ESG in March 1992 and August 1993 respectively.

The Kicklighter proposals also enabled the first ever Indo-US military-to-military level exercises, keeping in with US policy of “cooperative engagement” with militaries of friendly countries. In February 1992, Indian and US Army and Air Force paratroopers held their first joint training exercise codenamed Teak Iroquois. A second exercise followed in October 1993. The two Navies held the joint exercises Malabar-I in May 1992, Malabar-II in 1995 and Malabar III in 1996. The first exercise was introductory and exploratory in nature. Malabar-II and Malabar-III were three dimensional, involving maritime reconnaissance aircraft, surface ships and submarines. The US Navy used nuclear-powered submarines and the P-3C Orion maritime patrol and attack aircraft. A similar exercise, Balance Iroquois, was held between Indian Para Commandos and the US Special Forces in June 1995 near Paonta Sahib in India. The second round was conducted in Madhya Pradesh in March / April, 1997. The Marine Special Forces also conducted joint exercises,
named Flash Iroquois, in September 1994 and September 1996. Both sides openly remarked that these joint military exercises should continue on a regular basis.4

In January 1995, the US Defense Secretary William Perry’s visit to India created another benchmark in Indo-US defense ties. Perry and Indian Minister of State for Defense, Mallikarjun, signed the Agreed Minutes of Defense Relations, an updated version of the 1984 MoU, aimed at strengthening as well as expanding defense cooperation to meet requirements of the new post-Cold War world. Under the Agreed Minutes, bilateral defense cooperation was envisaged at different levels: discussions at the ministerial level, a joint policy group of senior level officials from the Office of the Secretary of Defense (OSD) and the Indian Ministry of Defense; defense research and production cooperation; and service-to-service level interactions. The OSD- MOD meetings included representatives from the Indian Ministry of External Affairs and the US State Department. The defense research and production issues were facilitated through a Joint Technical Group (JTG).5

In March 2000, the US President Clinton visited New Delhi and bonding between Vajpayee and Clinton reflected the coming together of the two states. The Vision Document signed by Clinton and Vajpayee declared a “resolve to create a closer and qualitatively new relationship between the US and India’ on the basis of common interest in and complementary responsibility for ensuring regional and international security.” This document clearly mentioned that India and the US were strategic partners in providing stability in South Asia and beyond. Since the Clinton visit to India, the military and economic cooperation between New Delhi
and Washington has moved a pace with the Bush Administration continuing and expanding the framework of this strategic partnership.

On April 17, 2002, the India and US made the first major weapon deal in more than 10 years and US agreed to provide 8 Raytheon Co. long-range weapon locating radars to India. The radar system worth $146 million is designed to pinpoint enemy’s long-range mortars, artillery and rocket launches. On May 22, 2003, the US approved the sale of Israel’s Phalcon airborne early warning system worth $1.2 billion to India.6

The US Secretary for State Condoleezza Rice visited India in March 2005 and she set out to lay a new cornerstone for the transformed relationship between India and US. She told the Indian Foreign Minister Jaswant Singh that the United States would alter its long-held framework that tied and balanced its relations with India-Pakistan. This was a different US attitude towards Pakistan and it was entirely a new and comprehensive engagement between the United States and India. She also told Mr. Singh that the United States would break with long-standing nonproliferation orthodoxy and work to establish full civil nuclear cooperation with energy-starved India.7 She also expressed her views that the President Bush highly values to expedite the relationship between the US and India and this is a fact that both countries are becoming important regional and global partners and they are cooperating with each other in many ways.8

India- US 10 Year Defence Pact

The United States and India signed a 10-year Defence Pact in Washington D.C on June 28, 2005 to strengthen defence and military relations between the two
countries. That landmark agreement was a productive instrument for India and would help to facilitate joint weapons production, co-operation on missile defence and the transfer of civil and military technology to India. This agreement has paved the way for the possible lifting of US export controls for sensitive military technology to India without signing CTBT. The agreement is designed to achieve two main objectives:

a. To help India to advance America’s strategic goals in Asia.

b. To help India to become a major world power this may project its military presence beyond its border.”

The Indo-US “Strategic Partnership” was based on common values and interests. The defence pact will chalk out a route for defence cooperation between India and US during the next ten years. The Washington has justified that the pact was based on the global security challenges and its perceived strategic interests in South Asia. The defence pact which came after intense talk’s hours before the formal negotiations of Indian Defence Minister Pranab Mukkherjee and the US Secretary of Defence Donald Rumsfeld is a logical offshoot of the strategic partnership. Rumsfeld and Mukkherjee expressed in a joint press briefing that the Washington and New Delhi have set up a new era of their relationship and we are transforming our relationship to reflect our common principles and shared national interests. The both countries decided to formulate a defence procurement and production group to examine defence trade, as well as prospects for co-production and technology collaboration, research development, testing and evaluation and naval pilot training. To overcome the challenge of criticism from Indian media that
the US is not sincere to supply the high-techs weapons to India and cannot be relied as a long-term supplier, it was decided to setup a bilateral "defence procurement and production group"\textsuperscript{10} to oversee defence trade and prospects for co-production and technology collaboration.

On June 30, 2005, the Pakistan foreign office spokesman expressed Islamabad's concern over the defence pact. He said that Pakistan had already conveyed its concern to Bush administration over its negative consequences of the Indo-US strategic partnership, in particular, over the induction of new weapons system such as missile defence that would destabilize the strategic balance in the region and may trigger an arms race here.\textsuperscript{11} Foreign Minister Khurshid Mahmood Kasuri has also expressed the same view. I believe that the government reaction over this issue did not cover the feelings of the people and these statements were, however, rhetorical and not sufficient to match the gravity of the situation. Pakistan should convey its serious concern to US as she had a non-ally NATO status. The US should make it clear, its military collaboration with India may not have perilous effect on Pakistan. Nicholas Burns, Assistant Secretary of State visited New Delhi in June 2005 and said that "US has devolved a strategic partnership with India as she is a rising and democratic power in the world and a trusted friendly country."\textsuperscript{12} The statement testifies that the Washington has recognized India to play a vital role in South Asia. In July 2005, the Indo-US relationship received further boost up when both countries pledged to step up cooperation on nonmilitary nuclear activities, civilian space programmes, dual-use high-technology trade, and an unmitigated dialogue on missile defence.
Indo-US Nuclear Deal

As is well known, the journey of this Accord started during the time of the Vajpayee Government (1998-2004). The thread, rather, the gauntlet, was picked up by the Congress-led UPA Government, which seemed to have been as determined as its predecessor. The observers were rather keen, even curious, to see how a renowned economist but a green-horn in political arena of the country, would deal with the Americans, as compared to an astute Atal Bihari Vajpayee who after 50 years of practice in the political field, had attained the status of an elder statesman. As the things turned out, the economist Professor, i.e. Prime Minister Manmohan Singh, surprised everybody with assiduity, tenacity, and single minded determination he brought to bear on the subject till he signed the 2 March 2006 Agreement with President Bush at New Delhi, which would be beneficial, according to his lights, for politico-economic and strategic interests of India.

When Indian Prime Minister Manmohan Singh visited Washington in July 2005, the US offered India the full benefits of civil nuclear energy collaboration and permitted India to get the same amenities accorded to a member-state of the Nuclear Non-Proliferation Treaty without signing the accord, a move tantamount to recognize India as a nuclear weapon state. The agreement was proclaimed in a combined declaration on July 18, 2005, describes for the first proper reformation of the nuclear non-proliferation regime in the last 30 years to put up India’s desire for acceptance as a nuclear power.

The Indian Prime Minister, Dr. Manmohan Singh’s visit to the US in July 2005 was hailed “as a historic step forward” in their bilateral relations. A senior
American official stated that the mutual interests of India and the United States were coinciding more than ever before. It was the time that the US began to see India as one of its most important partners worldwide, given the fact that India is a rising economic power and an established democracy. When a question was raised to Indian Prime Minister how far he had done well to ask US for the taking away of US limitations on nuclear and high-technology supplies to India, he said: we have had a very positive and fruitful meeting and the issue has been tackled in a way that gives me great contentment.  

President Bush and Prime Minister Singh stressed the significance of developing a closer links between the two countries and it will develop even closer in the days and years to come. President Bush said: “He would ask Congress and allied nations to pick up sanctions stopping Indian access to civil nuclear technologies.” The US had imposed sanctions on India in 1998 when it conducted its second round of nuclear tests, but approved to pick up those and other sanctions after the September 11, 2001 attacks reward for support in the war on terrorism. India has not signed the Nuclear Non-proliferation Treaty (NPT) and the US law disallows the export of technology that could assist a nuclear programme of any country that has not signed the treaty. President Bush expressed: “Nuclear collaboration could comprise of quick consideration of fuel supplies to US-built Tarapur nuclear power plant near India’s business center of Mumbai. The Tarapur reactor is reportedly downward to its most recent supply of fuel from Russia, which has spoken its helplessness to carry on the supply because of the US restrictions on India. Indian Prime Minister declared that his country would agree to presume the
similar responsibilities and practice like the other foremost states with highly
developed nuclear technology. They incorporated untying civilian and military
nuclear facilities and programme in a phased style and putting its civilian facilities
under safeguards imposed by the International Atomic Energy Agency (IAEA), the
Global Nuclear Watch Dog and also promised to uphold India’s suspension on
nuclear testing.  

The Prime Minister’s visit led to the Indo-US Joint Statement on July 18, 2005,
announcing a series of bilateral measures on areas such as information technology,
business, commerce, energy, space, disaster response, agriculture, science and
technology, and other economic issues. One of the most important developments was
to initiate the measure to strengthen energy security and promote the development
of stable and efficient energy markets in India with a view to ensuring adequate and
affordable energy supplies.

The Joint Statement of 18 July 2005 marked the beginning of the next phase of
strategic partnership entailing intensified cooperation on vital areas, including
nuclear energy and ‘international efforts to prevent WMD proliferation’. The
initiative attempts a formal restructuring of the non-proliferation regime to
accommodate a new weapon state, by propounding a new framework by which
states with a responsible record of non-proliferation are rewarded and entitled to a
greater role in global non-proliferation efforts. It also formulated a definitional
flexibility in identifying a state ‘with advanced nuclear capability’, as one which can
neither be a weapon nor non-weapon state as per NPT specifications, but can still
fulfill the obligations of a weapon state while enjoying the benefits of peaceful nuclear energy like any non-weapon state.

The Joint Statement provided a roadmap for future strategic partnership between India and the United States. The new cooperative framework aimed at making India a global power has many facets including strategic, energy and economic components. However, the civilian nuclear cooperation agreement which is part of the overall energy dialogue attracted most attention. The agreement would enable India to acquire civil nuclear technology from the US and other members of the Nuclear Suppliers Group (NSG), and accord India, de facto status of a Nuclear Weapon State (NWS). In the Joint Statement of July 2005, President Bush stated that as a responsible state with advanced nuclear technology, India should acquire same benefits and advantages as other such states. He also said that the US would work to achieve full civil nuclear energy cooperation with India as it realizes its goals of promoting nuclear power and achieving energy security. He would also seek an agreement from the Congress to adjust US laws and policies, and that the US will work with friends and allies to adjust international regimes to enable full civil nuclear energy cooperation and trade with India. The Indian Prime Minister on his part conveyed that India would reciprocally agree that it would be ready to assume the same responsibilities and practices and acquire the same benefits and advantages as other leading countries with advanced nuclear technology, such as the United States.\textsuperscript{18}
Stage was set to start a US-India Energy Dialogue which led to the Civil Nuclear Cooperation Agreement between the two countries in March, 2006 following the US President George W. Bush’s visit to India.

The main points of the deal are:

1. Fourteen of India’s 22 reactors are to be separated as civilian and placed under safeguards. The US concedes that Breeder Reactor be kept outside until India decides otherwise.

2. The reactors once safeguarded will remain so permanently. India secures the right to take corrective action if the reactors’ fuel supply is cut off.

3. India will decide whether it wishes to safeguard future reactors.

4. Enrichment and reprocessing plants can switch back and forth from safeguards, depending upon whether they handled safeguards material or not.

5. The nuclear separation plan will be done in phases but will be concluded by 2014.19

The Indo-US Nuclear deal recognizes India as a peaceful nuclear weapon state. The United States has rewarded India for being a responsible nuclear power and playing by NPT rules, and has the opportunity to modernize and strengthen the Indian nuclear programme in the non-proliferation regime.20

But the Nuclear deal could not be made effective after almost two and half years since its signing in New Delhi on March 02, 2006, and after three years since it was first mooted in July, 2005. The Left parties in India who had been consistently opposing the deal, and on whose support the minority UPA (United Progressive Alliance) government, led by the Congress party survived, did not endorse the
nuclear deal on grounds that the Deal would compromise on India’s sovereignty. In its Politburo statement on June 20, 2008, the Communist Party of India-Marxist (CPM), the largest of the Left parties in terms of seats in the Indian Parliament, accused the UPA government of disinformation and making its real intentions secret under the cover of the nuclear deal.21

The statement said, “The Congress leadership and the United Progressive Alliance government are propagating that the Indo-US nuclear deal is absolutely essential for India’s energy security. A massive disinformation campaign has been mounted that nuclear energy is a solution not only to the shortage of electricity in the country but also an answer to the oil price rise. This is nothing but a cover to promote the strategic ties with the US.” According to the statement, the Congress-led UPA Government in New Delhi wanted the deal as it was difficult to promote Indo-US strategic ties directly. In this strongly-worded statement the CPM accused the Government of taking recourse to false claims that nuclear energy at one stroke will reduce not only oil consumption but also remove power shortages. The party also accused the government of dragging its feet on the Iran gas pipeline project “at the behest of the US and in consideration of the Hyde Act”. Maintaining that the Indo-US nuclear deal was not about India’s energy security, the Left party said, “Mythical energy claims are being made in order to promote a bad nuclear deal. Energy is just a cover. The real intent is India-US strategic ties.”22 While Prime Minister Manmohan Singh was very keen to achieve the deal. He even threatened to resign if the deal was not materialized.23
The persistent opposition to the nuclear deal by the Left parties put a cloud of uncertainty over the deal. While the US Senate had passed the deal, the great Indian dilemma over the Civil Nuclear Deal had again brought back the evils of mistrust that frequently hurt bilateral relations during and after the Cold War. The Americans were obviously not amused. Their anxiety over India’s delay in having a political consensus on the deal was reflected in a statement by R. Nicholas Burns, the US under Secretary of State for Political Affairs, and a principal architect of the deal. Burns urged the Indians to take a ‘courageous’ decision on the deal considering the short ‘time limit’ to finalize the Civil Nuclear deal.²⁴

The Bush administration structured the Indo-US nuclear deal around six main premises that highlights the benefits of strategic cooperation. First, the United States was looking to balance potentially harmful Chinese power by mobilizing peripheral states. Second, a United States partnership with India based on democratic and free market values will be the most effective tool in balancing Chinese power. Third, India will have to increase its nuclear energy programme to fuel its rapid economic growth. Fourth, achieving a nuclear partnership with India will require bending international law to facilitate technology cooperation. Fifth, peaceful nuclear cooperation with non-nuclear weapons states under safeguards does not violate Article 1 of the NPT²⁵ and India will fulfill the responsibilities of a nuclear power by using this technology responsibly to target terrorism. Sixth, the current non-proliferation regime does not distinguish between responsible nuclear powers and actors who are opportunistic and will cheat the system, such as Iran and North Korea. Thus, the United States should reward India for remaining a peaceful
nuclear power. These strong positive arguments shape the current debate about nuclear cooperation and correctly identify the strategic upside of India-US nuclear partnership.

The proponents of the India-US nuclear initiative argue that the deal is "an effort to strengthen India's ability to expand its civilian nuclear energy's contribution to India's large and rapidly growing electricity needs, rather than a closet 'atoms for war' effort that would have the effect of covertly accelerating the growth in India's nuclear arsenal." Similar argument was given by Secretary Rice in her testimony before the Senate Foreign Relations Committee, once she said; "Civil nuclear cooperation agreement with India will help meet its rising energy needs without increasing its reliance on unstable foreign sources of oil and gas, such as nearby Iran."26

Separation of Civilian and Military Facilities

Before the March 2, agreement, the US wanted India to put 'great majority' of its 22 nuclear reactors on the civilian list. Presuming the 'great majority' means three quarters of the total number of reactors, it would have meant that India should have declared as many as 17 reactors, including the six already under IAEA safeguards, as civilian.27 Additionally, US asked India to place its current and future Fast Breeder Reactors (FBR's) under safeguards, which India claims to be an indigenous test programme, still in its infancy, and cannot be declared as civilian. India hopes to use the FBR for future energy needs that sought to bridge the gap between the shortage of natural uranium that India faces and the vast thorium reserves it has. Another factor that could have contributed to India's refusal to
place FBR’s under safeguards is that U-333, - a by-product of fission in FBRs, is a suitable fuel for India’s nuclear powered submarine that is being developed under R&D programme euphemistically called the ATV project. By putting FBR’s under safeguards, Indian scientists feared that their indigenous research would be exposed through external inspections and India’s intellectual property rights over this new technology may be diluted if inspectors monitor every stage of their ongoing research. Nuclear experts familiar with the origin of the FBR technology disagree with the Indian claim of ingenuity as the technology has its roots in France.28

Some in India viewed US insistence to bring maximum number of nuclear facilities including the FBR’s under safeguards an attempt to cap India’s fissile material production. It was therefore strongly resisted by the Indian nuclear bureaucracy including head of India’s Atomic Energy Commission Dr Anil Kakodkar. Prime Minister Singh also came out openly in support of his scientists and declared; “we have made it clear that we cannot accept safeguards on our indigenous fast breeder programme,” and added; “we have taken into account our current and future strategic needs and programmes after careful deliberation of all relevant factors, consistent with our nuclear doctrine. There has been no erosion of the integrity of our nuclear doctrine, either in terms of current or future capabilities. It will be the autonomous Indian decision as to what is ‘civilian’ and what is ‘military’. Nobody will tell us what is ‘civilian’ and what is ‘military’. The number of thermal nuclear reactors that India would agree to put under civilian list would be equal to 65% of the total installed thermal nuclear power capacity.”29 India also managed to keep the FBR’s out of the civilian list, yet another major
concession to India which prompted George Perkovich to comment; “this is Santa Claus negotiating. The goal seems to give away as much possible.”

Objections to the Indo-US Nuclear Deal in the USA

The Indo-US nuclear agreement has not had a smooth sailing. Both the Indian PM and the US President have been criticized at home for conceding too much. Critics in the USA objected to the deal on the following grounds:

1. India has not signed the CTBT or the NPT. So by making an exception for India the President has destabilized the global non-proliferation regime. This could encourage other states like Iran and North Korea to go nuclear.

2. With the help of the imported uranium India will generate electricity and with the home-grown uranium it would make nuclear bombs. Thus the deal would contribute to the increase of the Indian nuclear arsenal.

3. India’s relationship with Iran is not above suspicion.

Objections to the Indo-US Nuclear Deal in India

The Indian critics lashed out against the Agreement on these grounds:-

1. The Hyde Act must cast its shadow on the foreign policy arena. India will turn into a junior partner of the US. Our sovereignty will be undermined. So India has walked into a strategic trap from where there is no escape.

2. India has the highest reserve of thorium in the world. The Indian scientists are mastering the technology to use thorium as fuel. This deal will hamper the indigenous research in this regard. Besides higher quality uranium ore has been discovered in Ladakh.
3. India has the immense possibility of hydropower of 150000MW. Besides Nepal and Bhutan can also help us in this field. Again there are other alternative sources of energy like wind power and solar power etc.

4. The US will export only a few reactors and fuels, not technologies. Therefore there is no logic of running after expensive nuclear energy.

5. Foreign inspection will break the secrecy of the Indian nuclear programme.

6. The deal is a ploy to cap, roll back and eliminate India's nuclear programme. As Yashwant Sinha pointed out, the closing down of the Cirus reactor, the shifting of the core of the Apsara reactor from BARC and the placing of our 14 nuclear reactors under IAEA safeguards will limit our capacity to produce fissile material and will adversely affect our Nuclear Weapons programme.

7. The Hyde Act forces India not to conduct any nuclear tests. This will severely hamper India's development of improved nuclear warheads. Besides, India has the indigenous nuclear submarine project (ATV). India needs to test N-devices to develop N-warheads for its nuclear submarine. But the deal has closed the door.

Nuclear Supplier Group Clearance to India: End of Nuclear Apartheid

President Jimmy Carter signed the Nuclear Non-Proliferation Act into US law in 1978 and officially stopped nuclear co-operation with India. Even for US supplied nuclear power plants, supplies ceased. Earlier in 1974 Canada had suspended work on the Rajasthan Atomic Power Plant in India and left it half finished. This was due to India exploding a nuclear device in 1974. Thirty years and four presidents later, the U.S. is working hard to undo the work of those who created barriers to India's nuclear energy programme. It was in 2005, when the U.S.
was on the lookout for a strategic partner in the Indian Ocean and worried at the prospects of the growing Indian economy belching out huge amounts of greenhouse gases, that it offered nuclear energy as an alternative to coal.

Three prime places where the nuclear deal hit roadblocks were the U.S. Congress, where ex-Carter administration officials still hold sway in non-proliferation matters, India’s parliamentary opposition opposing the U.S. partnership and international groups like the Nuclear Supplier Group, and NGOs in 23 countries. The latter are political forums who oppose nuclear trade to prevent the spread of nuclear weapons, although they have been highly unsuccessful at preventing it. Pakistan, Iran & North Korea acquired their nuclear hardware through alleged covert international trade. President Bush realizing the importance of the Indo-U.S. Nuclear deal managed to ramrod the India specific waiver in the U.S. Congress in a difficult and acrimonious debate. He gave Congress one concession that he will come back for final approval of the deal, once all international approvals are completed.

It is the Nuclear Supplier Group (NSG), which presented the worst-case scenario. The Nuclear Suppliers Group (NSG) was created as a result of India’s nuclear explosion of 1974, which formulated rules to preclude the possibility of any future misuse of nuclear technology provided to a country for peaceful purposes. It is a group of 45 countries, aimed at regulating nuclear trade within the group and with other countries, who are signatories to the NPT. India is not an NSG member, neither a NWS, nor a signatory to the NPT, therefore it is ineligible for nuclear trade with other countries, as long as NSG amends its rules or makes India specific
exceptions through a consensus decision. In order to convince members of the NSG to allow nuclear trade with India, US initiated consultations with the group. The Administration hopes that it would be able to convince the NSG to make India specific exception that would allow full cooperation with India without abandoning NSG consensus rules or the full-scope safeguards condition of supply. Initial responses from some of the major nuclear suppliers including UK, France and Russia have all been positive. Whereas, member countries such as Sweden, Denmark, Austria, and Ireland have indicated their reservations on the basis of their non-proliferation policies.

Taking a lead from Indo-US nuclear cooperation agreement, France was quick to sign its own variant of the deal with India, and Russia, not wanting to be left behind, has already supplied nuclear fuel for India’s nuclear reactors at Tarapur. China has so far been cautious in its approach towards the nuclear cooperation agreement and has called for abiding by the rules of the global non-proliferation regime. The NSG must grant India a waiver from its tough rules governing nuclear trade before the deal can be completed. The rules prohibit nuclear commerce with countries that have not signed the Nuclear Non-Proliferation Treaty (NPT). India is a non-signatory.

As expected, the NSG presented a much tougher task for the Indian and American interlocutors than the IAEA. However, NSG members expressed strong reservations against the Indian position, believing an unconditional waiver would strongly undermine the non-proliferation regime. Some Members feared India’s nuclear arsenal would get a fillip, replenishing its scarce domestic stockpile of
nuclear fuel, and others decried the hypocritical stance of the United States in pushing for the deal. To some members, the United States has done precious little to comply with its disarmament obligations, and pushing forward for an exemption for a non-NPT signatory was unacceptable.35

The opponents of the Indo-US Civilian nuclear cooperation initiative however continued to find fault with the outcome of the NSG deliberations. The main point of contention at Vienna among the NSG members was, of course, related to a possible nuclear test by India in the future. The group of six consisting of Austria, New Zealand, the Netherlands, Switzerland, Ireland, and Norway wanted strict conditionality in the waiver provisions to prevent any further test by India. It was actually not easy for either India or the US to convince these countries to give a clean waiver to India and accept the draft prepared by the US in consultation with India. Austria and Switzerland, for instance are industrially developed countries which have traditionally followed a policy of neutrality even during the prolonged Cold war. They are not the members of the NATO nor or they great economic partners of the US. There is little doubt that hard bargaining and skilful diplomacy by the US and the UPA governments cooperation brought out the consensus at Vienna. One of the important developments that impacted upon the deliberations was the leak of a letter written by White House to the Congress in reply to a host of questions raised by the American Legislators regarding the nuclear deal. There were apprehensions that the nuclear deal with India would enhance India’s nuclear weapon capacity. The twenty six page letter tried to convince the US legislators that the Presidency was committed to non-proliferation; that the 123 agreement with
India would in no way increase India’s weapon capability; that US Civilian nuclear cooperation would end in the eventuality of an Indian nuclear weapon test. Their main argument being the Prime Minister’s assurances to Parliament were negated by this letter. Ironically, the same letter worked wonders at the 45 member NSG. It convinced many suspicious members that the Bush Administration in no way rewarding India with sophisticated technology to improve its nuclear arsenals. It facilitated negotiations with the members by highlighting the non-proliferation and environmental aspects of the nuclear deal and the need to security clean energy. After hectic parleys in a highly divisive environment, the Indo-US civil nuclear deal received a shot in the arm, after the 45 member Nuclear Suppliers Group (NSG) eventually reached a consensus in favour of granting India a waiver on 6 September 2008. This paved the way for the deal to move towards its final hurdle at the American Congress.

US Congress Clears Indo-US Nuclear Deal

In the final step to operationalise the Indo-US nuclear deal, US President George W Bush sent the text of the landmark agreement to the US Congress for final approval. The move by the White House comes five days after the 45-member NSG granted a waiver to India for carrying out nuclear commerce. The agreement will remain in force for a period of 40 years and will continue in force thereafter for additional periods of 10 years each unless either party gives notice to terminate it six months before the end of a period,” Bush told the Congress in his statement. Moreover, either party has the right to terminate the Agreement prior to its expiration on one year written notice to the other party. A party seeking early
termination of the Agreement has the right immediately to cease cooperation under the Agreement, prior to termination, if it determines that a mutually acceptable resolution of outstanding issues can not be achieved through consultations.36

The House of Representatives has voted to approve the Indo-US civilian nuclear cooperation agreement. This action brings the controversial Bush initiative to the edge of completion. Indo-US Nuclear Deal got the approval of US Congress after US Senate ratified the 123 Agreement with an overwhelming majority. There were 86 senators who voted in favour of the deal while 13 senators voted against the deal. The deal was passed with out any killer amendments. The killer amendments required that the 123 Agreement be renegotiated to unambiguously say that US would stop all nuclear trade with India if India carries out nuclear tests.

The US President George W. Bush signed into law the legislation to implement the landmark Indo-US Civil Nuclear deal with an assurance that there is no change in fuel supply commitments as reflected in 123 Agreement allaying Indian fears on this crucial issue. While putting the signature on the Nuclear Bill, Bush said: “The Legislation does not change fuel supply commitments made by the US to the Government of India as recorded in the 123 Agreement.”37 Celebrating the growing ties between the world’s two largest democracies, Bush said: “This agreement sends a signal to the world: Nations that follow the path to democracy and responsible behaviour will find a friend in the United States of America.”

India and the US operationalised the path breaking bilateral nuclear deal as they signed the 123 Agreement in Washington with New Delhi insisting that the accord is “legally-binding” on both sides. External Affairs Minister Pranab
Mukherjee and US secretary of State Condoleezza Rice put the final seal on the Agreement at an impressive ceremony held in Benjamin Franklin Room of the State Department, culminating a crisis ridden process initiated on July 18, 2005 in Washington during Prime Minister Manmohan Singh’s visit for talks with US President George W. Bush. After signing the Agreement Mukherjee said:

“Today is an important day for India-US relations, for global energy security and for our common endeavour to promote sustainable development while addressing environmental challenges.”\(^{38}\)
References:


5. Ibid.


22. Ibid.


26. Ibid.

27. V. Sudarshan, “Be Civil Please”, Outlook, February 2006, p.34.

28. Ibid. p.35.


CHAPTER-V

Nuclear Programme of India And Pakistan

The end of World War II marked a revolution in world affairs - the recasting of nations and relations between nations, and the emergence of a new technology which fundamentally changed the role of warfare. Within the span of two years and two months, from 1945 to 1947, three critical events occurred whose reverberations have brought the threat of nuclear war in South Asia seemingly daily to the front pages of newspapers everywhere. The three events were - in chronological order - the establishment of the United Nations on 26 June 1945; the dramatic demonstration of the destruction of which even crude nuclear weapons are capable in August 1945; and the calamitous partition of British India into the modern states of India and Pakistan at midnight on 14-15 August 1947. It is clear to everyone that the legacy of partition is a key driving force behind the nuclear standoff that now exists between India and Pakistan. Partition split apart a region that had been united for millennia amid communal massacres on a scale never before seen, leaving in its wake the unresolved issue of contested Kashmir - a Muslim-majority region held by Hindu-majority India. The skirmishing that has continued now for over sixty years, punctuated by outbreaks of full-scale war (in 1947, 1965, and 1971), have given both nations ample motivation to develop potent weapons to gain advantage over or restore balance with the other. Another motivation for India’s acquisition of nuclear weapons, less often considered in the West, is the potential threat and regional challenge presented by the nuclear-armed state of China, which faces India along much of its northern border.
India's Nuclear Programme:

India's indigenous nuclear programme started even before independence and was initiated by Dr. Homi Jehangir Bhabha. He is considered as the father of Indian nuclear programme. Bhabha and Indian scientists convinced Jawaharlal Nehru that India had an advantage in the nuclear field. India had vast deposits of Thorium, which is a possible source of Fissile material. Nehru was convinced that scientific group could speed up India's development in the energy sector. Bhabha was instrumental in setting up the Tata Institute of Fundamental Research (TIFR) on 19 December 1945 and subsequently the Atomic Energy Research Committee (AERC) was established in 1946. Bhabha became the director of TIFR and believed that nuclear weapons would facilitate India's economic development. Following independence, the enactment of the Atomic Energy Act (AEA) in August 1948 paved the way for creating the Indian Atomic Energy Commission (IAEC) under the leadership of Nehru in place of the AERC, which expedited the process of building an Indian nuclear infrastructure.

On 26 June 1946, when addressing a public gathering in Bombay, Pandit Jawaharlal Nehru, soon to be India's first Prime Minister, said: "As long as the world is constituted as it is, every country will have to devise and use the latest scientific devices for its protection. I have no doubt India will develop her scientific researches and I hope Indian scientists will use the atomic force for constructive purposes. But if India is threatened, she will inevitable try to defend herself by all means at her disposal."1 The AEA placed all uranium and thorium reserves in the country under state control and facilitated the conduct of all nuclear research and
development activities in ‘secret.’ The Indian Government created the Department of Atomic Energy (DAE) in 1954 to further stimulate nuclear research and atomic energy development. Prime Minister Jawaharlal Nehru and Homi Bhabha, Chairman of the IAEC, became its first minister and secretary respectively, which underscored that the Indian Government was determined to build the nuclear programme on a priority basis. In addition, the Atomic Energy Establishment, Trombay (AEET, renamed as Bhabha Atomic Research Centre or BARC in 1967) was established in 1954 in order to expedite the building of a nuclear infrastructure. Its primary objectives were to create skilled manpower and basic infrastructure in order to facilitate nuclear Research and development (R&D) and transfer of nuclear technology.

India in the initial phase utilised a favourable international environment for atomic research and development to build its nuclear programme. In the 1950s, the general view about atomic R&D was that peaceful use of the atom could solve many of the economic and social problems of humankind. Given such a favourable international circumstance and utilising commercial interests of the industrialized countries, India garnered considerable assistance from France, the United Kingdom, Canada and the United States to build its nuclear programme. In particular, Canadian assistance in the initial phase contributed substantially to India’s nuclear efforts.

In 1956, India built the first nuclear research reactor “APSARA” in Asia outside the Soviet Union, a pool type reactor in the Bombay suburb of Trombay. The reactor was constructed indigenously and used medium enriched Uranium
supplied by the United Kingdom. Though determined to establish indigenous capabilities in the nuclear field, India did not fail to appreciate the benefits of foreign collaboration. A 40 MW research reactor “CIRUS” was completed with Canadian assistance at Trombay in 1960; the 1956 Canada-India agreement on CIRUS predated the IAEA’s establishment and, therefore involved no international safeguards. A small heavy water plant at ‘Nangal’ completed in 1962 with West-German collaboration was to make up for the heavy water needs of the reactor “ZERLINA”, using natural Uranium as fuel and heavy water as moderator, got underway in 1961. It was altogether a different concept in nuclear reactors, other than CIRUS and APSARA, but was an outcome of totally indigenous efforts.5

The Indian nuclear programme considered reprocessing-extraction of plutonium from spent reactor fuel- as an integral part of it. Construction of a chemical reprocessing plant, which had been decided upon as early as 1958, began in 1961. This reprocessing plant called “Phoenix” was to separate plutonium from the spent fuel of “CIRUS”. The essential thrust behind the building up of a reprocessing facility appeared to be the ultimate need to attain self sufficiency in energy. By the end of decade, an Indian nuclear programme had come to almost the take off stage. Most of the later part of the 1950s had been a rapid expansion in research facilities in this area.6

In 1958, China for the first time publicly indicated that it would develop nuclear weapons. The Chinese announcement came out at a time when the Sino-Indian relation was gradually deteriorating. It immediately made an impact on some quarters of the Indian political circles. An indication of this can be found in
two Lok Sabha (Lower House of Indian Parliament) motions introduced for discussion on 10 March 1959, which suggested enlarging India’s nuclear research ‘to the field of defence.’ During the discussion, Prime Minister Nehru downplayed the Chinese nuclear threat and asserted that India was ahead of China in nuclear R&D.⁷

In October 1962, China and India fought a brief but intense border war. The war left far-reaching consequences on India’s strategic psyche. It not only exposed India’s defence vulnerabilities, it also invalidated Nehru’s assumptions that a communist land power would not engage India militarily and security could be achieved through the posture of peaceful coexistence. Two changes occurred in India’s defence planning in the aftermath of the war: (1) the nature of threat to India was appreciated more ‘realistically’ with the growing perception that China posed a long-term danger; and (2) deterrence and defence became important in India’s defence planning and an integral element in India’s diplomacy.⁸

The Indian nuclear policy underwent changes after the Sino-Indian War in 1962 and the first Chinese bomb explosion in 1964 which forced Prime Minister Lal Bahadur Shastri to dilute the policy of Nehru. Yet, the war brought the Chinese nuclear threat to the limelight and stimulated debate over India’s own nuclear identity. In reaction to the border clash, the right-wing Hindu nationalist Bharatiya Jana Sangh demanded the production of nuclear weapons by India as part of India’s long-term defence efforts against China. Subsequently Jana Sangh raised the same demand in the Lok Sabha arguing that ‘only those who wish to see Russians or Chinese ruling India will oppose the development of nuclear
Despite such demands from opposition political parties, the Indian Government still remained firm not to embark on a military nuclear programme.

Despite considerable pressure, Shastri was reluctant to change government's policy line. On 23 November, the Prime Minister reiterated his earlier stand that the Indian Government would stick to its traditional policy of developing and applying nuclear energy only for 'peaceful purposes' and indicated his government would pursue nuclear disarmament to tackle the problem.\textsuperscript{10} Prime Minister Shastri said in Parliament: "I cannot say that the present policy (of nuclear pacifism), is deep-rooted, that it cannot be set aside and that it would not be changed." This was the first declaration by the Indian government favouring nuclear weapons.\textsuperscript{11} The "Peaceful Nuclear Explosion" and After

India conducted a Peaceful Nuclear Explosion (PNE) at the Pokhran test site in the desert in Rajasthan on 18 May 1974, codenamed-'Buddha Smile.' It was the culmination of a ten-year contemplation and policy debate that originally began in reaction to China's nuclear test in 1964. The device tested is believed to have been large and heavy with a yield of about 8-12 kilotons, a little less than the weapon that was dropped on Hiroshima. The test used plutonium from the CIRUS reactor reprocessed in the Trombay reprocessing plant. The test led to the withdrawal of practically all cooperation in nuclear technology with the US and Canada. To avoid such problems in the future, India subsequently built a similar, but larger, research reactor called Dhruva. Dhruva started functioning in 1985. It has been estimated that India could have accumulated about 300-500 kgs of Plutonium from these two reactors. Assuming that Indian designs use less than 5 kg of Plutonium for each
nuclear bomb, India may have sufficient stocks of fissile material for over 60 to 100 bombs. India has also built a uranium enrichment facility, ostensibly for the nuclear submarine programme that was started in the late 1970s. Following the explosion, New Delhi was quick to indicate that the blast had no military implications. However, on several accounts, this Indian claim, if not grossly misleading, was confusing. There was hardly any doubt in the fact that it was not a definite Indian step towards building nuclear weapons. However, it was clearly a significant step towards strengthening its nuclear option, which eventually paved the way for India’s building of a nuclear arsenal.

International reactions also demonstrated that there had been serious doubts about India’s claim of the explosion’s ‘peaceful’ character. Pakistan was quick to indicate that the explosion validated its long-held suspicion that India’s nuclear programme was motivated to build nuclear weapons and it was planning a nuclear explosion ever since China conducted its first nuclear test in 1964. Americans also expressed concern, considering the adverse impact it might have on the regional stability and on nuclear non-proliferation efforts in general. The US Government in reaction ordered a review of aid to India and an inter-agency review was conducted. It recommended that international action should be taken to stop India from pursuing a nuclear aberration and Washington should canvass support for it.12 Canada reacted quite angrily with a sense of ‘betrayal.’ It was alleged that the plutonium that Indians used in the explosion was extracted from the CIRUS reactor, which was supplied by Canada. Just four days after the explosion, Canada stopped shipment of all nuclear equipments and materials to India and suspended
all types of Indo-Canadian nuclear cooperation. The Canadian Secretary of State for External Affairs asserted that Canada could not ‘be expected to assist and subsidize, directly or indirectly, a nuclear programme which, in a key respect, undermines the position which Canada has for a long time been firmly convinced is best for world peace and security.’

The majority of the Indian public supported India’s acquisition of nuclear weapons in the aftermath of the Chinese test. Gerard Braunthal in a survey conducted amongst the general public in early 1966 found that 7 out of 10 believed India should produce its own atomic weapons. He further said: ‘Those who answered positively argued that atomic weapons were needed for defense against China and Pakistan to withstand any blackmail and to maintain a balance of power, that national prestige would be enhanced, and that India no longer would need to rely militarily on American and Russian nuclear Umbrella.’

India has a broad based nuclear programme, with dozens of research, commercial, fuel and reprocessing facilities located across the country. Albright Berkhout, and Walker estimated that PREFRE (one of the reprocessing facilities near Bombay) alone could separate between 500-1,500 Kg of “reactor grade” plutonium in the remainder of 1990s, while Kalpakkam near Madras which is operational since 1994 can process 150 tons of spent fuel per year.

In 1994, when asked about India’s nuclear status, AEC Chairman R.Chidambran said: “Let me just say that we have built up an extra ordinary range of know-how and expertise on all aspects of nuclear technology. There is now nothing India can not do.” Most Western experts also conceded that India’s
nuclear programme had, over the years, attained a high degree of self sufficiency. It has developed expertise in almost all aspects of the nuclear science associated with both the generation of power and the making of weapons-grade fissionable material.

After nearly twenty five years of opaque nuclear programmes, both India and Pakistan decisively demonstrated their nuclear capabilities in a series of reciprocal tests in 1998. In India, the BJP returned to power winning the February-March 1998 general elections. During the campaign and in its election manifesto, this Hindu nationalist party promised that it would review the nuclear policy if it was voted to power. Soon after assuming office, the Vajpayee Government appointed a strategic review committee. Based on the recommendations of that committee, on May 11 and 13, India shocked the world by testing five nuclear devices and subsequently declaring itself a nuclear-weapons power. Although India had previously demonstrated its nuclear capability in May 1974 by detonating a nuclear device in what it called a “Peaceful nuclear experiment,” this new series of tests marked a turning point in India’s nuclear programme and constituted an official declaration of its status as a nuclear power. According to the Indian Government, India tested three types of weapon designs on 11 May: a thermonuclear device, a fission device, and a low-yield device. Two additional sub kiloton tests were carried out on 13 May 1998.

Addressing the Indian Parliament on May 27, 1998 for the first time after the nuclear tests, India’s Prime Minister Mr. Vajpayee announced that India is now a ‘nuclear weapon state’, and spelt out his government’s initial positions on what
would become the mainstay of India’s nuclear doctrine. Vajpayee stated that India did ‘not intend to use these weapons for aggression or for mounting threats against any country; these are weapons of self defence, to ensure that India is not subjected to nuclear threats or coercion’. He added that India also did ‘not intend to engage in an arms race’ and that it would ‘now observe a voluntary moratorium and refrain from conducting underground nuclear test explosions’, along with a willingness to ‘move towards a de jure formalization of this declaration’. Two explanations are generally advanced for conducting nuclear tests in 1998. Firstly, the tests were inextricably linked to the rise of the BJP to power. Secondly, the BJP conducted the tests to upgrade domestic political support.

One of India’s leading defence analysts, C. Raja Mohan, was quite forthright in articulating India’s rationale for going for series of the nuclear tests in the summer of 1998:

India has taken too long to come to terms with the nuclear revolution and its impact on world affairs. However, the technology underlying the atomic revolution is 50 years old, and a continuing obsession with it will prevent India from making crucial investments and policy decisions on the new revolution in military affairs. The dramatic advances in information and communication technologies and their application to warfare will increasingly determine the locus of military power in the coming century. Worship of the old nuclear gods and the reluctance to pay attention to the impact of (information technology) on the conduct of future wars will put India back in the position of global irrelevance with or without nuclear weapons. Nuclear weapons are certainly important. In addition, India’s decision to acquire
them was long overdue. Nevertheless, in the flush of becoming an atomic power, India could easily overstate the significance of nuclear weapons. They can only serve a limited purpose for India—of preventing the use or threat of use of nuclear weapons by its adversaries against it. There is little else that nuclear weapons can do ... Even the most sophisticated and expansive nuclear arsenal will not propel India into the ranks of great powers. Mindless obsession with nuclear weapon will instead push India down the ruinous path that the Soviet Union went. Having acquired an insurance policy through nuclear weapons, India must now pursue the arduous domestic agenda of economic modernization, political reform, and social advancement ... The productive economic and political engagement of the world must remain the bedrock of nuclear India’s diplomacy. A paranoid reading of external threats to security and an over determination of the role of nuclear weapons in national strategy will drive India into a needless confrontation with most nations and undermine New Delhi’s efforts to expand its regional influence and global standing.20

India’s 1998 tests triggered a Pakistani response two weeks later, when Pakistan detonated six nuclear devices. In the months that followed the tests, relations between the two countries worsened significantly and both countries conducted a series of missile tests. In conclusion, it can be stated that India’s nuclear policy since the 1960s has been primarily guided by and responsive to the existence and gradual intensification of a nuclear security dilemma in the South Asian region. The Pokhran II was a culmination of this policy process, which occurred in a vulnerable strategic environment that emerged after the end of the Cold War. The
Pokhran II decision was taken in the context of the strategic pressure that India confronted in the aftermath of the conclusion of the CTBT. The domestic politics argument is indeed an insufficient explanation for India’s decision to go nuclear.

**India’s Draft Nuclear Doctrine**

Doctrine refers to a set of principles that a country employs to conduct its security strategy in pursuit of its national objectives. Its essential task is to “translate power into policy” by defining “what objectives are worth contending for and determine the degree of force appropriate for achieving them.”

In case of nuclear doctrine, it would consist of fundamental principles and beliefs which deal with employment and deployment of nuclear weapons.

When a state possesses a nuclear arsenal, it has to address and elaborate on two issues to efficiently employ and manage its nuclear weapons. Firstly, it needs to develop a use doctrine that plans how, under what circumstances, and for what purposes such weapons will be used. Secondly, it needs to put in place a command and control system which ensures that nuclear weapons are only used according to the plans elaborated in the nuclear use doctrine, and not in different circumstances or for other purposes. If properly developed, doctrine and command and control system serve the deterrent interest of a state and at the same time help to avoid inadvertent, unauthorised, or accidental use of nuclear weapons.

The origin of India’s nuclear doctrine can be traced to the BJP’s election manifesto, issued before the March 1998 general elections, which first brought the BJP into power for a brief 13-day period. It promised that the BJP, if elected, would establish a National Security Council to undertake India’s first-ever Strategic
Defence Review to study and analyze the security environment and make appropriate recommendations and to re-evaluate the country's nuclear policy and exercise the option to induct nuclear weapons. This ambition was reiterated in the BJP's "National Agenda for Governance." In April 1998, the Indian government had constituted a Task Force to recommend the establishment of a National Security Council (NSC). The Task Force submitted its report in June 1998 and, in November 1998, the government constituted a three tier NSC with a full time National Security Advisor and a National Security Advisory Board (NSAB). Although the first task that was planned to be originally entrusted to the NSAB was to conduct a strategic defence review, because of post-Pokhran II compulsions, the NSAB was asked to first formulate India's nuclear doctrine. The NSAB submitted a draft nuclear doctrine paper to the government that was released to the public for wider debate on August 17, 1999.

The precise timing of the release of the DND (Draft Nuclear Doctrine) has raised eyebrows due to the fact that, in August 1999; the Vajpayee government was in a caretaker capacity having lost its majority in the lower house of Indian Parliament. A new election had already been called for October 1999. Some might argue that the draft doctrine was released to the media to bolster Bharatiya Janata Party's electoral advantage. It might also be suggested that the nuclear doctrine was formulated only to formalize BJP's nuclear policy declared after the nuclear tests conducted in May 1998. Yet, another view might be that it was to legitimise India's nuclear weapons through the formulation of Draft Nuclear Doctrine arising out of "the reciprocal fear of surprise attack" on the part of political leaders, military
planners and strategic analysts in India. Perhaps a succinct view was put forth this way. "The bomb has many fathers. The Congress conceived it, the United Front nurtured it, The BJP delivered. Let us not give the obstetrician any more credit than is due."23

The nuclear doctrine of India was perhaps the first of its kind among the known nuclear weapon states of the world, and India prepared the draft nuclear doctrine document before obtaining capability mentioned in it. Since August 1999, when the doctrine was pronounced by India’s national security advisor, the document had not been put before any parliamentary committees or been given a formal title. It was not clear whether the doctrine as presented was a set of recommendations or just simply a set of formulations based on reasoned judgement made by a select group of India’s leading academics, bureaucrats, diplomats mostly based in the New Delhi’s power corridor.

The draft nuclear doctrine declares:

'India’s strategic interests require effective, credible nuclear deterrence and adequate retaliatory capability should deterrence fail.' The report goes on to state that India will not engage in the first-use of nuclear weapons. It will neither use nor threaten to use nuclear weapons against non-nuclear states. In order to pursue a credible minimum deterrent the country will develop forces that are ‘sufficient, survivable and operationally prepared’. It will also develop a robust command and control system. The force itself will be ‘based on a triad of aircraft, mobile land-based missile and sea-based assets’. Survivability will be enhanced by a combination of ‘multiple redundant systems, mobility, dispersion and deception’. Space based
and other assets shall be created to ‘provide early warning, communications, damage/detonation assessment’. Finally the Indian government will take steps to ensure the security and safety of nuclear weapons and will ensure that ‘unauthorized or inadvertent activation/use of nuclear weapons does not take place and risks of accidents are avoided’. The draft doctrine also repeats India’s desire for universal disarmament and global arms control and states that the country will continue working to achieve these goals. The major objectives of the doctrine, therefore, are to establish a force that is survivable, will not be used first, and will be under civilian control. To make this force operational Indian analysts have drawn up nuclear forces that range from between 100 to over 400 nuclear warheads.24

Bharat Karnad, one of the committee members that wrote the draft nuclear doctrine, wants India to have a 300–400 thermonuclear weapons with an intercontinental ballistic missile (ICBM) capability.25 An ICBM force would move India into the same league as the big five nuclear powers by giving it the capacity to strike targets around the world. This would not only provide it with a true deterrent capability but would allow it, in theory, to be a key player when it comes to discussing and formulating new arms control regimes. India also seeks to develop a naval second-strike force against both Pakistan and China. A Pakistani first strike would provide India with a warning time of seven to 10 minutes and that would be inadequate for protecting most of its land based nuclear assets. Against China, the naval deterrent comes from the fact that India’s current generation of land based missiles lack the ability to strike the major cities along China’s eastern seaboard.
Similarly, its strike fighter force lacks both the range and the standoff missile capability to attack these cities.

The proposed doctrine also rejects the concept of nuclear war fighting and does not, hence, consider it necessary for India to match its nuclear warheads and delivery systems with those of its potential nuclear adversaries. A small number of survivable nuclear warheads and delivery systems that can inflict damage which would be unacceptable to the adversary are considered adequate for the purposes of deterrence. Although the paper has left some ambiguity by not clearly rejecting the need for tactical or battlefield nuclear weapons in India's context, the tenor of the paper and its emphasis on a retaliatory policy appear to rule out any thinking towards tactical nuclear weapons.

However, the real distinguishing feature of India's nuclear doctrine is that it is "anchored in India's continued commitment to global, verifiable and non discriminating nuclear disarmament" that has been described as India's national security objective. The use of nuclear weapons is considered "the gravest threat to humanity and to peace and stability in the international system." The doctrine paper clearly points out India's desire to see the world completely rid of nuclear weapons.

As expected, the draft doctrine initiated a major debate in the country about its nuclear policies. Amitabh Mattoo called it "an unapologetic realpolitik articulation of the principal raison d'etre of India's nuclear weapons and the requirements needed to lend credibility to the country's deterrent posture." While agreeing with the thrust of India's nuclear policy, he wrote that India's primary
quest appeared to be to acquire the strategic autonomy necessary for making independent decisions in an often unfriendly world and to pursue economic and political development without fear of external threats. Bharat Wariavwalla criticised the draft doctrine on the grounds that the definition of minimum deterrence would be very different vis-à-vis China and Pakistan and, hence, the term is much too loose to pass off as doctrine.28

Many analysts and even foreign governments have sought to raise doubts about India's draft nuclear doctrine. It did not help matters that the doctrine was unveiled the week after the Indian Air Force had shot down a Pakistani Atlantique reconnaissance aircraft that had intruded into Indian Territory. The US government rejected the Indian desire to develop a nuclear arsenal. The Indian tests also spurred fears of a new Middle East arms race. However, not all Western powers denounced India's attempts to establish a credible weaponised nuclear deterrent. France welcomed the release of India's draft nuclear doctrine as a "logical and indeed wanted step."29 The most surprising criticism of the draft doctrine is that it conjures up dark visions of a nuclear arms race in Southern Asia. If all nuclear weapons states were to follow a no first use policy, it would be logical to assume that there would gradually be a net reduction in the size of nuclear arsenals - an arms race in reverse.

The worst criticism of the draft doctrine has been that opting for a triad of nuclear forces is not indicative of a minimalist posture but of a maximalist one, particularly as sea-based nuclear weapons have been envisaged to form part of the nuclear force.30 This criticism fails to take into account the fact that the credibility of
a nuclear deterrent that is limited to retaliatory strikes only hinges around the ability of the nuclear force—to survive a first strike in sufficient numbers to inflict unacceptable punishment in retaliation. Since submarines offer the best survival potential, India has to rely on a small number of SLBMs for credible deterrence.

Pakistani government spokesmen and scholars have been particularly critical of India’s no first use doctrine on the grounds that it is only a declaratory policy and can be easily changed when the need arises. They have failed to take note of the fact that a country’s nuclear force structure, command and control system, alert status and its deployment posture are based on its nuclear doctrine. First use doctrines require hair trigger alerts, launch-on-warning and launch-through-attack strategies and elaborate surveillance, early warning and intelligence systems with nuclear warheads loaded on launchers and ready to fire. Nuclear armed aircraft would need to be ready on runway alert, if not constantly airborne as in the case of the erstwhile US Strategic Air Command. India cannot ever resort to any of these measures without Pakistan learning about them almost immediately. What the Pakistanis also forget, or deliberately ignore, is that India has offered to negotiate a mutual no first use treaty with Pakistan that would be binding and verifiable. India’s track record of adherence to international treaties has been exemplary. Unfortunately, the same cannot be said of India’s neighbours who have violated numerous treaties with impunity, including the NPT and the MTCR.
Pakistan’s Nuclear Programme

Pakistan’s nuclear programme began in the mid-1950s when the Pakistan Energy Commission was set up under the Chairmanship of Nazir Ahmed. The Pakistan Institute of Science and Technology established at Nilore, near Rawalpindi, in 1965, provided research and training facilities for scientists and technicians in the country. In the same year, the Pakistan Atomic Research Reactor was established with the help of the USA and it functions under the safeguards of the International Atomic Energy Agency.

Pakistan’s regional security concerns have led it to acquire nuclear weapons in the face of persistent and often severe international penalties. After the 1964 Chinese nuclear test, then-Foreign Minister Zulfiqar Ali Bhutto concluded India would also go nuclear and that Pakistan would have to follow in its footsteps. Pakistan's humiliating defeat in the 1971 war with India that resulted in the dismemberment of the country further convinced Zulfiqar Ali Bhutto (by then President of the country) of Pakistan’s need for a nuclear deterrent against India’s conventional superiority.31

The Pakistani nuclear programme received a momentum by Zulfiqar Ali Bhutto. He recognized India as the primary threat and India’s nuclear programme as directly against Pakistan, which became more pronounced in the Pakistani perception after the Pokhran explosion. Pakistan pronounced its nuclear option as a defensive measure to forestall the nuclear blackmail and hegemony of India.32 It was at this point that Bhutto decided Pakistan would secretly pursue a nuclear weapon.
India's 1974 nuclear test accelerated the Pakistani efforts to acquire nuclear weapons and by late 1975, Bhutto had placed metallurgist Abdul Qadeer Khan in charge of a clandestine effort to produce enriched uranium for nuclear weapons. Pakistan's nuclear linkage with the Arab countries started around 1973 when an agreement was signed with Libya to finance Pakistan's acquisition of nuclear weapons. Pakistan's need was purely economic. But the Arab nations wanted an Islamic country with nuclear weapons that could deter Israel. Pakistan kindled in the Arab world the feeling that only the Islamic world does not have a nuclear bomb.

The Pokhran explosion had led the US to think about matters of proliferation. In 1977 and gain in 1979, the US terminated economic and military aid to Pakistan in a sanctions based effort to dissuade it from continuing the nuclear weapons programme. The 1979 economic and military aid cut off was made pursuant to the 1977 'Glenn-Symington Amendment. This Amendment requires the termination of assistance to any State that imported Uranium enrichment equipment or technology after 1977 and refused to place it under IAEA inspection. Pakistan transgressed this law in 1979 because of its transportation of equipment for its secret Uranium Enrichment Plant at Kahuta. The Pakistani nuclear weapons effort relied on a massive smuggling programme, which began with the clandestine acquisitions of key technology for the Kahuta Plant from the Netherlands and included the illicit importation of an entire facility from West Germany for producing Uranium hexafluoride as well as many other episodes, some involving smuggling from the United States.
In 1981, in the wake of the Soviet occupation of Afghanistan, the United States for six years suspended the application of the Uranium enrichment sanctions provisions of the Glenn-Symington Amendment to Pakistan and provided greatly increased military and economic assistance to Pakistan. Washington's fundamental goal was to create a bulwark against further Soviet Expansionism and to establish Pakistan as a strategic partner supporting anti-Soviet forces in Afghanistan. Reagan Administration officials also argued that the restoration of aid would advance US non-proliferation objectives by enhancing Pakistan's overall security, thereby reducing Islamabad's motivation to acquire nuclear arms.

Pakistan's nuclear programme reached a key milestone in 1985 when despite numerous pledges to the United States that it would not produce weapons grade uranium, Pakistan crossed this threshold. By 1986, Pakistan had apparently produced enough material for its first nuclear device, thereby acquiring a de facto nuclear weapons capability, although it is believed to have refrained at this juncture from fabricating the key nuclear components for nuclear arms. Although the US sought to discourage Pakistan from pursuing its nuclear programme throughout this period, Washington restrained its pressure on Islamabad because of the need for continued Pakistani cooperation in the campaign to oust Soviet forces from Afghanistan.

Another India-Pakistan military crisis in 1987 sparked by a large-scale Indian military exercise called "Operation Brass Tacks" only strengthened Pakistani resolve on its decision to develop a credible nuclear weapons programme. The Pakistanis believed "Operation Brass Tacks" was cover for a planned Indian
invasion and so began amassing their own troops near the border. At the peak of the crisis, A.Q. Khan announced to an Indian journalist that Pakistan had a nuclear weapons capability.37

The Afghanistan related duality in US policy toward Pakistan was reflected in the enactment of a 1985 law known as the “Pressler Amendment” which specified that the US aid and government-to-government military sales to Pakistan would be cut off unless the President certified at the beginning of each US fiscal year that Pakistan did “not possess a nuclear explosive device and that the proposed US assistance programme will significantly reduce the risk that Pakistan will possess a nuclear device.” This formulation underscored US concerns about the Pakistani nuclear programme but did not trigger an immediate termination of US aid in as much as Pakistan was believed not to have an assembled device at the time. Despite further Pakistani advances towards nuclear weapons, through October 1989, Presidents Reagan and Bush made the certificates necessary to permit US aid and arms sales. The 1989 certification that Pakistan did possess a nuclear device reportedly was made only after Pakistan’s Prime Minister Benazir Bhutto agreed to suspend the further production of weapon grade Uranium.38

In late 1989 and early 1990, perhaps because of the threat of war with India, Pakistan apparently ended this freeze and fabricated cores for several nuclear weapons from pre-existing stocks of weapons grade Uranium.39 When President George Bush Senior decided he could no longer certify that Pakistan did not possess a nuclear weapon on October 1, 1990, the U.S. suspended its $564 million aid program to Pakistan for Fiscal Year 1991. The loss of $300 million annually of arms...
and other military supplies was a heavy blow to Pakistan’s defense establishment, while the cut-off of economic assistance added to problems that were already severely weakening the Pakistani economy.

All the time, Pakistan had 28 additional F-16 aircraft and certain other military hardware order, to be acquired on a government-to-government (rather than on a commercial) basis, and therefore unquestionable subject to the Pressler Amendment embargo. Islamabad continued making payments on these purchase after October 1990 so that it could receive the armaments at issue in the event that the prohibition against such military sales was rescinded. In late 1991, Prime Minister Nawaz Shariff who succeeded Benazir Bhutto in November 1990 reinstated the freeze on the production of weapons grade Uranium. This freeze appears to have remained in effect.

In November 1995, in a provision known as “Brown Amendment” -named after its sponsor, senator Hank Brown- Congress approved the Clinton Administration’s proposed modification of the Pressler Amendment. Because of an unrelated conflict with the Congress over the Federal budget, President Clinton did not sign the Brown Amendment into law until February 1996. As the Administration and Congress worked to enact the measure, Pakistan constituted its freeze on the production of weapons grade uranium, and it refrained from conducting nuclear tests, exporting nuclear materials or technology, and deploying M-11 missiles. At the same time however, Pakistan sought to advance it nuclear weapons capabilities along the Plutonium track as well as to upgrade it equipment on the Uranium track.
After the Brown Amendment’s enactment in February 1996, Pakistan received $124 million in cash as a first tranche of the reimbursement of funds it had paid to the US and through September 1996, received some $150 million in military equipment contracted and paid for prior to 1990. However, the ring magnet case prevented Pakistan from receiving any economic or targeted military aid-benefits that the Clinton Administration and many legislators earlier had anticipated would be extended to Pakistan after passage of the Brown Amendment. At that time, it was recognized that, even if the Pressler Amendment were modified as the Brown Amendment contemplated all economic and military aid to Pakistan would still be barred because Pakistan’s importation of Uranium enrichment equipment in the 1970s and 1980s violated provisions of the 1977 Glenn-Symington Amendment. However, under special legislation, US presidents had been given the authority to waive these sanctions upon finding that this was in the national interest.

On May 11, 1998, India conducted an underground test of three nuclear explosive devices, and followed it two days later with claims of two more. After India’s nuclear tests in May 1998, the Clinton administration mounted an intense diplomatic campaign to dissuade Prime Minister Nawaz Sharif from testing in response. Dispatching Deputy Secretary of State Strobe Talbott to Pakistan and talking with Nawaz personally by telephone on four occasions, Clinton offered a massive U.S. aid programme. He would find a way, he promised, to get around Pressler and other sanctions and deliver vast amounts of economic and military aid to Pakistan, including the long-embargoed F 16s. Nawaz replied that what he really needed from the United States in order to withstand heavy domestic pressure to test
was a security guarantee against India. This Clinton would not provide, and Pakistan tested its nuclear capability soon afterward.\textsuperscript{41} On May 28th, Pakistan announced that it had set off five nuclear devices, followed by a further test on May 30th. Although some Western analysts have cast doubt on whether the two countries actually carried out the number and size of tests they claimed, it is nevertheless clear that India and Pakistan did conduct some nuclear testing. Pakistan defended the tests, noting that the incoming hard line government of its neighbouring rival, India, had just carried out that country's second nuclear test (the first was in 1974)\textsuperscript{42} After the 1998 nuclear tests, A.Q. Khan boasted that he made Pakistan's programme more advanced and reliable than the Indian programme, citing Pakistan's mastery of the uranium enrichment process.\textsuperscript{43}

India-Pakistan Nuclear tests of 1998 triggered sweeping U.S. economic sanctions as required by the Arms Export Control Act and the Export-Import Bank Act. Prior to the tests, for international treaty purposes, the two countries were classified as non-nuclear-weapon states; the tests put each country in jeopardy of world condemnation and sanctions. In the United States, the law required the President to impose the following restrictions or prohibitions on U.S. relations with both India and Pakistan: termination of U.S. foreign assistance other than humanitarian or food assistance; termination of U.S. government sales of defense articles and services, design and construction services, licenses for exporting U.S. Munitions List (USML) items; termination of foreign military financing; denial of most U.S. government-backed credit or financial assistance; U.S. opposition to loans or assistance from any international financial institution; prohibition of most U.S.
bank-backed loans or credits; prohibition on licensing exports of “specific goods and technology;” and denial of credit or other Export-Import Bank support for exports to either country. The post-nuclear test sanctions 1998 further hampered Pakistan’s weapons supply as the United States persuaded the other G-7 countries to impose similar sanctions.

Since the sanctions could not change the nuclear policy of India and Pakistan and reduced the American influence on them, the Clinton Administration had to back down. On July 15, 1998 the Congress passed the India-Pakistan Relief Act, commonly known as the “Brownback Amendment” that relaxed sanctions on them. On October 1, 1999 the Congress passed the “Second Brownback Amendment”, authorizing the President to suspend indefinitely the Pressler Amendment. On November 16, the Clinton administration lifted part of the sanctions against the two countries.

Pakistan’s Nuclear Doctrine

While the Indian nuclear doctrine believes that the fundamental purpose of nuclear weapons is to deter nuclear weapons and that nuclear weapons are not meant for war fighting, Pakistan’s doctrine has no such pretensions. Pakistan clearly believes that nuclear weapons are an extension of conventional weapons and they are to be used and made use of to neutralise the superior conventional forces of India. This means that nuclear weapons would be utilised not only for making threats but they are also meant to be used in war. India does not accept the Western nuclear theologies and polemics of flexible and graduated response, which were
built around the belief that nuclear wars can be fought and limited nuclear wars can take place. Pakistan on the contrary has already subscribed to such theories.

The Pakistani concept of nuclear deterrence is India-specific and aims, first and foremost, to deter Indian conventional as well as nuclear aggression. Originally, Zulfiqar Ali Bhutto, who served in different capacities, including as foreign minister, in the Ayub Khan government from 1958-1966 and subsequently became president of Pakistan in December 1971, developed a deterrent concept for Pakistan that to date remains valid and forms one of the central pillars of Pakistan’s nuclear use doctrine. In The Myth of Independence, he argued that modern wars should be conceived of as total wars, and in this type of war Pakistan needed nuclear weapons. He explained:

All wars of our age have become total wars; all European strategy is based on the concept of total war; and it will have to be assumed that a war waged against Pakistan is capable of becoming a total war. It should be dangerous to plan for less and our plan should, therefore, include the nuclear deterrent.16

At a broader level, Pakistan’s strategic doctrine is derivative of the following three system-wide effects of nuclear weapons on interstate relations. First, nuclear weapons provide the nuclear state with an "infrangible guarantee of its independence and physical integrity."47 Second, mutual deterrence among antagonistic nuclear states places a limitation on violence and in turn acts as a brake on total war. Third, by altering the "offense-defence" balance in favour of defence, nuclear weapons have made it possible for weaker states to defend themselves effectively against large powerful countries.
Despite having possessed a nuclear weapons capability since the early 1980s and having gone overtly nuclear in 1998, Pakistan has kept its nuclear doctrine opaque. This opacity is partly attributable to the secretive mindset of the Pakistan military that has dominated Pakistani politics for more than half of the country's existence and partly a function of the clandestine manner in which Islamabad was constrained to pursue its nuclear and missile programme due to strident American opposition.

The main features of Pakistan's nuclear doctrine:

Pakistan's First Strike Option

In order to maintain 'strategic balance' Pakistan taking note of India's overwhelming superiority in conventional arms and manpower may be tempted to go in for rapid escalation with a first strike option. Pakistan is very likely to exercise this option to counter India should the latter pose a serious and credible threat to Pakistan's territorial integrity leading to its dismemberment and further fragmentation.48

In this context, it is worth mentioning the comments made by General Khalid Kidwai, Head of the Strategic Plan Division of the Pakistan's Army. “Nuclear weapons are aimed solely at India. In case, deterrence fails, they will be used, if,

a. India attacks Pakistan and conquers a large part of its territory (space threshold)
b. India destroys a large part either of its land or air forces (military threshold)
c. India proceeds to the economic strangling of Pakistan (economic threshold)
d. India pushes Pakistan into political destabilisation or creates large scale internal subversion.49
Pakistan has pledged no-first-use against non-nuclear-weapon states, but has not ruled out first-use against a nuclear-armed aggressor, such as India. Some analysts say this ambiguity serves to maintain deterrence against India’s conventional superiority. And the Foreign Ministry spokesperson stated May 21 that “there are acquisitions of sophisticated weaponry by our neighbour which will disturb the conventional balance between our two countries and hence, lower the nuclear threshold.” Other analysts argue that keeping the first-use option against New Delhi allows Islamabad to conduct sub conventional operations, such as support for low intensity conflict or proxy war in Kashmir, while effectively deterring India at the strategic level. Pakistan has reportedly addressed issues of survivability through second strike capability, possible hard and deeply buried storage and launch facilities, road-mobile missiles, air defenses around strategic sites, and concealment measures.

Starkly contrasting India, Pakistan has adopted a policy of nuclear first-use. Rejecting New Delhi’s proposal for a joint no-first use pledge in the immediate aftermath of May 1998 nuclear tests, Pakistan’s foreign secretary, Shamsad Ahmed, made it clear that it was “unacceptable” to Islamabad and asked whether any such agreement had ever worked in the past anywhere in the world. In simple terms, Pakistan’s policy implies that it will not only use nuclear weapons in a retaliatory strike, it is also ready to take the lead and use nuclear weapons first to counter Indian conventional aggression.

Pakistan’s strategic analysts in general are supportive of their country’s first use posture and the rejection of New Delhi’s offer for a ‘no first-use’ agreement,
since they argue that a no first-use policy does not address the security dilemma that Pakistan confronts regarding India’s superior military power.51

The issue of when and at what stage to use nuclear weapons first in a crisis or war is another strategic dilemma that Pakistan confronts in terms of its nuclear first-use policy. It is not very clear from the Pakistani assertions whether Islamabad will use nuclear weapons at the beginning of a crisis/war or toward the end and only as a last resort. As a Pakistani analyst maintains: “It is not clear how far Pakistan will have to be pushed to decide on a first nuclear strike.”52 However, Pakistani officials insist that Pakistan’s nuclear weapons are for defence only and that Pakistan will use nuclear weapons only as a last resort if its survival is threatened.53

A Minimum Credible Deterrence

Although Pakistan matched the total number of nuclear tests with India (Pakistan’s six (1998) against India’s five (1998) and one (1974)), it was then decided that Pakistan would not try to match India in terms of numbers of nuclear warheads or delivery systems; instead it would maintain a minimum credible deterrent capability in which numerical parity with India was not necessary. This is a logical decision, because Pakistan’s nuclear policy is based strictly on deterrence, and not on war-fighting. Former Foreign Minister Abdul Sattar said in 1999 that: “Pakistan’s minimum nuclear deterrence will remain the guiding principle of our nuclear strategy. The minimum cannot be quantified in static numbers. The Indian buildup will necessitate review and reassessment. In order to ensure the survivability and credibility of our deterrent, Pakistan will have to maintain,
preserve and upgrade its capability. But we shall not engage in any nuclear competition or arms race".\textsuperscript{54}

Minimum nuclear deterrence is claimed by Pakistani political and military leaders to be one of the fundamental features of Pakistan's nuclear doctrine. Prime Minister Nawaz Sharif, for example, stated on 20 May 1999 at National Defence College that “Nuclear restraint, stabilisation and minimum credible deterrence constitute the basic elements of Pakistan’s nuclear policy.” \textsuperscript{55} In a similar fashion, the Defence Committee of the Pakistan government identified minimum nuclear deterrence as a key and an ‘indispensable’ principle of Pakistan’s security doctrine. What was implied in those assertions is that Pakistan would build a small, but credible nuclear force to deter Indian aggression. There was even an attempt in some quarters within the Pakistani establishment to quantify Pakistan’s minimum deterrence. For example, Samar Mubarak Mund, who headed the nuclear test team in 1998, posited in an interview with Dawn that 60 to 70 nuclear warheads would be good enough for Pakistan to have a credible nuclear deterrence against India.\textsuperscript{56}

It is not very difficult to conjecture the reasons behind Pakistan’s contemplation of a minimum nuclear deterrence posture. Firstly, it is quite obvious, given Pakistan’s limited resource base and financial constraints, that minimum deterrence is the most cost-effective and pragmatic option for Pakistan. Secondly, it is apparent that only a minimum deterrent posture can help avoid a ruinous nuclear arms race with India, and Islamabad is well aware that if a nuclear arms race were to eventuate, it would hurt Pakistan more than its larger neighbour India. Thirdly,
it is easier to build an effective command and control system if the nuclear arsenal is small, which suits Pakistani conditions.

Indo-Centricity

Pakistan's nuclear policy is primarily India-reactive and its nuclear use doctrine is unmistakably Indo centric. Since the origin of the nuclear weapons project in the early 1970s, India-specificity of the Pakistani nuclear policy in general and nuclear use planning in particular has remained constant, and, in all likelihood, it will continue to be so at least in the foreseeable future. Pakistan's nuclear doctrine seeks to deter not only India's nuclear threat, it also aims to counter, what Pakistanis perceive to be more pressing, Indian conventional aggression. In Islamabad's view, the Indian threat to Pakistan in the future will be largely at the conventional level and Pakistan will not 'hesitate' to use its nuclear weapons against an Indian conventional attack.

The root of the India-specificity of Pakistan's defence doctrine dates back to 1947 when the subcontinent was partitioned and two states - India and Pakistan - were created upon the withdrawal of British colonial rule. Pakistani leaders in general have traditionally believed that their Indian counterparts could not accept the partition of the subcontinent and the creation of the Pakistani state. Hence, New Delhi, in Islamabad's view, has always remained bent upon undoing the creation of Pakistan and absorbing it back into the Indian Union at the earliest opportunity. India's military intervention in the internal war of Pakistan in 1971 and the resultant secession of eastern wing to become independent Bangladesh only accentuated Pakistani suspicion about New Delhi's ill intention. Therefore, the
Pakistani strategic psyche since 1947 has primarily remained concerned with the Indian threat, and fear of India was the primary rationale for Islamabad’s decision in the 1970s to build a nuclear deterrent force. Once Pakistan acquired the capability to produce nuclear weapons, it was viewed by the Pakistani leadership as the ultimate guarantor of Pakistan’s national survival against Indian nuclear and conventional threat. Not surprisingly, then, Pakistan’s nuclear strategy has traditionally been largely reactive to India’s strategic postures, and its nuclear use doctrine today is India-specific. However, this Indo-centricity, to the point of being obsessive, may easily draw Pakistan into an unnecessary arms race with its much bigger neighbour because New Delhi’s ambition is much larger and certainly beyond Pakistan. For example, India is poised to build a triad nuclear force with land, air and sea-based assets; a force structure that is out of reach of Pakistan’s limited resource base.
References:


16. India Today, New Delhi, September 15, 1994 p.54
17. The Times of India, New Delhi, India May 28, 1998.
24. In the 1980s Indian defence analysts were calling for forces that were in the 150 warhead range based on a triad. Since the tests the number has been around 400, Subramaniam Swamy, ‘India’s defense needs’, The Hindustan Times, 12 July 1998.


48. “India’s Nuclear Command to be in place”, *The Times of India*, May 23, 2002

50. It is worth noting that President Zardari stated in late 2008 that Pakistan will not be the first to use nuclear weapons against India. See James Lamont and Farhan Bokhari, “Pakistan In Trade And Arms Offer To India”, Financial Times, November 23, 2008.

51. A Pakistani analyst posits: “...the no first use offer cannot be acceptable (to Pakistan) unless the prospects of war are reduced because of an enormous disparity between the conventional capabilities of two countries”. See, A. Mahmood, ‘Need for a nuclear doctrine,’ Dawn, 19 September 1998.


53. ‘Nuclear programme for defense purposes only: Pakistan renews talks offer to India,’ The Muslim, 4 June 1998.


Sixth Chapter
CHAPTER-VI

Issues And Irritants

Pakistan had all along adversial relationship with India. There had been different irritants of many occasions. In the initial stages, the question of minorities, evacuee properties, border problems, currency problems and future of Indian states plagued its relations with India and worked as a blocking factors in the relation of the two countries. However, the Kashmir Issue, Siachen Glacier and Water disputes have been the major irritants in India-Pakistan relations.

(I) Kashmir Issue: An Intractable Conflict Between India and Pakistan.

Kashmir, a mountainous region of approximately 86,000 sq miles, bordering China, Afghanistan, Pakistan and India is a disputed territory. Presently, the ceasefire line between the forces of India and Pakistan has divided Kashmir into two parts. One part is under Indian occupation: this comprises 63% of the whole territory; it has a population of 7.5 million. The other part, with approximately three million people, includes Pakistan Occupied Kashmir and the northern region of Gilgit and Baltistan and is administered by Pakistan.

The conflict of Kashmir began in 1947 between India and Pakistan, following the partition of British India. In the pre-independence period, J. Nehru and the Indian National Congress came closer to Sheikh Abdullah due to his ideology, secularism and political outlook. During the same time, Mohd. Ali Jinnah was campaigning for Pakistan and developed close ties with the Muslim Conference in J&K. Kashmir became significant for Jinnah and the Pakistan movement; its Muslim character enabled Pakistan to put forward its claim on the Muslim majority
Kashmir. Pakistan till date refuses to accept the accession of Kashmir to India, considering it as fraud.

In 1947, J&K was one of the 550 princely states, ruled by a Hindu King, Maharaja Harris Singh, a descendant of Maharaja Gulab Singh. The contemporary history of J&K could be traced to the Treaty of Amritsar, signed between the British Government and Maharaja Gulab Singh in 1846. According to Article 1 of the Treaty, “The British Government transfers and makes over forever in independent possession to Maharaja Gulab Singh and the male heirs of his body, all the hilly or mountainous country, with its dependencies, situated to the eastward of the River Indus and the Westward of River Ravi, including Chamba and excluding Lahul, being part of the territories ceded to the British Government by the Lahore State, according to the provisions of Article IV of the treaty of Lahore, dated 9 March, 1846.”

Accession to India.

On the eve of independence, the Maharaja of Kashmir sent identical telegrams, on 12 August 1947, to the governments of India and Pakistan suggesting a Standstill Agreement. According to it, “the existing arrangements should continue pending settlement of details.” Pakistan became proactive and started taking steps to secure Kashmir’s accession. Pakistan sent both Pashtun tribesmen and its own troops to capture J&K by force. After the joint forces occupied Muzaffarabad on 22 October 1947, Maharaja Hari Singh appealed to Lord Mountbatten, the Governor General of independent India, for help. Following the Defence Committee of India’s stand that Indian troops could only be sent after Hari Singh acceded to India.
25 October 1947, Maharaja Hari Singh signed the Instrument of Accession, which was accepted by Lord Mountbatten on 27 October 1947. Subsequently, Indian paratroops were dispatched to Srinagar.

In November 1947, full-fledged fighting broke out between Indian and Pakistani troops, which continued till December, with one third of the territory falling under Pakistan’s control. On 20 December 1947, the Indian Cabinet decided to refer the case to the UN Security Council and lodged a complaint on 1st January 1948.

Reference to UN

India made a reference to the United Nations on 1st January 1948 under Article 35 of the UN Charter, which permits any member state to bring any situation, whose continuance is likely to endanger international peace and security, to the attention of the Security Council. India charged that the invasion by military forces from outside the state had been illegal given Kashmir’s accession to India in October 1947. In turn, Pakistani diplomats alleged that India had fraudulently achieved Kashmir’s accession. In April 1948, the UN Security Council adopted a resolution calling for the removal of all outside military forces from Kashmir, except for such Indian forces as would constitute the minimum necessary to uphold law and orders and for a subsequent plebiscite to decide the political future of state.

The intention behind this reference was to prevent a war between the two newly independent countries, which would have become increasingly likely if the tribal invaders assisted first indirectly and then actively by the Pakistani army, had persisted with their actions against India in Kashmir. The Government of India
requested the Security Council “to put an end immediately to the giving of such assistance which was an act of aggression against India”. Pakistan consistently misled the world regarding its involvement in Kashmir: (a) It claimed initially in 1947 that it was not in any way assisting the tribal invaders and was not actively opposing their passage out of fear that they may turn against the local Pakistani population. It was, however, clearly established that these invaders were being looked after in Pakistan territory, fed, clothed, armed and otherwise equipped and transported to J&K with the help, direct and indirect, of Pakistani officials, both military and civil. (b) Pakistan later claimed that its own forces were not involved directly in operations in Kashmir. In July, a UN Commission on India and Pakistan traveled to Kashmir to begin laying the ground work for a plebiscite. Upon UNCIP’s arrival, Pakistan admitted that regular Pakistani army troops were fighting in Kashmir, and that the Azad Kashmiri (POK) irregulars also fought under the operational command of the Pakistan army. The direct involvement of the Pakistan army in Kashmir, not previously confirmed, represents for UNCIP a material change in the situation. The Kashmir Dispute was now understood to be a fully fledged international political conflict, a more serious and politically much more dangerous affair. The United Nations Commission for India and Pakistan (UNCIP) worked out the concrete terms of settlement in close and continuous consultations with both sides. These terms were crystallized in two resolutions adopted on August 13, 1948 and January 5, 1949, and as both governments formally signified their acceptance of the Commission’s proposals, this constituted an international agreement as binding as a treaty. A ceasefire was immediately enforced and the
Commission then started negotiations to draw up a plan for the withdrawal of Indian and Pakistani armies from the state. This withdrawal was to be planned in a manner and sequence that would not cause disadvantage to either side, nor imperil the freedom of the plebiscite.

In 1954, Jammu and Kashmir’s accession to India was ratified by the state’s Constituent Assembly. In 1957, it approved its own constitution, modeled along the Indian constitution. Since that time India has regarded that part of the state which it controls as an integral part of the Indian union.

Conflicting Claims

The Kashmir dispute embodies Indo-Pakistani antagonism. The positions are clear-cut: India insists on maintaining the status quo, while Pakistan refuses to accept Indian jurisdiction and control. New Delhi regards Kashmir as an integral part of India while Islamabad insists that the dispute should be settled according to the terms of the resolution. Both countries reject total independence for Kashmir. India and Pakistan fought three major wars and experienced innumerable border clashes including the ‘Rann of Kutch’ border conflict in 1965 within the first 24 years of their independent existence. While it must be unenviable record for any two neighbouring and developing countries with very low per capita income level to go to war over and over on the same issue. Two out of the three Indo- Pak wars were the direct product of the ongoing Kashmir dispute, whereas, even in the third war Kashmir figured rather prominently.

The three year period from 1962-1965 was watershed for India, Pakistan and Kashmir. Jawaharlal Nehru died in 1964, and with him died all his plans and
dreams for Kashmir. He sent Sheikh Abdullah to Pakistan to work out a solution, but the Sheikh had to return to Delhi to attend his cremation.\textsuperscript{7} Kashmir was the primary bone of contention between India and Pakistan when they went to war a second time in 1965.\textsuperscript{8}

In April 1965, a clash between border patrols erupted into fighting in the Rann of Kutch, a sparsely inhabited region along the south-western Indo-Pakistani border. When the Indians withdrew, Pakistan claimed victory. Later, in August, hostilities broke out again in the 2nd Indo-Pakistani war, when the government of Pakistan launched a covert offensive across the ceasefire line into the Indian-administered Jammu and Kashmir. In early September, India retaliated by crossing the international border at Lahore. After three weeks, both India and Pakistan agreed to UN-sponsored ceasefire. In January 1966, the governments of India and Pakistan met at Tashkent and signed a declaration affirming their commitment to solve their disputes through peaceful means. They also agreed to withdraw to their pre-August positions.

India-Pakistan relations deteriorated again when civil war erupted in Pakistan, pitting the West Pakistan army against East Pakistanis demanding autonomy and later independence. In December, India invaded East Pakistan in support of the East Pakistani people. The Pakistani army surrendered at Dhaka and its army of more than 90,000 became Indian prisoners of war. The 1972 Simla Agreement terminating this war committed India and Pakistan to put an end to the confrontation between them and to work towards a durable peace. Among other things, it bound them to refrain from the threat or use of force in violation of the new
line of control (LOC) in Jammu and Kashmir, and to meet and discuss a final
settlement of the Jammu and Kashmir question. The conciliatory spirit of Simla
turned out to be short-lived, however, and the Kashmir territorial issue continued to
fester as before. In fact, routine skirmishing between Indian and Pakistani armed
forces on the poorly marked LOC became a staple of their relationship; and no
government-to-government discussions in regard to a final settlement of the
Kashmir dispute were ever held. 9

Militant Upsurge in Kashmir

By the end of 1987, a visible pro-Pakistan bias had emerged in the valley and
the anti-Indian activities and propaganda of the jamaat-I-Islami (Kashmir) (JI-K)
and its militant wings had increased greatly. Pakistan had by now trained a large
number of Kashmiri youths from both sides of the Line of Control (LoC) for
subversion and terrorism. Arms, explosives, financial support and bases were also
provided to them in PoK and Pakistan. After the end of the war in Afghanistan, war
veterans were sent to lead the terrorists in J&K. The following developments took
place during this period:

1. The administration machinery, including the police forces, was subverted by
   infiltration of well-trained agents.

2. JI (K) became a force to reckon with and it declared its intentions of establishing
   an Islamic state of Kashmir, in collusion with Pakistan.

3. By December 1989, an organized phase of terrorism was launched in J&K by
   Pakistan: the Jammu and Kashmir Liberation Front (JKLF) was gradually
sidelined and Islamic radical terrorist groups like the Hizb-ul-Mujahideen and others took over.

The movement passed through the following main stages in the initial phases:

1. Random bomb attacks, assassination of selected political figures who would not support the armed struggle against India.
2. Mass protests by the people, violence on the streets resembling the intifada of Palestinians.
3. Subversion of the civil administration and the police forces of J&K.
4. Discrediting the Indian security forces in the eyes of the people.
5. Random massacres of innocent Hindus and Sikhs to drive out minorities from selected areas and overawe the people.\(^{10}\)

There were widespread protests and violence in the valley throughout 1988. On 31 July 1988 three bombs exploded in Srinagar. Matters took a serious turn the following year when a large number of young men, who had gone to Pakistan for training, returned. The year also saw MuF members quitting the assembly and the creation of the HM. In December a daughter of Union Home Minister Mufti Mohammad Sayeed was kidnapped, and five JKLF leaders were released in exchange for her release. Jag Mohan, who had been replaced six months earlier, was brought back as governor. He again dismissed Farooq Abdullah and instituted Governors rule. By 1989, an Islamic militant in the Kashmir valley were open in rebellion, and in the years since, a full blown secessionist insurrection has raged against the Indian State. Even worse, with the Afghanistan war winding down, a reinvigorated Pakistan army rechanneled its energies and newly supplied military
muscle toward the so called “freedom fighters” struggling against Indian rule in Kashmir.\textsuperscript{11}

The year 1990 saw considerable violence in the valley and even some bombings in Delhi. There were over a hundred loosely organized militant groups in the valley then. Tourist arrivals plummeted from over 700,000 in 1988 to 10,000 in 1990. During 1989-1990 two army divisions and thirty-four Para-military battalions were inducted into the Valley. The Army was tasked with a CI role for the first time in Kashmir. The Armed Forces Special Powers Act and the Disturbed Area Act were extended to the Valley in 1990. Together, they gave enormous powers to security forces. These Acts were in addition to the J&K Public Safety Act in force since 1978 and the Terrorist and Disruptive Activities (Prevention) Act since 1987. In August 1990 a large number of JKLF and other opposition groups leaders were arrested, but the insurgency continued to gather steam with the HM gained at the JKLF’s expense helped Pakistan to turn the Kashmiri nationalist movement into a partly pro-Pakistan Muslim movement.

Between 1989 and 1992 about thirty parties and organizations opposed to the National Conference and the Central government got together on a minimum platform. In March 1992, they formed the All Parties Hurriyat Conference (APHC), also referred to as the Hurriyat. The Prominent groups in the Hurriyat are People’s Conference, Awami Action Committee, Muslim Conference, JIJK, JKLF and People’s League. The Hurriyat evolved much like the MUF had during 1986-87. But the Hurriyat refused to take part in elections for reasons that included the electoral thwarting of the MUF in 1987 through malpractice.\textsuperscript{12}
By 1991, Pakistan had gained great expertise in planning covert operations and terrorist groups trained in the terrorist camps in Afghanistan and Pakistan was ready for operations in J&K. A proxy war through highly trained Jihadi groups was eventually launched. A psychological war phase preceded the armed action, to mentally prepare the people of J&K for a prolonged anti-Indian armed struggle. A virulent anti-India campaign was launched, and an indoctrination process and training of Kashmiri youth to create pro-Pakistan cadres formed an essential part of this campaign. The armed struggle was meant to create a no-win situation for the Indian security forces and to demonstrate the inability of the government of J&K to stop the terrorist onslaught. The overall objective was a graduated escalation of violence and subversion of the administrative apparatus. The following plans were put into motion:

1. The J&K government and its administrative machinery were put on the defensive and became totally ineffective.

2. Brutal attacks on political opponents and members of minority communities demoralized the people.

3. Religious places were used as bases by the terrorists to inhibit attacks by the armed forces.

4. Communalization of the situation by well-calculated political moves and massacre of minorities to drive them away, particularly the Kashmiri Pandits: this was used to invigorate the fundamentalist movement.

5. Engineering of events to invite tough government measures which directly affected the common people, calculated to increase the alienation of the people.
6. Doubts were cast about the legitimacy of the J&K government through a well-organized media campaign.

7. Increased use of high-tech weapons, command, control and communication system use of remotely controlled devices to blast army and police vehicles became a common occurrence.

8. Intensification of propaganda about the supposed atrocities of the armed forces, sophisticated methods of use of doctored video films to present a distorted picture of actual events; highlighting these through the electronic media.

9. Extensive use of cyber-terrorism and hacking of civil and military websites.

10. Advent of fidayeens who acted in small groups with the main aim of causing maximum casualties on the security forces and attacking high security areas.

11. Massive propaganda drive against Sufi Islam and the composite Kashmiri culture, dubbing both as anti-Islamic.

12. Efforts of changing demographic balances in areas north of the Chenab River were intensified.

Conflict again erupted after India launched air strikes against Pakistani-backed forces that had infiltrated Indian-administered Kashmir. For the first time in nearly 30 years, in May 1999, India launched air strikes against Pakistani-backed forces that had infiltrated into the mountains in Indian-administered Kashmir, north of Kargil. The 1999 Kargil War took place between May 8, when Pakistani forces and Kashmiri militants were detected atop the Kargil ridges and July 14 when both sides had essentially ceased their military operations.
In October 2001, terrorists from the Pakistani based Jaish-e-Muhamad attacked the Jammu and Kashmir Legislative Assembly in Srinagar, killing 38 people. After the attack, the chief minister of Indian-administered Kashmir, Farooq Abdullah, called on the Indian government to launch a war against militant training camps across the border in Pakistan. On December 13, another Pakistani based terrorist group attacked the Indian Parliament in New Delhi, leaving 14 dead. New Delhi responded with outrage, deploying the Indian army to border positions, putting its combined military forces- including those in Kashmir- on high alert; severing road, rail and air links with Pakistan, and recalling its High Commissioner from Islamabad. In doing so, the Indian government served notice that unless Pakistan reined in its murderous jihadi groups, India might resort to destroying terrorist training camps and sanctuaries in Pakistani Kashmir. Ultimately India moved roughly half a million soldiers including three armored strike corps- to the parts of Punjab, Rajasthan and Gujarat bordering Pakistan. Islamabad responded by mobilizing its own armor and 300,000 Pakistani army troops to the adjacent border areas of Punjab and Sindh.

In response to Indian and US pressure, General Musharaff made an impassioned speech to the Pakistani people on January 12, 2002 in which he ambiguously condemned the October and the December attacks in India. Musharaff pledged that “no organization will be allowed to indulge in terrorism in the name of Kashmir,” and that Pakistan will not allow its territory to be used for any terrorist activity anywhere in the world.” In the aftermath of his January 2002 speech, Islamabad arrested some 2,000 militants and closed more than 300 of their offices,
but few militants have been prosecuted. Moreover, the leaders of Lashker-e-Taiba and Jaish-e-Muhamad were released in March and promptly vowed to reinvigorate the Kashmir insurgency.17

Kashmir remains a critical issue between India and Pakistan. Both will need to make several major changes to their policies if they wish to lay the groundwork for peace. Pakistan must give up its support for militancy, work intensively to disband militant groups and recognize that its policy has not only led to intense suffering for the Kashmiri people but has undermined stability at home. India must recognize that its rule over Jammu and Kashmir has been plagued by poorly conceived policies and disastrous mistakes. The Indian government has blamed the problems in Kashmir on externally driven terrorism but that is only part of the picture. There needs to be recognition that aspects of the insurgency are home-grown and the problems there require unique solutions. Many result from poor governance. Correcting these errors requires that accountability and transparency be at the heart of new policies. India and Pakistan must take the political decision to lower hostile rhetoric and focus on the benefits of peace. Peace in Kashmir and reduction of tensions between India and Pakistan require a sustained, long-term effort by many parties taking many small steps. They require extensive dialogue in several areas to rebuild trust and get all parties to a point where they can tackle the most contentious issues. There is also little likelihood of compromise until much more has been done to improve the lives of Kashmiris that have been so damaged by conflict. There will need to be greater international engagement, in particular by the U.S., in both establishing forms of dialogue and helping Kashmiris.18

The India-Pakistan dispute over Kashmir has vexed US policy makers since 1947. Indeed, it is difficult to identify an international political conflict that has for so long proved so utterly resistant to resolution. Over the years, the US has pursued a variety of approaches to the Kashmir problem: unilateral initiatives, bilateral efforts with the UK and multilateral proposals under UN auspices. All have come to naught. At other times, frustrated US leaders have tried to wash their hands of the whole quandary, only to see it reemerge even more virulently. Among contemporary American foreign policy elites, scholars, government officials, journalists, and private analysts—"intractable" is the preferred adjective for the Kashmir conflict.

When the Kashmir conflict erupted, the Truman administration feared that the culmination of the dispute might lead to war between the two dominions, thus jeopardizing all US interest in the subcontinent. At first, US policy makers devoted relatively little attention to what seemed initially a mere legal controversy in one of the world’s most remote areas. Once Washington grasped the seriousness of the standoff, it distinctly preferred UN to United State’s involvement. Washington also worked closely with and often deferred to London. The two sides agreed that there was "but one realistic solution" to the problem: a free and fair plebiscite.

The first plebiscite Administrator was Admiral Chester Nimitz, the Commander of US naval forces in the Pacific during the Second World War. Nimitz’s efforts were undermined by ongoing Indo-Pakistani differences concerning the withdrawal of military forces and the administration of Kashmir during the
voting. These and related disagreements would continue to prevent India and Pakistan from taking serious steps toward conflict resolution in 1949 and beyond.

With India's security vulnerabilities having been exposed by China's successful invasion, President Kennedy's aide "Averell Harriman" and British Common Weath Secretary "Duncan Sandys" persuaded a reluctant Nehru to enter into bilateral discussions with Pakistan in early 1963. Five rounds of talks produced no progress on Kashmir, in large part because Pakistan and China in March 1963, settled their own territorial dispute in an agreement that gave China some 2,000 square miles of disputed Kashmir. Indian leaders were predictably furious maintaining that Pakistan had illegally negotiated away Indian territory. The failure of the Harriman -Sandy's mission marked the beginning of a long period of US diplomatic disengagement from the Kashmir dispute.

The US view of 1965 War was "a pox on both their houses." Disgusted with the latest turn of events in South Asia, the Johnson administration had imposed an arms embargo against both India and Pakistan. Not only that, but in the aftermath of war, President Johnson "directed that the US adopt a lowered profile in the subcontinent and pursue more limited policy objectives there. In the first manifestation of this new orientation, Washington stepped aside and allowed the Soviet Union to convene a peace Conference at Tashkent in January 1966.

Early in 1990, the Kashmir fighting evolved from a primarily civil conflict into an international crisis that brought India and Pakistan dangerously close to war. New Delhi and Islamabad placed their military forces on high alert and issued bellicose threats suggesting that war was imminent. Some analysts believe that,
during the 1990 crisis, Pakistan readied its nuclear weapons for deployment, others
discount the view. Either way, the first Bush administration was sufficiently alarmed
that it dispatched Deputy National security Adviser “Robert Gates” to the region for
talks with the two governments. The Gate’s intervention helped to calm the tempers
on both sides of the border. The 1990 crisis was the first in a series of renewed US
interventions aimed at easing Indo-Pakistani tensions over Kashmir. In each case,
Washington has strictly limited itself to crisis management rather than diplomacy
grounded toward conflict resolution.

Within a year of India and Pakistan’s 1998 nuclear tests, the two countries
were embroiled in their most violent military clashes since 1971. As India and
Pakistan prepared for war, diplomatic maneuvering intensified between New Delhi,
Islamabad and Washington. In late May, Indian Foreign Minister “Jaswant Singh”
met with US Deputy secretary of State “Strobe Talbott.” During their discussion, the
US reportedly agreed to deal firmly with Pakistan, in return India pledged not to
cross the LOC or otherwise escalate the fighting. President Clinton called Vajpayee
and Shariff on June 14-15, urging both sides to resist widening the conflict. On
June 17-18, Vajpayee aide ‘Brajesh Mishra’ informed US National Security Adviser
‘Sandy Berger’ that India might be compelled to escalate its operations. Deeply
concerned about this prospect Clinton dispatched the Commander-in-Chief of the
US Central Command, General Anthony Zinni, to Islamabad from June 23-27.
Zinni prevailed upon Pakistani leaders to call an end the Kargil operation, in
response he received “fairly clear” assurances from his interlock Indian side of the
LOC.
An analysis of the history of US relations towards South Asia would reveal that US has always acted on the basis of its own national security interests. Its policy towards Kashmir has been based on its national interests and not on the merits of the issues involved. With the end of Cold War, India had expected a balanced approach from the US on Kashmir. Unfortunately, the end of Cold War witnessed India and Pakistan emerging as de-facto nuclear weapons states in the 1990s. The “nuclear factor” resulted in the US terming Kashmir as a “Nuclear Flash-Point” in South Asia, which again has clouded its approach towards Kashmir. Subsequent US policy towards India and Pakistan, as was evident from its role during the Kargil war, was based on the mistaken belief that Kashmir has the potential to spark a nuclear war in South Asia.

The terrorist attacks of 11 September 2001 have changed the above misperceptions of the US on Kashmir. The first realization was the fact that the terrorist organizations fighting inside Kashmir are linked well with each other and to the Taliban regime through Pakistan. The very fact that the Taliban regime crumbled like a pack of cards, once the Pakistan military government and its ISI withdrew its support, revealed who was the main brain behind the organizational support for the Taliban and the other “Jihadi” organizations. The US also realized that, contrary to what has been claimed by Pakistan, the forces, which are fighting inside Kashmir, are not indigenous freedom fighters but terrorists actively aided and supported by Pakistan. The September 11 attacks have also made considerable changes in the US perception of Kashmir, especially the “jihadi” organizations. India has been urging a ban on Lashkar-e-Toiba, Jaish-e-Mohammad and the Al-
Badr. Initially, only the Harkat-ul-Mujahideen was shown in their list of terrorist groups, this group had long been disbanded and its cadres had joined other outfits. However, recently the Jaish and the Lashkar have also been termed as terrorist organizations, which the US had refused to do all these years, despite pressure from India. By imposing a ban on these militant organizations, the US has tried to pressurize Musharraf to take actions against these groups. 25

US interests in the Kashmir dispute per se are limited. Compared to other flash points, Kashmir’s resonance for the United States is faint at this stage. Although various groups seek to influence the US government’s stance and American’s perceptions on the issue, Kashmir’s future is not the cause of any unified, powerful lobby in US politics nor is Kashmir’s fate the subject of US law. The dispute is largely unfamiliar to most Americans and to all but a few specialists in the government. Kashmir contains no resources that the United States or its allies need. Resolution of the conflict does not involve clear ideological values dear to the United States. US allies and close friends are not clamoring for its end. The prospect of another power displacing US centrality on the subcontinent and dealing with the dispute to the detriment of US interests is negligible. The dispute occasionally detracts from other US priorities but not unsustainably so. US credibility depends far more heavily on the outcome of other flash points, and long-standing US commitments are not at stake. The Kashmir dispute is not equivalent to the cross-strait quandary of Taiwan nor is Kashmir’s LOC the Korean DMZ. Simply put, the United States does not have a dog in the Kashmir fight.
Kashmir needs to be understood as a new problem of international dimension since a paradigm shift has taken place. This paradigm shift has been influenced by the role of information technology on economic, social and political sustainability of nation states. The international system globally is being converted into a variety of regional self sustaining political, economic and trade regimes linked internally by common cultural and civilizational preconditions. Such regimes are emerging as distinctly different from each other in character and modes of operations but have found it advantageous to be interdependent to optimize human resources and capital outlays for growth and development. These regimes have thus recognized the need to ensure enduring human security within the regimes. Kashmir is thus the fulcrum of South Asia where its international dimension is to be understood not from the narrow perspectives of Indo-Pak history but as a facilitator to the process of international integration of South Asia in a global transnational society emerging in the twenty first century. The capital intensive nature of globalization will not allow any nation state or community to destabilize the political economy of the new world order which is based on trade, commerce and communication facilities including travel and entertainment sectors. India and Pakistan will be forced to resolve the Kashmir issue bilaterally within the ambit of international relation and globalization. In essence the role of the use of military force between neighbours to settle political problems is over and Kashmir will be the prime example to prove that to the world by default.26
The genesis of the Siachen conflict lies in the formulation of the cease-fire line (CFL) defined in the 29 July 1949 Karachi Agreement following the first India-Pakistan war. In this agreement, the Truce Subcommittee of the United Nations Commission for India and Pakistan did not explicitly delineate the CFL all the way to the international border with China. The text of this agreement defines the CFL in this area as running from "... Chalunka (on the Shyok River), Khor, thence north to the glaciers." In accordance with paragraph C of the Karachi Agreement, the official map was prepared using map reference NJ 980420 (one-inch scale) in the Shyok Valley. This point is commonly referred to as NJ 9842. After the 1971 War, India and Pakistan agreed to retain territory captured across the CFL. These changes were recognized in the Simla Agreement of 2 July 1972, where the 1949 CFL was replaced with a new "Line of Control" (LOC). As in the 1949 and 1965 cease-fire agreements, the LOC was not delineated or demarcated beyond NJ 9842 because there had been no combat in this area and no troops were then deployed there. This ambiguity in the text ultimately led to the current conflict that began in 1984. The Indian interpretation of the statement is that the LOC should run northeasterly from NJ 9842 along the Saltoro Range to the Chinese border. The Pakistani interpretation is that the LOC should run from NJ 9842 straight to the Karakoram Pass (KKP) on the India-China border.

Under the Sino-Pakistan Frontier Agreement of March 1963, Pakistan transferred to China 5,180 square kilometer (km) of territory in Pakistan-controlled Kashmir just north of the Siachen area. India does not recognize the agreement and
the transfer. After the agreement, China built the Karakoram Highway linking Xinjiang Province with the Northern Areas of Pakistan-controlled Kashmir and providing a port of entry. Indian defense analysts became concerned that Pakistan had aspirations to extend its boundary with China to the KKP by controlling the Siachen area. In a future conflict with India, control of the Siachen area might provide Pakistan with a route to capture the city of Leh and the region of Ladakh with a flanking attack. The conventional wisdom of the time included scenarios in which China might join this attack.

Although the demarcated portion of the LOC ends at NJ 9842, by the 1970s several world atlases had begun showing the LOC running in a northeasterly direction from NJ 9842 toward the KKP.²⁸ Pakistani maps also began to show the LOC heading in a straight line from NJ 9842 to the KKP, implying that territory north of the line was under Pakistan's control.²⁹ Indian suspicions were raised, and the government called this “cartographic aggression” on Pakistan's part. Suspicions deepened when the Indian government learned that Pakistan had begun issuing permits to international mountaineering expeditions to enter the Siachen area. Indian reconnaissance patrols were sent into the glaciers and returned with reports of the sporadic presence of Pakistani military personnel.

By early 1984, after intelligence reports indicated extensive Pakistani preparations to occupy the area, Prime Minister Indira Gandhi ordered the Indian army to occupy the Siachen Glacier to preempt its occupation by the Pakistan army in the summer of 1984. On 13 April 1984, a small body of troops was heli-dropped on Saltoro Ridge which overlooks the Siachen glacier, along its western fringe.
Within a few days, three passes on the ridgeline - Bilafond La, Sia La and Indira Col - located at altitudes between 18,000 and 20,000 feet were occupied by a company-size force. The induction of Indian troops onto the lofty heights of the Saltoro Range was codenamed Operation Meghdoot.30

Meghdoot was to become the Indian army's longest running operation. Within a few weeks, Pakistani troops occupied positions on the lower slopes of Saltoro to oppose the Indian occupation. Skirmishing commenced for better tactical positions. What started as a small operation soon became a major military confrontation between India and Pakistan. In just over a year, the force level on both sides reached brigade-plus size till the entire ridgeline covering a frontage of over 100 kilometers was occupied.31

Since then, the Indian army has been in physical possession of most of the heights on the Saltoro Range west of the Siachen Glacier, while the Pakistan army has held posts at lower elevations of western slopes of the spurs emanating from the Saltoro ridgeline. The Indian army has secured its positions on the ridgeline, now called the Actual Ground Position Line (AGPL), at great cost, and does not want to pull back from them unless these positions are physically demarcated jointly on ground and map by both armies, similar to what was done in previous agreements establishing the CFL and LOC. The Indian army's view is that future violations must have a reference point. The reason for insisting on demarcation is that after the disengagement process begins, the locations of the vacated posts cannot be disputed. The Pakistan army's intrusions into the Kargil district of Kashmir in 1999 have hardened the Indian stance on this topic. India finds it extremely difficult to
accept verbal assurances from General Musharraf that the Pakistan army will not occupy posts vacated by the Indian army. Therefore, in India's view, the natural sequence for a final settlement should be a permanent, mutually agreed cease-fire; demarcation of the AGPL on the ground and map; a joint verification agreement that can be practically implemented; redeployment to mutually agreed positions; and, finally, a political agreement to resolve the dispute. The greatest stumbling block to reaching agreement on demilitarization is Pakistan's refusal to allow demarcation of the present positions. From India's point of view, this is an inescapable first step. Only then can the two armies graduate to pulling out their troops.

Overcoming the Present Stalemate

Most Indian military and strategic analysts now agree that the Siachen Glacier does not have major strategic significance. Lt. General M. L. Chibber (retd.), who planned the occupation of Siachen (code-named Operation Meghdoot) in 1984, said flatly in an interview in December 2004 “Siachen does not have strategic significance.” Lt. General V. R. Raghavan (retd.), a former division commander in the Kargil and Siachen sectors and a former Director General of Military Operations (DGMO), also minimizes the military importance of Siachen in his 2002 book, “Siachen: Conflict Without End.”

Yet Siachen invokes strong passions in India. Bharat Bhushan observed, “For most Indians, Siachen symbolizes unparalleled gallantry.” The same is undoubtedly true in Pakistan. Dr. Stephen Cohen of the Brookings Institution has observed that both countries have used Siachen to wage a propaganda war as well
as a shooting war, and has characterized the war as “a conflict unending caused by states unbending.” India and Pakistan held seven rounds of bilateral talks on the Siachen conflict between 1986 and 1998. The question is often asked why the 1989, 1992, and 1998 negotiations did not result in an agreement. These negotiations failed for various reasons.

India and Pakistan have taken steps toward reducing tension in the Siachen area. On 25 November 2003, Pakistan proposed an informal cease-fire along the LOC, and India accepted the proposal. The cease-fire includes the Siachen conflict zone. A second encouraging step was the initiation of the Composite Dialogue process between India and Pakistan in January 2004. The Composite Dialogue process defined eight topics (including Siachen) that the two countries have agreed to address in working groups. With the beginning of the Composite Dialogue Process in 2004, India and Pakistan have entered a new cycle of negotiations on the Siachen conflict. The eighth round of talks on 5-6 August 2004 assessed the ongoing cease-fire and agreed to have further negotiations.

The ninth round of talks on 26-27 May 2005 became deadlocked over the issues of India’s insistence that the AGPL be demarcated on the ground and map and Pakistan’s insistence that Indian troops must withdraw to pre-1972 positions before any meaningful discussions could take place. Pakistan holds the view that when the two armies withdraw their forces from the zone of conflict and agree to refrain from reestablishing any military presence in it, the original positions will become irrelevant. The composite dialogue has made little progress in resolving the conflict, however, and the tenth round of defence secretary-level talks ended in a
stalemate. Pakistan insists that India accept the 1989 understanding for an unconditional, mutual withdrawal to pre-1984 positions.36

Talks on Siachen were again held on 23–24 May 2006 in New Delhi. The Indian delegation was headed by Defense Secretaries Shri Shekhar Dutt of India and that of Pakistan by Lt. Gen (Ret.) Tariq Ghazi. The press has reported that the two sides have come quite close to agreeing on a process of disengagement and demilitarization but very few details of the talks have emerged.

The logistics of maintaining troops at altitudes above 18,000 feet are mind boggling. Posts have to be supplied by helicopters and evacuation of casualties is at times not possible due to bad weather. On the Indian side, over 1,000 soldiers have been killed and over 3000 permanently disabled, mostly by the effect of the altitude and weather.37 On the Pakistani side, the casualties are heavier since most of the attacks were launched by them. Most Pakistani causalities, too, occur because of the Climatic, terrain and altitude. Pakistani positions are, for the most part, at a lower altitude in the glacier area, ranging between 9,000 and 15,000 feet. Glaciers at the Pakistani front lines begin at 9,440 feet. Pakistani troops are stationed on steep slopes and are therefore exposed to harsh weather. As a result, the main causes of Pakistani causalities are due to avalanches, high altitude pulmonary and cerebral edema and hypotherma.38 In spite of a durable ceasefire, troops continue to occupy positions at punishing heights on both sides of the line and suffer casualties almost on a daily basis.

Only political direction at the highest level can resolve this deadlock. Dr. Raja Mohan, an Indian security analyst, observed that “In the current set-up, the civilian
government has the final say and the decision should be political... The military has been used as an excuse to escape from taking the decisions that the political leadership should take.39

Siachen is now a forgotten war. Despite the mutual desire to end this costly and futile conflict, lack of trust continues to inhibit progress. To overcome this, the two sides could, with international assistance, identify and institute a regime of monitoring technologies and verification procedures, which would enable them to disengage and demilitarise the region with confidence. At some point when the composite dialogue is resumed, another round of talks will be scheduled. Very little is likely to emerge unless a political directive is issued to conclude the talks.

It is high time that civil society on both sides debates the issue and brings pressure on their respective governments to do their duty by negotiating an honourable withdrawal from an area which should not have been occupied in the first place. Considering the fact that a clock of destruction has been ticking for 25 years, there is a need of some urgency to be injected into the process. India and Pakistan can ill-afford the additional expenditure of maintaining thousands of troops at extreme altitudes. A million dollars a day could go some distance in the fight against poverty and hunger.40

(III) Water Disputes Between India and Pakistan

Water is the staff of life. Without it, human beings would perish. No wonder, therefore, that civilizations have flourished around water sources and have declined or disappeared when these have been degraded or lost. Growing scarcity of water resources, increasing population and poor water management in developing
countries has resulted in an increasing demand for water resources. The increasing scarcity of water leads to the desire for control of water resources, which in turn becomes a ground for breeding conflicts. These conflicts are manifested at interstate and intra-state levels.

Its significance is especially serious in the Indian subcontinent, a region that is home to one-fourth of humanity and to three of the mightiest rivers of the world: the Indus, Ganges and Brahmaputra. Although these rivers have been subject to significant water sharing treaties among the various riparian states in the past, currently four major treaties govern them. These include the Indus Water Treaty (1960) between India and Pakistan, Sankosh Multipurpose Project treaty (1993) between India and Bhutan, the Ganges Water Sharing Agreement (1996) between India and Bangladesh, and the Mahakali Treaty (1996) between India and Nepal.

Following independence from Britain in 1947, India was subdivided into the separate nation states of India and Pakistan. During this partition, borders were drawn with little consideration to water resources. In particular, the borders near the Indus and its major tributaries- the Beas, Chenab, Jhelum, Ravi and Sutlej, all of which flow from India into Pakistan- were drawn without considering the conflict that such political boundaries might provoke. This division led to a number of disputes between India and Pakistan. Hostilities between India and Pakistan continued to grow over the next decade as each vied for control of common water resources.\(^4\)
The Indus River and its system of upper tributaries (collectively referred to as Indus River System.) Originating 17,000 feet (518 m) above sea level in a spring near Lake Manasarovar at Mt. Kailash, the Indus River along with the Brahmaputra, Sutlej, and Karnali rivers are fed by massive Tibetan glacial waters to become a mighty river with further feeds from other glacial catchment areas in Karakoram and Zanskar ranges. The Indus then traverses a distance of 1800 miles (2900 km) through Tibet, India, Pakistan occupied Kashmir (PoK), and Pakistan before draining into the Arabian Sea south of Karachi. On its way, it is further enriched by the waters of several tributaries, the most important are: Beas, Sutlej, Ravi, Chenab and Jhelum rivers. The western tributaries of the Indus that include the Swat, Kurram, Gomal, Kohat, Zoab and Kabul. The river has been variously known as the Sengge or Lion River by the Tibetans, Abbasseen or Father of Rivers by the Pathans of present NWFP Pakistan, and Mitho Dariyo or Sweet River by the denizens of the arid Sindh.

Irrigation in the Indus River basin dates back centuries; by the late 1940s the irrigation works along the river were the most extensive in the world. These irrigation projects had been developed over the years under one political authority that of British India, and any water conflict could be resolved by executive order. The Government of India Act of 1935, however put water under provincial jurisdiction, and some disputes did begin to crop up at the sites of the more extensive works, notably between the Provinces of Punjab and Sindh. In 1942, a
judicial commission was appointed by the British government to study Sindh’s concern over planned Punjabi development. The Commission recognized the claims of Sindh, and called for the integrated management of the basin as a whole. The Commission’s report was found unacceptable by both sides, and the chief engineers of the two sides met informally between 1943 and 1945 to try to reconcile their differences. Although a draft agreement was produced, neither of the two provinces accepted the terms and the dispute was referred to London for a final decision in 1947.

Before a decision could be reached, however, the Indian Independence Act of August 15, 1947 internationalized the dispute between the new states of India and Pakistan. Partition was to be carried out in 73 days, and the full implications of dividing the Indus basin seem not to have been fully considered, although Sir Cyril Radcliffe, who was responsible for the boundary delineation, did express his hope that, “some joint control and management of the irrigation system may be found.” 43 Heightened political tensions, population displacements, and unresolved territorial issues, all served to exacerbate hostilities over the water dispute.

The partition of the Indian subcontinent created a conflict over the plentiful waters of the Indus basin. The newly formed states were at odds over how to share and manage what was essentially a cohesive and unitary network of irrigation. Furthermore, the geography of partition was such that the source rivers of the Indus basin were in India. Pakistan felt its livelihood threatened by the prospect of Indian control over the tributaries that fed water into the Pakistani portion of the basin. Where India certainly had its own ambitions for the profitable development
of the basin, Pakistan felt acutely threatened by a conflict over the main source of water for its cultivable land.

During the first years of partition the waters of the Indus were apportioned by the Inter-Dominion Accord of May 4, 1948. This accord required India to release sufficient waters to the Pakistani regions of the basin in return for annual payments from the government of Pakistan. India agreed to the resumption of flow, but maintained that Pakistan could not claim any share of those waters as a matter of right.44 This position was reinforced by the Indian claim that, since Pakistan had agreed to pay for water under the Standstill Agreement of 1947, Pakistan had recognized India's water rights. Pakistan countered that they had the rights of prior appropriation, and that payments to India were only to cover operation and maintenance costs.45 While these conflicting claims were not resolved, an agreement was signed, later referred to as the Delhi Agreement, in which India assured Pakistan that India would not withdraw water delivery without allowing time for Pakistan to develop alternate sources. Pakistan wanted to take the matter to the International Court of Justice but India refused, arguing that the conflict required a bilateral resolution.

By 1951, the two sides were no longer meeting and the situation seemed intractable. The Pakistani press was calling for more drastic action and the deadlock contributed to hostility with India. As one anonymous Indian official said at the time, "India and Pakistan can go on shouting on Kashmir for all time to come, but an early settlement on the Indus waters is essential for maintenance of peace in the sub-continent."46 Despite the unwillingness to compromise, both nations
were anxious to find a solution, fully aware that the Indus conflict could lead to overt hostilities if unresolved.

In the same year, David Lilienthal, formerly the chairman of the Tennessee Valley Authority and of the US Atomic Energy Commission visited the region to write a series of articles for Colliers magazine. Lilienthal had a keen interest in the subcontinent and was welcomed by the highest levels of both Indian and Pakistani governments. Although his visit was sponsored by Colliers, Lilienthal was briefed by State Department and executive branch officials, who hoped he could help bridge the gap between India and the United States and also gauge hostilities on the subcontinent. During the course of his visit, it became clear to Lilienthal that tensions between India and Pakistan were acute, but also unable to be erased with one sweeping gesture. In his journal he wrote:

"India and Pakistan were on the verge of war over Kashmir. There seemed to be no possibility of negotiating this issue until tensions abated. One way to reduce hostility . . . would be to concentrate on other important issues where cooperation was possible. Progress in these areas would promote a sense of community between the two nations which might, in time, lead to a Kashmir settlement. Accordingly, I proposed that India and Pakistan work out a program jointly to develop and jointly to operate the Indus Basin river system, upon which both nations were dependent for irrigation water. With new dams and irrigation canals, the Indus and its tributaries could be made to yield the additional water each country needed for increased food production. In the article I had suggested that the World Bank might
use its good offices to bring the parties to agreement, and help in the financing of an Indus Development programme." 47

Inspired by this idea, Eugene R. Black, then President of the World Bank visited the two countries and proposed a Working Party of Indian, Pakistani and World Bank engineers to tackle the “functional”, rather than the “political” aspects of water sharing. The two countries accepted this mediation48 (Which also had the backing of President Truman who wanted to remove the “kind of unfriendliness” that existed then between the US and India) offer in March 1952 and sent their technical teams to Washington for further discussions. Subsequent meetings took place in Karachi in November, 1952 and New Delhi in January, 1953. The World Bank suggested that each side submit its own plans, which they did on October, 6, 1953. The two plans, while concurring on the available supply of water, differed widely on allocations.49

Both sides accepted Black’s initiative. The first meeting of the Working Party included Indian and Pakistani engineers, along with a team from the Bank, as envisioned by Black, and met for the first time in Washington in May 1952. The stated agenda was to prepare an outline for a program, including a list of possible technical measures to increase the available supplies of Indus water for economic development. After three weeks of a discussion, an outline was agreed to, whose points included:

1. determination of total water supplies, divided by catchment and use;
2. determination of the water requirements of cultivable irrigable areas in each country;
3. calculation of data and surveys necessary, as requested by either side;
4. preparation of cost estimates and a construction schedule of new engineering works which might be included in a comprehensive plan.

When the two sides were unable to agree on a common development plan for the basin in subsequent meetings in Karachi, November 1952, and Delhi, January 1953, the Bank suggested that each side submit its own plan. Both sides did submit plans on October 6, 1953, each of which mostly agreed on the supplies available for irrigation, but varied extremely on how these supplies should be allocated. The two sides were persuaded to adjust somewhat their initial proposals, but the modified proposals of each side still left too much difference to overcome. The modified Indian plan called for all of the eastern rivers (Ravi, Beas, and Sutlej) and 7% of the western rivers (Indus, Jhelum and Chenab) to be allocated to India, while Pakistan would be allocated the remainder, or 93% of the western rivers. The modified Pakistani plan called for 30% of the eastern rivers to be allocated to India, while 70% of the eastern rivers and all of the western rivers would go to Pakistan.

In December of 1954, the two sides returned to the negotiating table. The World Bank proposal was transformed from a basis of settlement to a basis for negotiation and the talks continued, stop and go, for the next six years. One of the last stumbling blocks to an agreement concerned financing for the construction of canals and storage facilities that would transfer water from the eastern Indian rivers to Pakistan. This transfer was necessary to make up for the water Pakistan was giving up by ceding its rights to the eastern tributaries. The World Bank initially planned for India to pay for these works, but India refused. The Bank
responded with a plan for external financing supplied mainly by the United States and the United Kingdom. This solution cleared the remaining stumbling blocks to agreement and the Treaty was signed by the Prime Ministers of both countries in 1960.

However, despite all efforts, the wide gaps in the stands of the two countries could not be bridged, mainly due to the intransigence of the Pakistani side as the revised and final allocations show clearly above. The World Bank felt that an ideal approach to joint development of an integrated plan for Indus Basin as proposed by David Lilienthal was now impossible. In order to resolve the dispute, it finally stepped in with its own “settlement” proposals on Feb. 5, 1954 offering the three Eastern Rivers to India and the three Western rivers to Pakistan. India accepted the proposal in toto on Mar. 25, 1954 while Pakistan gave only a “qualified acceptance” on July 28, 1954. The settlement offered by the World Bank was closer to the Indian position as it repudiated the claims of Pakistan based on “historic usage”. An angered Pakistan threatened to withdraw from further negotiations. The World Bank proposal was then transformed from a “settlement” to a “basis for further negotiations” and the talks eventually continued for the next six years. In the meanwhile, the two countries signed an Interim Agreement on June 21, 1955. As no conclusive agreement could be reached, the World Bank announced on Apr. 30, 1956 that the negotiation deadline has been indefinitely extended. As is its wont, Pakistan, through its then Prime Minister H.S.Suhrawardy issued a direct threat of war with India over waters, escalating tensions.
Under the World Bank plan, Pakistan was asked to construct barrages and canals to divert the Western river waters to compensate the loss of Eastern Rivers on the Pakistani side. During the period needed to do this, called the Transition Period, India was required to maintain the “historic withdrawals” to Pakistan. The World Bank then suggested a “financial liability” for India as replacement costs by Pakistan for the loss of the three Eastern rivers. In the 1958 meeting, the replacement works and the financial liability to India were considered. India rejected Pakistan’s proposal, known as the “London Plan”, for two large dams on the Jhelum and the Indus and three smaller ones on Ravi and Sutlej and several canals, all in all totaling USD 1.2 Billion. India’s alternate proposal, known as the “Marhu Tunnel Proposal”, was unacceptable to Pakistan as leaving too much leverage on water flows in Indian hands. In May, 1959, the Bank’s President visited both countries and suggested a way out which involved India paying a fixed amount of £ 62.060 Million to be paid in ten years in equal installments and the Bank assisting Pakistan with help from donor countries. The international consortium of donors pledged USD 900 Million for Pakistan and the drafting of the Indus Water Treaty (IWT) began in August, 1959.

The treaty was signed in Karachi by Pandit Jawaharlal Nehru, Field Marshal Ayub Khan and Mr. W.A.B. Illif, President of the World Bank in a five-day summit meet starting Sep. 19, 1960. However, it was deemed effective from Apr. 1, 1960. The two governments ratified the same in January 1961 by exchanging documents in Delhi. Simultaneously an Indus Basin Development Fund was established with contributions from Australia, Canada, Germany, New Zealand, the UK and the US.
along with India’s share of the cost. The Eisenhower Administration contributed roughly half the cost of the Fund, while the World Bank provided US$ 250 Million and the other donor countries together provided a similar amount. The Water and Power Development Authority (WAPDA) of Pakistan was entrusted with the task of completing these tasks. The fund was subsequently extinguished after the completion of the projects as per Article XI of the IWT.

The Indus Water Treaty divided the six major rivers of the Indus River system between the two nations. India was allocated complete ownership—or exclusive usage rights—to the three eastern rivers: the Sutlej, the Beas and the Ravi, while Pakistan was allocated nearly unfettered ownership to the three western rivers: the Indus, the Jhelum and the Chenab. Although each nation was awarded ownership of three rivers, both are allowed, under certain, narrowly defined circumstances, to use one another’s river resources. For example, India, the upper riparian state, is allowed under the Indus Water Treaty restrictive use of the Indus, Jhelum and Chenab for agriculture, hydro generation and other purposes that do not store or divert water destined for Pakistan. In practice, Pakistan has little to gain from this provision, as no major rivers originate within its political borders.53

As co-signer of the treaty, the World Bank continues to serve a procedural role in settling differences and disputes. The World Bank also serves as a legal recourse to both nations with respect to the Indus Water Treaty. Should either nation violate the terms of the treaty, through fault of interpretation or application, the matter is first brought to the Permanent Indus Commission, after which it is brought to a World Bank-appointed neutral arbitrator. Upon receiving the neutral arbitrator’s
ruling, the nations could seek reference to a court of arbitration or appeal to the International Court of Justice at the Hague, under Article IX (paragraphs 3 through 5) of the treaty.⁵⁴

The salient features of the Indus Waters Treaty are:

The Indus Water Treaty addressed both the technical and financial concerns of each side, and included a timeline for transition. The main points of the treaty included:

1. An agreement that Pakistan would receive unrestricted use of the western rivers, which India would allow to flow unimpeded, with minor exceptions;
2. Provisions for three dams, eight link canals, three barrages, and 2500 tube wells to be built in Pakistan;
3. A ten-year transition period, from April 1, 1960 to March 31, 1970, during which water would continue to be supplied to Pakistan according to a detailed schedule;
4. A schedule for India to provide its fixed financial contribution of $62 million, in ten annual installments during the transition period;
5. Additional provisions for data exchange and future cooperation.⁵⁵

While the Indus Water Treaty created a legal framework for governing water resources, it failed to mitigate several important areas of tension. Specifically, three key points of the treaty have contributed to subsequent disputes. First, Pakistan is wholly dependent upon the Indus River system for its freshwater supply. While dwindling groundwater provides for some of Pakistan's needs, the Indus and its tributaries represent the only source of surface waters for the entire country, including its prominent agricultural sector. Second, the headwaters of all six rivers are within Indian territory, and, accordingly, the Indian government can
significantly limit the flow of water into Pakistan. Third, while India is not permitted to build projects on the Indus, Jhelum or Chenab rivers to divert or store water flowing to Pakistan, many of India’s current or proposed dam projects do both. To compound matters, the Indus, Jhelum, and Chenab all flow through the volatile region of Jammu and Kashmir, where India and Pakistan have engaged in sporadic fighting during a decades-long territorial dispute. Together, these elements provide a basis for several major disputes as India and Pakistan seek to meet growing domestic water demand.

Current Disputes between India and Pakistan

The discrepancy between political borders and the natural course of rivers, coupled with the structure of the Indus Water Treaty, creates multiple areas of potential conflict between India and Pakistan. The greatest issue under dispute is India’s construction of dams and other projects that divert water that would otherwise reach Pakistan. The most important current disputes involve the Baglihar Dam, the Tulbul Navigation/Wular Barrage, the Kishenganga Dam and Indian retention of water from the Beas, Ravi and Sutlej rivers. In most cases, Pakistan believes it has been the victim of Indian strong-arm tactics.

1. The Baglihar Dam.

Under dispute since 1992, the Baglihar Dam on the Chenab River was nearing completion in 2009. The river runs from India directly through the disputed territory of Jammu and Kashmir and then into Pakistan. The project entails a 144.5-meter concrete gravity dam with a 450-megawatt hydroelectric plant, with potential to expand to 900 megawatts. The project also includes substantial storage
capacity and gated spillways that would allow for flood-control and reduction of sedimentation for the greater region. However, Pakistan has opposed the hydroelectric plant’s construction, arguing that its design violates the Indus Water Treaty because of its potential to store or divert waters destined for Pakistan. Formal talks between the two nations began in 2000 to address India’s resolve to move forward with the Baglihar hydroelectric plant. Though senior government officials and even both heads of state met regarding the topic, no agreement was reached. Pakistan argued that this dam would allow India further control of the Chenab River, posing a potential strategic threat. On January 15, 2005, Pakistan appealed to the World Bank to name a neutral arbitrator who would formally rule on the compliance of India’s design with the Indus Water Treaty.

Dr. Raymond Lafitte of the Federal Institute of Technology at Lausanne, Switzerland, was appointed by the World Bank and confirmed by India and Pakistan in May 2005 as the neutral arbitrator. Lafitte was charged with hosting several rounds of talks with the two nations, as well as visiting the project in the presence of representatives from both countries. On February 12, 2007, Lafitte recommended the reduction of the planned storage from 37.5 million cubic meters to 32.45 million cubic meters, the reduction of the free board from 3 meters to 1.5 meters, and the increase of the water intake by 3 meters. Lafitte also found the gated spillways to be in compliance with the Indus Water Treaty, international practice and state-of-the-art technology. Pakistan’s options with respect to Baglihar may include (1) seeking continued access from India to the project site to monitor progress and assess compliance and (2) taking the issue of the gated
spillways to the World Bank's court of arbitration. Pursuing the latter course may imply a belief by Pakistani officials that Lafitte was not qualified to issue a ruling. Neither of these actions had been attempted as of May 2009.

2. Tulbul Navigation/Wular Barrage

Dating to the 1980s, the dispute regarding the Tulbul Navigation/Wular Barrage remains unresolved. India's construction of a barrier along the Jhelum River aims to improve water flow and, thus, navigation of a 20-kilometer stretch between Sopore and Baramulla. Though construction began in 1984, it was halted in 1987 due to Pakistani opposition. Pakistan argues (1) that the project violates the Indus Water Treaty's provision restraining India from constructing storage (except in limited amounts for the purpose of flood control), (2) that the barrier would change the volume of daily water flow, and (3) that the barrier would harm Pakistan's three-canal system downstream. In turn, India points out that (1) the project is not meant for storage, (2) that the project will regulate the flow of the river, and (3) that the project will benefit both nations. By halting the project, the Indian government implicitly acknowledged the shortcomings of its arguments. Construction has not yet resumed, though in late 2008, India renewed efforts to renegotiate.60

3. Kishenganga Dam

The dispute over the proposed Kishenganga Dam also remains unresolved. Under the plan, India seeks to build a 330-megawatt hydroelectric plant on the Jhelum River in the Jammu and Kashmir region. As with the Baglihar and Tulbul project, Pakistan claims the project violates the Indus Water Treaty because of its
downstream effects. Pakistani officials and environmentalists also argue that this project may "submerge vast tracts of land in the Gurez area and displace local residents". Though India has agreed to review the portions of the project to which Pakistan objects and both sides have gone through several rounds of negotiations, no resolution has been found. As of March 2009, the Pakistan Commission of Indus Water notified India that it would request a World Bank neutral arbitrator to resolve the conflict. Pakistan, meanwhile, is planning construction of the Neelum-Jhelum Dam along the same river. Like India's project, this endeavor would involve building a hydroelectric plant on Pakistan's side of the Jammu and Kashmir border.
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3. Ibid. p.108.

4. D.Suba Chandran, No.1, p.32.


28. Several analysts cite the US Department of Defense as the origin of the practice of drawing a straight line from NJ 9842 to the KKP. About 1967, the Defense Mapping Agency produced a new Tactical Pilotage Chart (TPC) for aviation use. These maps identify national Air Defense Information Zones (ADIZ) for flight planning purposes. The map used a straight line to separate Indian and Pakistani ADIZs. The line from NJ 9842 was a different color than the rest of the CFL and there were written caveats stating these lines were not official boundaries and should not be interpreted as such. The TPC map, however, appears to have been copied by other map makers without this limitation.

29. Actually Pakistan was never in “control” of this inhospitable area as General Zia ul Haq, President of Pakistan, himself admitted while speaking on 24 September, 1987: “Siachen is not part of Pakistan ... it was a no-man’s land ...”. See Major B. A. Prasad, “Siachen: The War of Sanguine Intransigence,” Combat Journal, August 1993, p. 9.


38. According to a Pakistani officer stationed in Siachen, “We have lost many more men to avalanches, crevasses and cold than we have to shells and bullets.” Muhammad Afzal, “Siachen” The News, April 12, 1995.


47. Ibid. p. 93.


49. “Indus Water Treaty: Case Study”, Transboundary Fresh Water Dispute Database.


58. The height of the watertight portion of the dam.


CONCLUSION

On the basis of discussion in the preceding chapters one can now attempt to present an overall view of the United States and India-Pakistan Relations: Issues and Irritants since 1990. India-Pakistan relations have been the victim of psychological malaise and both the countries have been suspecting about each others motives since 1947. Pakistan always feared that India would destroy its very existence either directly or through internal subversion in Pakistan. In order to secure herself against the supposed Indian threat, Pakistan tried to seek friendship of China, West Asian Countries and had been the satellite of USA. The purpose of Pakistan's friendship with these countries was to shift the balance of power in her own favour. The United States has been the most important state which has profound influence on the policy and perceptions of India and Pakistan.

When India and Pakistan opened their eyes as independent and sovereign states the Cold war between the great victors of the II World War had already been started. United States had emerged from World War II as the world's strongest and most prosperous country and soon become the leader of the Anti-Communist bloc in the Cold War. Henceforth its policy revolved around the dominant objective of containment of international Communism all over the world. This demanded strategic nexus and military pacts to accomplish the global security system against Communism. The United States having taken measures to contain the advancement of communism in Europe, now turned its attention towards Asia.
Initially Washington showed only modest interest in Pakistan and it attempted to have closer ties with larger and more important India. The US foreign policy makers had aimed at cultivating India as its ally in South Asia, but as India chose a non-alignment policy, Pakistan became an attractive potential partner in security arrangement for containing Soviet expansion in Middle East. Interestingly when India was reluctant to associate itself with the US foreign policy objectives, Pakistan was more than eager to offer its services to the US. Moreover, India’s policy of non-alignment was perceived by the US as an obstacle to its aspirations in the region. India believed that its interests could be best served by pursuing a non aligned policy i.e. the policy of not joining either of the power blocs, since India needed aid and assistance from all countries for all round development of the country. Thus while ignorance and prejudice on both sides gave relations a bad start, a real clash of interests soon made them worse. No amount of aid could balance the danger posed against as Pakistan’s alliance with US and India’s countermove of cooperation with the former Soviet Union was misconstrued to widen the distance with the USA. Thus, India’s policy of non alignment became contradictory to the chief US foreign policy objectives i.e. the containment of Soviet communist bloc through a system of military alliances. Conflict between the two countries was inevitable as both interpreted their national interests differently.

Since Pakistan was in frantic quest for an ally who could remove its sense of insecurity vis-à-vis India. It thought that friendship with the United States would bolster her defence. Thus, both countries needed each other, though with diverged policy perceptions and orientations. The US was guided by its global policy of
containment and Pakistan was motivated by its perceived threat from India. Pakistan took advantage of the many opportunities inherent in the Cold War involvement by using the right rhetoric in the right direction and at the opportune time to bolster its own military and political power vis-a-vis India. The US and Pakistan subsequently entered into a wide ranging security relationship.

The total alignment of Pakistan with the western bloc gave a chance to the US to have a foothold in South Asia. United States took benefits of Pakistan's initial weaknesses and helped Pakistan's view of aggression. United States through alliance with Pakistan and military supplies not only disturbed the normal relations of India and Pakistan but also brought Cold War to South Asia region. It is believed that the US interests were best served if the two neighbours remained engrossed in their disputes. This rivalry not only prevented the emergence of a regional threat to the US but also provided an opportunity for it to assume a role in the region.

The massive influx of US arms into Pakistan embittered the already sullen relations between India and Pakistan. It prevented the normalization of the relations because it not only posed a great security problem for India; it even made Pakistan more adamant towards the outstanding bilateral issues. The US military alliance with Pakistan changed the whole context of the problems existing between India and Pakistan. The bilateral Indo-Pak relations now assumed a triangular relationship with the US as the third party. The military alliance sharpened Indo-Pak tensions. It became a constant factor in the reaction and the counter reaction which characterized subsequent relations between the suspicious neighbours.
Pakistan’s strategic significance was reduced with the withdrawal of Soviet forces from Afghanistan and finally with the disintegration of the Soviet Union, the Cold War ended. Thus Pakistan’s usefulness to US policy calculations was changed. The end of the Cold War persuaded the US to re-evaluate and downgrade its relationship with Pakistan on the ground that the new global environment did not warrant the old strategic partnership. An immediate and far reaching consequence was the emergence of differences between these two countries on the nuclear issue. In October 1990, economic and military sanctions were imposed on Pakistan under the Pressler Amendment, a country-specific law that singles out only nation on the nuclear issue. One consequence of the Pressler sanctions was the US decision to withhold Pakistan military equipment contracted prior to 1990, with about $1.2 billion, even though Pakistan had paid for this. US not only suspended her economic and military assistance to Pakistan but also shifted her priorities towards India in place of Pakistan. Thus, whatever the burden India was facing during the Afghan crisis and the Cold War from the side of Pakistan helped by US was reduced and this burden was shifted to Pakistan.

India conducted the first nuclear test at Pokhran on May 18, 1974. Exactly 24 years after on 11 May 1998, India again conducted the second nuclear test. India made it clear that it would use its nuclear capabilities only in self defence. India further pointed out that the tests were not directed against any country. India cited two immediate reasons in this respect. First, India was trying to keep pace with the scientific developments that were taking place in the world. Secondly, Science and Technology has to be developed in the national interest. Whatever be the real
intentions of India, Pakistan considered India’s nuclearisation as a potential threat. Pakistan responded very quickly in terms of its own defence. On May 28, 1998 Pakistan conducted five nuclear tests and claimed that Pakistan had evened the account with India, which had conducted similar number of nuclear explosions on May 11, and 13, 1998. Pakistan had been under intense pressure from across the political spectrum to explode a nuclear device of its own in response to India’s five nuclear tests. Before the nuclear tests were conducted in Pakistan the internal pressure groups were ready to face any eventuality, which might have been imposed by international pressure lobbies. In fact, it became a test for Pakistan whether or not to gives into US pressure not to carry out similar tests and to show restraint. In view of United States, India and Pakistan’s nuclear tests of May 1998 ‘could ignite an arms race with no visible finish line between India and Pakistan, who have fought three wars so far and who remain bitterly divided over Kashmir and related issues.’ The US through its spokesperson called upon both India and Pakistan to sign CTBT. Prior to the tests, for international treaty purposes, the two countries were classified as non nuclear weapon states, but the tests put each country in jeopardy of world condemnation and sanctions. The immediate response of the US was to impose sanctions on India and Pakistan under Arms Export Control Act (AECA) and the Export-Import Bank Act.

India-Pakistan relations again deteriorated during the Kargil war. The Kargil War was an armed conflict between India and Pakistan that took place in May and July 1999 in the Kargil sector of Kashmir. The cause of the war was the infiltration of Pakistani soldiers and Kashmiris militants into position on the Indian side of the
line of Control, which serves as the De-facto border between the two states. Kargil conflict between India and Pakistan raised the specter in the United States that conflict over Kashmir could trigger the first use of nuclear weapons. Finally, USA intervened to save the situation in South Asia from going out of hand.

The terrorist attacks against New York and Washington D.C on September 11, 2001 suddenly changed the power context in South Asia. The terrorist attacks on the US strengthened the desire of the US to work with India in its strategic plans. There was a transformation in America's geo-strategic thinking as Afghanistan, the base of the Al-Qaeda, the prime accused in the 9/11 terrorist attacks, became the central focus of its war against terror. India was very quick to condemn the 9/11 attacks, and offered to side with the US in its fight against terrorism. The US took India's help during 'Operation Enduring Freedom' in Afghanistan. The Indian navy escorted and protected high value American shipping through the Straits of Malacca. India also allowed US flights across its territory and provided refueling facilities for American aircraft. American naval ships used Indian ports for rest and refueling. India's friendly gestures provided the American navy the logistical support required to conduct its trans-oceanic operations. More importantly, India's support to the US in its fight against terrorism had a far reaching impact on bilateral relations. Close cooperation between the two countries in the defence sector and counter-terrorism areas increased to a great extent after the 9/11 incidents. Regular joint exercises between the army, navy and air force of India and United States took place after 9/11. Though India's offer of support to the US war against terrorism was immediate and unconditional, it could not provide what Pakistan
had: a long border of 2500 kilometers with Afghanistan and a long, close association with the Taliban. Islamabad was one of the few countries that recognized the Taliban. Pakistan was clearly the crucible of the US campaign against Al-Qaeda and the Taliban for both geographic and strategic reasons. Thus the Cold War history was replayed with the US treating Pakistan territory useful for logistical operations. As a result, Pakistan swiftly re-emerged as a key regional power and vital US ally.

India-US defence cooperation improved when service to service cooperation began as a result of a set proposals put forward by General Kicklighter. Though that cooperation made some progress but it took a long time for the US to realize that in India as in the US, the Armed Forces were under strong civilian control unlike in Pakistan and consequently service to service cooperation could not go for less as institutionalized consultative process was established between the Indian Ministry of defence and office of the US Secretary of defence. To strengthen defence and military relations India and United states signed a ten year defence pact which was a productive instrument for India and would help to facilitate joint weapons production, cooperation on missile defence and the transfer of civil and military technology to India. This agreement has paved the way for the possible lifting of US Export control for sensitive military technology to India without signing CTBT. The defence pact will chalk out a route for defence cooperation between India and US during the next ten years. Washington justified that the pact was based on the global security challenges and it perceived strategic interests in South Asia.

The India-US relationship received boost when both countries pledged to step up cooperation on non military nuclear activities, civilian space programmes, duel
use high technology trade, and an unmitigated dialogue on missile defence. While the Indo-US engagement had been proceeding at a fairly fast space from the beginning of the Bush administration, it gained a new sense of immediacy after both countries signed the nuclear deal in March 2006. The Indo-US Nuclear deal recognizes India as a peaceful nuclear weapon state. The US has rewarded India for being a responsible nuclear power and playing by NPT rules, and has the opportunity to modernize and strengthen the Indian nuclear programme in the non-proliferation regime.

Further the Kashmir, Siachen Glacier have been the major irritants in Indo-Pakistan relations. Kashmir is the major irritant in the US-India-Pakistan tangle. It remains the one unresolved problem since partition. Before 1971, Pakistan tried to take Kashmir through military efforts but after the defeat in Bangladesh war of 1971, Pakistan realized that no military action could separate Kashmir from India or could make Kashmir an independent state. Thus Pakistan changed her strategy to one of creating a climate of unlawful activities, insurrection by giving support to extremists and militants of Kashmir. This attitude of Pakistan has created tensions between the two countries.

The Kashmir issue has been one of the focal points of American foreign policy in India and Pakistan. During the Cold War period US had always taken a pro-Pakistani stand and never appreciated India’s stand on the Kashmir question though its policy was entirely influenced by the Cold war imperatives. The US was keen on a pro-Pakistani solution of the Kashmir dispute. It put forward several suggestions favourable to Pakistan in the name of conflict resolution, including
arbitration, stationing of foreign troops and the like. It also championed the cause of plebiscite and evolved the liberal concept of national self determination. In the post cold war era except for a brief period, the US continues to follow the same line which it followed during the Cold war period. The US now started insisting on ascertaining the wishes of the Kashmiri people. The US took the same stand though in a different manner. The US stance on Kashmir seems paradoxical. At one instance it supports the view that Kashmir is a bilateral issue and hence it should be resolved through dialogue, but at the same time it insists on ascertaining the wishes of the Kashmiri people and even offers its own role. In fact, the US involvement in Kashmir dispute will hinder and not promote a settlement. One should also not forget that more the issue is internationalized, the less are the chances of finding a lasting solution to the problem. If the US does not involve itself in the Kashmir issue, Pakistan will be left with no other option but to settle the matter bilaterally. Thus the best contribution the US can made to a peaceful resolution of the Kashmir issue, therefore would be to keep off it

Both India and Pakistan need to be aware of the fact that war can not decide the fate of Kashmir. By its covert operations Pakistan can not force a settlement. Pakistan can not wrench Kashmir from India by force and India can not win by repression. They must seek a political solution. However, little progress can be made unless there is an effort to overcome the mindsets and mutual misperceptions of one another. There is a need for greater pragmatism on either side. Bilateralism offers the best way to resolve the India-Pakistan differences over Kashmir.
Both India and Pakistan have paid too much attention to improve their relations with the United States and too little to coming to the terms with each other. Both India and Pakistan in seeking the American policy in their favour lost valuable opportunities to bring a measure of peace and stability to their bilateral relationship. With the result, both India and Pakistan have sought to pull each other down in US and degraded their individual diplomatic standing with the US. It is thus advisable for both India and Pakistan to end their excessively differential attitude toward the US and concentrate on improving their bilateral relations.

India and Pakistan since partition have been at loggerheads in all fields, particularly in arms build up and acquisition of nuclear technology. At present, both India and Pakistan have larger forces and more sophisticated weapons than in the past. So the cost of war will be substantially greater than that of the previous three wars. Thus, it must be clearly understood by India-Pakistan policy makers that to establish reliable, creditable, and durable relations both countries have to leave all real or imaginary apprehensions, fears, suspicions and mistrust. Irritants should be removed through diplomacy, cooperation, negotiations and attitude of give and take. It is only then and then alone that lasting, durable and peaceful relations beneficial for both countries can be ensured.
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