

# Momentous decisions

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SOME aspects of the Saarc summit and its decisions with regard to the setting up of the Safta (South Asia Free Trade Area) have been discussed in an earlier article in this space. There were, however, two other noteworthy agreements.

The finalization of the social charter with its emphasis on poverty alleviation in the region was really a statement of the intent of the member countries to share their experiences in poverty alleviation. Prime Minister Vajpayee gave it a concrete regional cooperation dimension by proposing a regional fund and offering an initial contribution of \$100 million which he said could be spent on poverty alleviation projects in all Saarc countries other than India.

No further details on this fund have yet been publicly revealed and one presumes that there will be further discussions on what each country may wish to contribute and what the modality for approving fund-financed projects would be.

The additional protocol on terrorism was essentially designed to ensure support to the regional cooperation to interdict the financing of terrorist activities and drew largely on the resolution the UN had adopted on the subject.

Both these agreements were noteworthy not only because of the forward momentum they created for regional cooperation but because, combined with the Safta agreement they created the positive ambience for the most notable achievement of the Islamabad meeting namely the bilateral agreement between India and Pakistan. This was clearly the high point of the summit meeting.

It seems fairly certain that quite reasonable behind-the-scenes diplomacy had preceded the convening of the summit and the carefully crafted bilateral meetings. Both sides used special emissaries — Brijesh Mishra, Prime minister Vajpayee's adviser on foreign affairs on the Indian side, and Tariq Aziz, the principal secretary to President Musharraf and secretary of the National Security Council, and Lt. Gen. Hamid Jawaid from the president's office on the Pakistan side. While the negotiations by the two sides were said to have been intense, the agreement was finally clinched only when Vajpayee and Musharraf in a brief telephonic conversation endorsed the work their aides had done.

President Musharraf termed the agree-

tence — "The two leaders are confident that the resumption of the composite dialogue will lead to peaceful settlement of all bilateral issues, including Jammu and Kashmir, to the satisfaction of both sides". Much has been made by commentators in both countries on the meaning of the phrase "to the satisfaction of both sides" with many expressing the belief that this meant that in arriving at a solution of the Kashmir dispute the wishes of the Kashmiri people would or could be ignored. Others have suggested that this terminology has, in effect, meant the acceptance of the Indian view that Kashmir is to be settled bilaterally and that Pakistan has closed the door on the possibility of third party intervention to help settle this problem.

One finds it difficult to accept this line of reasoning. A composite dialogue between two parties can only result in an agreement between the two sides because in every such dialogue there is the implication that what is conceded on one issue may be compensated for by a gain on another issue. It would, however, be doing Pakistani negotiators an injustice

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As regards the so-called closure of the option of a third party intervention there is certainly nothing in the joint statement that supports this interpretation. Realistically, however, one must recognize that currently and for the foreseeable future there seems to be little prospect of any third party being willing to offer its services in the face of Indian opposition.

What should be of greater interest in this context is the forthcoming dialogue on January 22 between the Indian government represented by deputy prime minister Advani and the APHC faction led by Maulana Abbas Ansari and including Mir Waiz Omar Farooq. The Ansari-led faction of

euphoria in both countries about this breakthrough agreement. This is justified. It will ensure that steps to restore and even expand the communications links that existed in December '01 will now move forward. An agreement on augmenting the staff strength of the diplomatic missions has already been announced. It falls short of the number that existed in Dec '01 but even so there will be some easing of the current problem of handling visa seekers for the increased communication links that are being envisaged. Pakistan has also proposed dates in March for meetings to work out the logistics for bus service on the Srinagar-Muzaffarabad and Khokrapar-Munabao routes.

On the more substantive issue of the resumption of the composite dialogue, Foreign ministers Kasuri and Sinha have exchanged telephone calls presumably to discuss and agree upon the level at which the talks will be held sometimes in February. If past precedent is any guide, the talks should be held at the foreign secretary level on Kashmir and on security issues including the question of nuclear risk reduction and on evolving a regime of restraint in the further development of nuclear and conventional arms. The other subjects — such as Siachen, Sir Creek, Wullar Barrage, facilitating people-to-people contact and trade — could be taken up by the secretaries of the technical ministries concerned.

At this time it is not clear whether the Indians are ready for talks even at this level. More importantly, however, the Indians are now preparing for elections and it is expected that Vajpayee will, after securing adoption of a provisional budget, dissolve the Lok Sabha sometimes in February and request the Indian election commission, which has the final say in the matter, to fix dates in April for national elections. It may well be argued that while talks can be held, no agreements can be finalized by a government which by that time will have a "caretaker" status.

I am not sure if it would be to the advantage of either the future of Indo-Pak relations or even the electoral fortunes of Prime Minister Vajpayee. There is an expectation in both countries that the Islamabad agreement will be built on quickly. This would be particularly important perhaps in Pakistan where it seems that the government has finally decided to take resolute action to crack down on the extremist elements. The unrest that is bound to come as resistance is offered would be more easily handled if

their aides had done.

President Musharraf termed the agreement a "historic leap forward" and a victory for all peace-loving people of India and Pakistan as well as the people of Kashmir. Brijesh Mishra, speaking a little earlier, expressed the same sentiment saying: "Don't look at the document for victory of one side or the other. It is a victory for all, a victory of peace and security for the people of South Asia."

Professional diplomats, particularly on the Pakistan side, may cavil and point rightly to gaps that they would have liked filled but the fact is that in the given circumstances it was probably the best result that either side could have hoped for. The Pakistanis got a commitment from India for the resumption of the dialogue and India got, in a bilateral context, a reiteration of a pledge made internationally by President Musharraf not to allow the use of Pakistani controlled territory to "support terrorism in any manner".

It broke the logjam created by the Indian insistence that the resumption of the dialogue would have to wait on the complete cessation of cross-border infiltration and the dismantling of the "structure of terrorism" and the Pakistani insistence, as understood by the Indians, that the resolution of every Indo-Pakistan issue would depend on the resolution of the Kashmir issue.

The joint statement has been subject to considerable analysis particularly the sen-

Maulana Abbas Ansari and including Mir Waiz Omar Farooq. The Ansari-led faction of the APHC is not regarded as representative of the sentiments of the Kashmiris. It is suggested that Gilani, the leader of the other APHC faction enjoys greater popular support (Gilani's position is that the talks should be tripartite between India, Pakistan and the Kashmiris)

There is talk that before January 22, Ansari will try and meet Gilani and other Kashmiri groups to evolve a consensus for the talks with the Indians. There is little prospect that Gilani will respond positively to the Ansari call for evolving a consensus but the position in the Kashmir Valley being what it is, it is unlikely that Ansari and his group will stray much from the position that Gilani himself would advocate.

This is the context of Maulana Ansari's recent assertion that while they were going ahead with the meeting on January 22, they would insist that in the second phase they should be allowed to visit Pakistan "to take the Kashmiri and militant leadership across the Line of Control into confidence", and that in case permission was refused they would withdraw from the talks.

Some idea of what the Kashmiris hope will be done to satisfy their aspirations will probably be available after this first round of talks has been held.

Doubts on the Kashmir question notwithstanding there has been a great deal of

unrest that is bound to come as resistance is offered would be more easily handled if there were positive developments on the Indo-Pakistan front.

The BJP, if statements by party leaders are a good guide, intends to capitalize, in its election campaign, on the breakthrough in relations with Pakistan as much as on the "feel good" factor engendered by the growth in the Indian economy. There would naturally be an added benefit if further progress is made in the Indo-Pakistan dialogue.

Though not formalized, agreements already exist on the demilitarization of Siachen, and the demarcation of the land boundary in the Sir Creek area. These can be dusted off, formally accepted at the level of officials and, if necessary, made conditional on approval by the Indian government that takes office after the elections.

Similarly agreement can be reached on tripartite or quadripartite talks on the gas pipelines from Iran and Turkmenistan traversing Pakistani or Pakistani and Afghan territory to feed the Indian market.

These things can be done and that there are distinct advantages in doing them at this time. So far, however, nothing has been said at the official level to suggest that this is likely to happen.

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