

Indo-Pak Relations and the SAARC Summits

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Abstract

The uncertainties regarding regular SAARC meetings have clouded the prospect of regional cooperation. Though India has been accused as the main culprit, other member-countries are no less responsible for the organisation's lack of progress. This article analyses how the SAARC process has in fact given a fillip to a better understanding between the member-countries; how Indo-Pak relations have influenced SAARC summits and how the latter has contributed to the furthering of the two countries' relations notwithstanding the fact that the bilateral disputes are out of the purview of the SAARC agenda. The article also focuses on how the inclusion of bilateral problems would derail the SAARC process.

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Introduction

Indo-Pak relations and the accompanied mistrust and suspicion between the two countries have greatly hampered the process of regional cooperation. This has more often than not hampered the progress of the South Asian Association for Regional Cooperation (SAARC) and undermined its very *raison d'être*. Though, initially, both India and Pakistan had their own reservations regarding the aims and objectives of SAARC, both the countries, however, have been able to use the regional forum to further their economic and social links with other countries of South Asia. India was suspicious of a Western hand when the concept of SAARC was propounded. It was also apprehensive that the organisation perhaps would provide a forum for 'India bashing' and 'ganging up' of its neighbours.

Similarly, Pakistan's expectation from SAARC has been limited. There were two main motivating factors for Pakistan to join SAARC. First, Pakistan thought the forum could be used to strengthen its relations with other smaller countries, which are a part of the South Asian fraternity but with whom it does not share a geographical boundary. Second, Pakistan also thought that if the need arose, the

forum could be used to deflect the weight of India's influence. At the same time, Pakistan was apprehensive of two factors: first, its initial reluctance to join SAARC was partly conditioned by its apprehensions about the organisation being harnessed by India to further its hegemonic design and second, it did not want its efforts of forging closer ties with the West Asian countries to be hampered by joining SAARC. Therefore, Gen Zia had to explain at great length that Pakistan's joining the SAARC would not compromise its ideology, independence and integrity. However, geo-political realities and the India factor convinced Pakistan that it couldn't be marginalised in South Asian affairs.

Bilateral Issues and SAARC

To keep SAARC on track and to achieve its objectives of socio-economic development, the forum devised a charter where political issues were kept out of its ambit. This clearly created a major problem for Pakistan because its objectives to raise various bilateral issues with India were not achieved. SAARC's failure to take up bilateral political issues has been attributed as one of the major reasons for the failure of regional cooperation and Pakistani analysts have accused India of being the main culprit.¹ Most of the smaller countries having larger economic interests and greater expectations from regional cooperation have attributed the lack of progress in the SAARC objectives to Indo-Pak problems. Therefore, the leaders of SAARC member-states have emphasised that important political issues affecting bilateral ties need to be taken up for SAARC to be successful. However, the inclusion of bilateral issues has many disadvantages, which outweigh the perceived advantages if one is aware of the political history of the region that has been marked by mistrust and suspicion. The inclusion of bilateral issues will result in India - the largest country of the region that shares borders with all the countries of South Asia - engaging in bilateral negotiations within the SAARC forum, leaving little space for multilateral engagements. Resolving bilateral issues can be best achieved through bilateral negotiations rather than diluting the SAARC platform to find solutions to such disputes.

The SAARC Charter prohibits the discussion of bilateral and contentious issues. Some Pakistani analysts feel that it is India's emphasis on bilateralism that has hampered SAARC.² However, from India's point of view, most of the problems it has with its neighbours are bilateral in nature and do not concern other member-states. In that context, the argument put forward is that the role of a multilateral forum like SAARC is irrelevant and will hamper regional cooperation if it is to deal with complex bilateral issues.

An analysis of the socio-economic agenda within the purview of SAARC, reveals that the organisation has achieved limited success. Clearly, inclusion of political issues that are contentious is going to throw SAARC out of gear. The organisation's difficulties to arrive at a consensus between its member-states on issues of tariff reduction and trade are visible examples that reflect economic issues being politicised and vulnerable to mistrust and suspicion. Various political problems that have existed between the member-states have a long history of misunderstanding and therefore to burden SAARC with resolving them will not only stymie the process of regional cooperation but also inhibit the organisation's socio-economic agenda. In this context, it is important to analyse how bilateral problems have affected multilateral initiatives in the region before one evaluates the prudence of incorporating bilateral political issues into the ambit of SAARC. Some examples can be cited in this context.

Pakistan's position has been: "Resolution of all territorial disputes could give fresh impetus to SAARC... If we want to move forward we must resolve and remove all territorial disputes to give a fresh impetus to this Organisation."³ The Pakistani viewpoint is that the establishment of mutual trust and confidence is a driving force for enhancing and consolidating cooperation. Cooperation *per se* cannot result in confidence. According to Pakistan, since the Kashmir issue is the root cause of all tensions between India and Pakistan, it, therefore, needs to be resolved in order to establish a modicum of trust and cooperation. What merits attention is that if the issue of Kashmir has not been resolved through bilateral dialogue, how can a multilateral organisation like SAARC resolve the issue? In a multilateral forum, issues of common interest need to be taken up. It is true that Indo-Pak problems have the potential to affect the stability of the region. However, one fails to understand how unresolved bilateral issues that affect only India and Pakistan can be resolved by SAARC. Since it is a bilateral matter, the compulsion to resolve and the initiatives thereupon should come from India and Pakistan. In the light of this, and understandably, smaller countries in the region without politico-economic clout or diplomatic influence can barely intervene in a problem that essentially involves two parties with immense political clout. The problem of SAARC as it appears is that the member-countries have taken refuge under bilateral problems to pressurise the other party to resolve the problem using postponement of summit meetings as a bargaining tool. For example, the Sri Lankan Prime Minister Ranasinghe Premadasa said that he would not attend the SAARC meeting unless Indian forces were withdrawn from his country while his own government had sought IPKF presence.

At the same time, the postponement of the SAARC Summit in 1999 on grounds of a military coup in Pakistan reflects how the forum can be used to achieve bilateral political ends. Pakistan's view was that the military coup was an internal political development. Many analysts have perceived this as interference in the internal affairs of a member-state, which SAARC prohibits.⁴ However, other than India, the Bangladesh Prime Minister was supportive of the idea of the postponement of SAARC due to the internal developments in Pakistan. This is not for the first time that internal political developments have affected the process of regional cooperation. In 1992, the Dhaka Summit was cancelled in the aftermath of the Babri Masjid demolition due to threats issued to the then Indian Prime Minister Narasimha Rao by fundamentalist forces, clearly demonstrating that an internal matter of a country has the capacity to derail SAARC. While these examples are selectively cited to build up a case of how such events can undermine SAARC, at the same time, it would be significant to mention that in spite of troop mobilisation on the Indo-Pak border in the aftermath of the December 13, 2001, attack on the Indian Parliament, the SAARC Summit in Kathmandu was held as scheduled. Likewise, in the aftermath of India and Pakistan's nuclear tests in 1998 and the resultant tension in the region, the Colombo Summit did not get derailed. This, in a sense, reflects that the process of regional cooperation is maturing and the earlier incidents can be considered as political hiccups. Since SAARC functions under the principle of sovereign equality and consensus, such postponements are unavoidable. At the same time, if the principle of consensus is compromised, regional cooperation will not be able to make any headway. Therefore, there is a need for SAARC to dwell on socio-economic issues while isolating contentious political issues to the bilateral domain.

Contrary to the SAARC Charter, Pakistan has reiterated that bilateral problems need to be included. It is important to mention at this point, that just like the India-Pakistan problem, there are issues between Pakistan and Bangladesh, which are equally contentious and have the potential to derail regional initiatives. In spite of such a situation, President Pervez Musharraf in a speech delivered to the leaders of SAARC nations said: "There can be no peace so long as political issues and disputes continue to fester", adding that the bitter truth is: "SAARC will never achieve its full potential unless the disputes and tensions that draw us apart are resolved peacefully on the basis of justice and equity".⁵ It is true that unless the misgivings are addressed and resolved, regional progress will be adversely affected. While the SAARC countries blame bilateral disputes for hampering SAARC process, nothing substantial has been done to address the lack of awareness among the people of the region in spite of socio-cultural similarities. At the same time, the

rigid visa regime needs to be re-examined. The political leadership of these countries cites nationalistic reasons for not accepting various economic measures but there has not been any significant move to involve the people of the region on whose behalf the governments seem to act. Only after an understanding among the people has been fostered, can the mistrust and suspicions be removed. This will lead the states to re-examine military security from the human security angle rather than from the state-centric approach. Since there is no emphasis on the above-mentioned aspect, even multilateral initiatives are increasingly being subjected to bilateral positions.

SAARC and the Issue of Terrorism: Indo-Pak Dimension

Arriving at a consensus on the definition of terrorism has not only eluded the region but also the world. The crux of the problem is that while almost all the countries of South Asia except for the Maldives are facing the problem of terrorism, the political agenda of all these countries is extremely diverse and often in sharp contrast. In the context of India and Pakistan, the issue has become more complex given the Kashmir issue. Although President Musharraf condemned terrorism in all its forms and manifestations, and called it a grave threat to civil society during the 11th SAARC Summit in Kathmandu, he, nonetheless, made a distinction between ‘acts of legitimate resistance and freedom struggle’ and ‘acts of terrorism’. All the member-countries during the Summit referred to the UNSC Resolution 1373 as a guidepost to root out terrorism. The Kathmandu Summit Declaration reiterated unanimously that terrorism in all its forms is a challenge to all states and cannot be justified on ideological, political, religious or any other ground. The Declaration also called on all states “to prevent and suppress the financing of terrorist activities by criminalising collection of funds for such acts and refraining from organising, instigating, assisting or participating in terrorist acts against states or acquiescing in organised activities within its territory that are directed towards the commission of such acts.”⁶ Not surprisingly, there were differences of opinion between the countries, especially between India and Pakistan that made it difficult to arrive at a consensus on terrorism which could strengthen the 1987 SAARC Convention on Terrorism. The Pakistani emphasis has been that there is a genuine need to differentiate between terrorism and a movement for freedom.

The Islamabad Summit concluded in January 2004 and adopted the Additional Protocol after months of discussion and debate between the officials of the region. Initially, there was apprehension regarding the Summit due to attempts on the life of the Pakistani President. However, the Indo-Pak peace process provided the

necessary impetus to arrive at a consensus with a mature understanding of each other's position on the issue. At the same time, what perhaps gave a fillip during the prelude to the Summit were the Pakistani assurances of not raising the issue of Kashmir at the forum in order to give impetus to peace. Commenting on the differences in interpretation of the definition of terrorism, Pakistan's Foreign Secretary, Riaz Khokhar said: "While we are mindful of our obligations of combating terrorism in all its forms and manifestations, we will not compromise on our vital national interests." Adding further: "We are not in the business of building bridges if there is a gap (in the definition of terrorism), all are welcome to keep their own interpretations on the subject."⁷ Both the countries need to deal with the issue of terrorism jointly because the attacks on Musharraf are a clear indicator that Pakistan too is a victim of terrorism. Unless there is peace, there cannot be economic development. It is important to briefly mention that Sri Lanka's initiative to reach a consensus on the Additional Protocol on Terrorism on May 6, 2003, stumbled due to the Indo-Pak differences on terrorism. The problem, quite clearly, lies in the interpretation of terrorism according to the national interest of the country.

Though the Additional Protocol to the SAARC Convention on Terrorism has been added, it would be difficult to implement especially in the Indo-Pak context. In the South Asian context, the member-states have accused each other of being involved in acts of terrorism in each other's country. Some media reports suggest that the SAARC countries would endeavour to make their domestic laws compatible with the Convention on Terrorism. But the challenge lies in the interpretation of the Convention by member-countries. If terrorists of one country were adjudged as freedom fighters in another, even having laws congruous with the SAARC Convention would not lead to any solution. It is obvious that Pakistan had its own compulsions in agreeing to the Additional Protocol. There were various indications from Western countries that pressurised Pakistan to take measures to deal with the issue of religious militancy and cross-border terrorism.⁸ At the same time, it is important to mention that the Additional Protocol will hardly add any new dimension to Indo-Pak relations. Both the countries already have terrorism and drug trafficking among the eight identified issues in the composite dialogue.

Economic Issues

Introducing free trade under SAARC has been on the agenda for a few years now but no concrete step has been taken due to individual differences among the member-countries. Initially, Pakistan was reluctant to concede free trade area concessions to India until the Kashmir issue was settled. Multilateral attempts to

establish free trade have again been subjected to Indo-Pak differences. According to Riaz Khokhar, a clear distinction needs to be made between bilateral and multilateral relations on the issue of free trade. This is one of the reasons why products are largely smuggled and re-routed through third countries, and the potential of bilateral trade between India and Pakistan is yet to be realised. In spite of two reports submitted by the Karachi Chamber of Commerce and Industry and the Ministry of Commerce in the mid-1990s - favouring trade with India after reasonable protection to the domestic industries - Pakistan could not take necessary steps due to its Kashmir-centric approach.

Though the SAARC countries have agreed upon free trade areas, tariff concessions need to be structured in such a way that it facilitates the flow of products. However, in the past, tariff concessions, which have been given by various countries of South Asia, are on those products which are not tradeable items between the countries or are on the negative list. Also, Pakistan has been reluctant to restore normal trading relations. It feels that the trade lobby should not dictate Pakistan's policy on Kashmir. Gen. Zia had reportedly said: "I do not want to see the emergence of an Indian lobby in Pakistan". Pakistan's position was evident when the Commerce Ministry took strong exception to an agreement signed between the Lahore Chamber of Commerce and Karachi Chamber of Commerce and Industry with the Punjab Haryana Delhi Chamber of Commerce and Industry (PHDCCI) and warned the business organisations not to interfere in Pakistan's foreign policy by engaging in trade with India.

Tariff reduction continues to be a major issue in the South Asia Free Trade Agreement (SAFTA). However, all the countries have agreed that after SAFTA comes into force in 2006, the developed countries of South Asia will be given seven years to introduce 0-5 per cent tariff reduction whereas the developing countries need to introduce tariff concessions of 0-5 per cent within ten years after SAFTA comes into force. As per the report, each member-country would be allowed to have a list of some sensitive products on which tariff would not be reduced. While this is going to be a major stumbling block for future trade, it does provide adequate breathing space for the member-states to work out better policy guidelines.

Many Pakistani analysts feel that India should take a lead and reduce military spending. Pakistan, which has fought three wars with India, cannot reduce its defence budget unless similar steps are taken by India. Therefore, Pakistan's economic development is linked to India defence spending.⁹ According to another view, the bilateral trading arrangements that India has with its neighbours has

undermined the the South Asia Preferential Trade Agreement (SAPTA), which under Article 11 provides that: “this Agreement shall not apply in relation to preferences already granted or to be granted by any contracting state to other contracting states outside the framework of this Agreement.” Pakistan has always feared that such regional cooperation could result in a gradual one-sided economic dependence of Pakistan and other smaller South Asian neighbours on India.¹⁰ This is an important factor in the context of Pakistan’s reluctance to open up trading relations with India and the geographical proximity that India has with its neighbours. Given the stagnation of SAPTA due to various reasons, India and its neighbours have tried the bilateral route to enhance the existing trading relations. Moreover, SAFTA is going to compliment the existing pattern of economic relations rather than hinder the process of bilateral economic arrangements.

Sub-regional cooperation is one aspect that Pakistan feels has been undertaken to sideline SAARC and perhaps Pakistan. It feels that Article 7 of the Charter, under which the South Asian Growth Quadrangle (SAGQ) is formed, talks of one Action Committee rather than a permanent forum. Moreover, the decision was not unanimous by the member-countries.¹¹ It is important to mention that the smaller neighbours that share both geographical proximity as well as same level of underdevelopment took the initiative for the creation of SAGQ.¹² It was nothing more than mere suspicion on the part of Pakistan that the SAGQ was going to sideline SAARC. However, the members of SAGQ have addressed such apprehensions.

Expectations and Apprehensions

The SAARC agenda excludes discussion on contentious bilateral issues but the forum has provided a suitable meeting ground where leaders have discussed bilateral problems informally. Considering the fact that there are hardly any summit level talks between India and Pakistan, the SAARC forum provides the right ambience for an informal meet, because, any formal summit level meeting only raises expectation and hype without any substantial results. More so, the compulsions of a formal meeting on the sidelines of SAARC will derail the process of regional cooperation since the emphasis will shift from multilateralism to bilateralism. Moreover, other countries of South Asia, which participate in these formal bilateral meetings keeping certain nationalistic goals in mind, would affect the regional setting. Nonetheless, SAARC can offer opportunities for informal bilateral meetings. The SAARC Summit in Islamabad and the visit of the Indian

Prime Minister and later his informal meeting with the Pakistani President and Prime Minister, gave a boost to the peace process.

Pakistan in recent times has repeatedly conveyed its view, urging India to culminate the present peace process by agreeing to a formal bilateral dialogue. As expected some progress took place during the Indian Prime Minister's visit to Islamabad in January to attend the SAARC Summit. Pakistan felt that without a meeting on the sidelines of SAARC, it would not be able to address some of the misgivings with India. There were expectations that both the leaders would be able to exchange pleasantries thus breaking the ice. Though the peace initiatives between the nuclear rivals were already in progress, the SAARC Summit at Islamabad definitely gave momentum, which resulted in a joint statement charting out guidelines for the formal dialogues. It is important to mention here that on earlier occasions, Indian and Pakistani leaders have used the SAARC forum to have meaningful discussions that have led to significant breakthroughs in bilateral relations. For example, in 1985 Rajiv Gandhi and Gen. Zia met during Dhaka SAARC Summit in Dhaka and soon after Gen. Zia visited New Delhi. Then again, Muhammed Khan Junejo's discussions with Rajiv Gandhi in 1986 regarding reports of Indian troop movement during the SAARC Summit in Bangalore led to clearing of the atmosphere of suspicion. After the Islamabad SAARC Summit in 1988, Rajiv Gandhi and Benazir Bhutto signed a few agreements, the most important of which related to refraining from attacking each other's nuclear installations. The ninth SAARC Summit in Male in 1997 also resulted in a bilateral meeting between I. K. Gujral and Nawaz Sharif that was soon followed by the Foreign Secretary level talks leading to the initiation of the composite dialogue process.

During the Islamabad SAARC Summit, India, initially, did not come out openly regarding Prime Minister Vajpayee's meeting with his Pakistani counterpart as well as President Musharraf. However, the presence of the National Security Adviser, Brajesh Mishra in Islamabad, was indicative of the fact that the 'courtesy meeting' would be more than just a routine one between the two leaders. Though there eventually was a meeting between Vajpayee and Musharraf, India did not want to publicise it. However, a joint statement that appeared at the end of the meeting did reveal that India and Pakistan have in fact taken a decision to initiate a formal dialogue. "Prime Minister Vajpayee said that in order to take forward and sustain the dialogue process, violence, hostility and terrorism must be prevented. President Musharraf reassured Prime Minister Vajpayee that he would not permit any territory under Pakistan's control to be used to support terrorism in any manner".¹³ Both the countries did well not to publicise the Musharraf-Vajpayee

meeting and the bilateral dialogues. If the past is any indicator, the Agra Summit failed since everything was done under the media glare, which raised not only expectations but also created apprehensions. To quote the former External Affairs Minister of India: "There is an assurance. There is a certain situation on the ground. And we are proceeding on the basis of the assurance and the ground situation as we see it."¹⁴

The Islamabad meeting was significant in more ways than one. India and Pakistan realised that they should not be engaged in a mudslinging match. Both the countries also thought it to be prudent not to criticise each other in the media. As a lesson, perhaps learnt from the past, both sides did not divulge much to the media and the entire hype regarding the meeting was played down. This helped in checking unnecessary expectations, which would have pressurised both the governments to stick to their traditional stands. Currently, the composite bilateral dialogue is in progress and both sides are hopeful. Unlike in the past, both sides have been restrained in airing their views on the progress of the dialogue. Both sides are exhibiting optimism but at the same time have acknowledged difficulties in making instant progress given the complexity of the issue.

Musharraf's statement, in one of his interviews to *Reuters*, indicates a change in the Pakistani mindset as far as the Indian position is concerned. Musharraf said: "We are for the United Nations Security Council resolution, whatever that stands for. However, now we have left that aside." This has generated considerable hope and could be interpreted as a realisation of a need to move away from the traditional stand. It is for the first time that such a statement has come from the President, who is also the Army chief. The fact of the matter is that the UN resolutions have become obsolete; except for the Pakistani government, many countries including the UN Secretary General had talked of its irrelevance in the past.

It is interesting to note some significant changes in Pakistan's policy-making circle, particularly the powerful national security advisers. According to a report, the current set of advisers to Gen. Musharraf on Indo-Pak relations are different from those who played an important role during the Agra Summit. A media report, quoting the official source, said that during the last peace initiative with India in 2001, Chief of the ISI Lt Gen Mahmoud Ahmed, Lt Gen Aziz Khan, Lt Gen Muzaffer Usmani and Lt Gen Ghulam Ahmed heavily influenced policy formulation of the Pakistan Army on Kashmir. The present Vice Chief of Army Staff Gen Mohammad Yusuf, who was then serving the GHQ as Chief of General Staff (CGS), and played an important role in advising Gen. Musharraf on his India visit, is considered a moderate. Currently, four Generals play a significant role. They

are Lt Gen Hamid Javed, an armoured corps officer, Chief of the ISI, Lt Gen. Ehsanul Haq, present Chief of General Staff Lt Gen. Tariq Majeed and the present Corps Commander of Lahore, Lt Gen Ashfaq Kiyani. Both Lt Gen Majeed and Lt. Gen Kiyani have been DGMI and DGMO.¹⁵ The report, quoting a senior official, said: “The present policy- makers of the Army are the people who observed and examined the impact of post-9/11 events on Pakistan from the front seat, yet they know their limitations because only a very honourable solution with India can be sold to the people of Pakistan”.¹⁶ How far it will be able to sustain the current tempo is subject to both internal and international political developments. A resolute public opinion needs to be cultivated by both the countries in order to arrive at an amicable give and take position.

Talk the Peace Talk, Walk the Peace Walk

The current bilateral meetings held in Islamabad and New Delhi augur well for the two countries. As reported, the talks have been ‘satisfactory’ and both the parties agreed to a broader time frame to resolve various issues. Both the countries were extremely cautious in divulging details regarding the talks and took utmost care to respect each other’s sensitivities regarding various issues. Whether this is a sign of maturity or not only time will tell. In democracies, the people’s right to information is most important. In the case of Indo-Pak talks, given the emotions involved, the parties, therefore, need to take utmost care while divulging the details to the public. In the past decade, if bilateral relations are any indication, each time public pronouncements are made by the leaders of both the countries, reiteration of their age-old nationalistic policies have derailed the peace process.

The erstwhile National Democratic Alliance (NDA) government had initiated talks with the Hurriyat Conference, though currently it is stalled due to change of government at the Centre. Division in the Hurriyat has further complicated the dialogue process. The peace process seems to be moving in a positive direction. This is evident from both the countries agreeing to initiate dialogue for reopening the Muzaffarabad-Srinagar road, the Munabao-Khakarapar road and introducing ferry services. However, internal developments like arriving at an understanding with the Kashmiri separatist groups, and its ability to address the Kashmir problem internally would impinge on the Indo-Pak dialogue especially on Kashmir. However, other issues need not be held hostage to the Kashmir issue. To achieve this, mistrust and suspicion regarding each other’s intentions need to be removed. While cultural exchanges help to strengthen the bond between the people of the two countries, there is a need to invest in the goodwill generated through people-to-people contact

in resolving complex problems. The SAARC process can contribute to the emergence of a South Asian community.

Until now, the SAARC has largely been a government initiative. Its failure and success has a bearing on the regional political temperature. There is a need, therefore, to involve people through NGOs and civil society groups. Hopefully, it will go a long way in building bonds that are deep-rooted and some of these benefits would help India and Pakistan to resolve their intractable bilateral problems.

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