

## INDO-PAK RELATIONS AFTER 9/11 PEACE PROCESS: A RAY OF HOPE

"Time is a great healer, yester years'  
foes, become good friends"

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### ABSTRACT

*This research paper entitled "Indo-Pak Relations after 9/11 Peace process, a ray of hope" sights on the relations between India & Pakistan in a changing strategic environment. Being unfriendly to each other since their birth in 1947 when British rule ended, the hostility and mistrust between the two has made South Asia a flash point in world affairs.*

*Indeed, the whole scenario of Pakistan's foreign policy has changed after 9/11. In the wake of the changing circumstances, Pakistan has changed its attitude towards New Delhi, especially since the terrorist attack on the Indian Parliament on 30 December 2001. Both the countries are more aware of the fallout of their respective policies and have opted for the new mechanism of a composite dialogue to resolve all the out standing disputes including the core issue of Kashmir through peaceful means. How durable the peace process will be? This paper attempts to come up with some practical suggestions for policy makers of India and Pakistan and highlights Pakistan's sincere efforts to remove the deadlock in the peace process.*

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### Introduction

Contemporary Pakistan is troubled with so many issues including religious turmoil, differences with India on Kashmir and the dispute over water. If the Kashmir problem is resolved, the water problem could also be solved. Kashmir is a lifeline for Pakistan.

Even a cursory glance at Indo-Pak relations since 1947 would suggest that Pakistan has repeatedly tried over the years to settle its disputes with India. But relations between India and

Pakistan have never been friendly. During the independence process, Pakistan had to fight numerous verbal and constitutional battles for years against the British authorities and the Hindu dominated Congress.

After partition, Pakistan entered into a series of important dialouge with India. Liaquat-Nehru, Ayub-Nehru, Bhutto – Indra, Bhutto-Singh, Zia – Rajiv, Benazir – Rajiv, Sharif –Singh and Chander Shekar, Pervez Musharraf – Vajpayee and Pervez Musharraf – Man Mohan Singh. If the talks were suspended it was because India' refused to discuss the Kashmir issue.

As a matter of fact, within the ambit of the India and Pakistan relationship, Kashmir is the central issues and a real stumbling block. USA has insisted Pakistan to be soft on Kashmir and that the two countries should work for confidence building by concentrating on other issues like the Indus water problem, the gas pipeline, Baglihar project, trade etc.

This was not a new approach. The US has somewhat successfully employed this strategy in Palestine and wants to repeat it in Kashmir. In fact, the approach is not new for either Pakistan or India. The 1966 Tashkent agreement and later the Simla agreement of 1972 witness to facts. These "Masterpiece" agreements could not break the ice in Pakistan – India relations. The world community now realized that the genuine and lasting peace in South Asia will come only through the elimination of the root cause of instability and conflict in the region.

True enough that the historical, cultural and geographical ties are such that they do not allow them to disregard each other, but their organizing principles pose a permanent threat to each other, a threat amplified by the fact that both countries are politically vulnerable.<sup>1</sup> It is pointed out that if the problem of Kashmir is settled to the satisfaction of both the countries, there will not be much tug of war between two countries. It is the Kashmir dispute, which creates special bitterness in the bilateral relations. In Pakistan's view, Kashmir is a test case for resisting what it perceived as India's hegemonic ambitions. In fact, Kashmir has always been viewed as an integral part of the Pakistan scheme: its initial letter "K" forming part of the name chosen for the new

country<sup>2</sup> From the beginning, India was not prepared to recognize Kashmir as a part of Pakistan and that the majority of people living in Kashmir were Muslims who had a right to choose their own government. Way back in 1949, Hindu leader Patel who was the Chief Lieutenant of Nehru said that:

I agreed the partition as a last resort..... Mr Jinnah did not want a truncated Pakistan but he has to swallow it. I made a further condition that in two months time power should be transferred.<sup>3</sup>

Indeed Akhand Bharat or united India remained the dream of many top Hindu leaders during the early years after independence. They expected that Pakistan would collapse under different burdens. The Hindu extremists argued that Mother India was cut into two pieces and that the pieces should be brought back under United India. A former President of India Kripalani once declared "Neither the Congress nor the nation has given up its claim of United India"<sup>4</sup> On the other side, the Kashmiri leaders' proclaimed:

"Kashmir is a lifeline of Pakistan and, in essence, it was the Kashmiris who were fighting for the longevity of Pakistan. Though India could survive with the current portion of Kashmir that it occupies, the same could not be said about Pakistan. Pakistan needs Kashmir as the entire economy of the region is agrarian and without the availability of water resources emanating from Kashmir, the economy of Pakistan would be in ruins".<sup>5</sup>

### **Motives for moving towards Peace**

Kashmir is now in flames. It is a bone of contention for the two parties. Three Indo-Pak wars since 1948 and the death of over 80,000 lives since late the 1980 have failed to resolve the conflict over Kashmir<sup>6</sup> The nuclear tests conducted by India and Pakistan in May 1998 brought South Asia to a nuclear flash point". The Indian TMD programme<sup>7</sup> complicated the Pakistan's nuclear calculus; both countries were on an unenviable position. Indian role on Kashmir was a hindrance in the way of the intended Indian global politics. That is why for many years the American think tanks, Congressmen and different committees have been taking initiatives and modeling proposals to facilitate the Indian moves. However news from New Delhi indicated that the talks would

continue with Pakistan on different issues. It thus appears necessary that the nation and its leadership is stand aware of all the important aspects of India-Pakistan conflict, which will provide criteria for the success or failure of the negotiation process. Both countries' head of state pledged themselves to normalize the situation and to initiate confidence building measures. The two leaders committed themselves to the road of a "composite dialogue" that will lead to peaceful settlement of bilateral issues, including Jammu & Kashmir to the satisfaction of both sides.

The USA is interested in South Asian affairs as part of its global scheme. South Asia, which is called "the Shatter Belt Zone", was under the shadow of different violence on the eve of 9/11.

On the eve of September 11, 2001 most observers observed that Pakistan's position was weak while the India was flourishing. After the disintegration of the USSR, the USA's attitude towards Pakistan has totally changed. Pakistan faced daunting challenges; its nuclear capability was a big challenge for neighbouring countries and for the US herself. New Delhi would get to enjoy the perceived benefits of being nuclear state, as well as diplomatic kudos for not following its nuclear predecessors down the path of even more threatening nuclear arsenals<sup>8</sup>. The Bush administration continued the policies of President Clinton and would sought to create a comprehensive relations with India. The Bush administration well understood the importance of India in the South Asia region. Washington relations warmed with India, while relations with Pakistan cooled with each passing day. The United States found India useful to build and strengthen US-India alliance and to encourage India as a regional power against China. New links were established in the areas of trade, economy and investment. Doors have been opened to sell sophisticated military hardware and technology in spite of the apparent row over nuclear issues. The US government was also interested in making India a permanent member of UN Security Council.

The whole international scenario was changed when religious fundamentalists who had been rising in South Asia became a driving factor for military hostilities and an escalation of

conflict leading towards nuclear war between two south Asian powers. The western powers' attention had been concentrated since 9/11 on Al-Qaeda in particular, on Islamic religious extremism and Muslim terrorism<sup>9</sup>, named as the war against terrorism.

Islamic fundamentalism is a modern terminology which emerged from the dialectical process of the politicization of religion in opposition to communism during the cold war<sup>10</sup>. The disintegration of the Soviet Union physically altered the map of central Asia with the creation of a whole set of new states in the Caucasus and the Central Asia. The emergence of these states meant that Islam became the dominant religious force in the region.

Since the 1950, the various US agencies had been supporting political Islam in Muslim world against the Socialism, Nasserism and Communism. The same agencies were responsible for encouraging fundamentalism in Pakistan during Afghan Jihad. Islamic fundamentalism was used as weapon by USA in order to win the cold war. The war was won when Soviet Union pulled out from Afghanistan in 1989, Communism collapsed not only in Soviet Union but in all of Eastern Europe as well. The "New World Order", was defined, the same Mujahdeen who were motivated and trained to fight Soviet Union in Afghanistan, turned against America. In mid 2000 the locus of terrorism shifted from west to South Asia<sup>11</sup>

In Bangladesh, a number of trans-national Islamist terrorist groups, including Al Qaeda, had established a presence in alliance with various militant fundamentalist organizations<sup>12</sup>. In Nepal insurgency reached unprecedented levels during late 2001.

In April 1998, Pakistan's missile activities created new difficulties when Pakistan explored series of underground devices in the reply to the earlier Indian nuclear test. The US intelligence community concluded that Pakistan had used North Korean technology to develop medium range missiles. The Pakistan authorities denied a US assertion that the missile was modified version of North Korean "Nodong" - itself a variant of the Soviet Scud<sup>13</sup>. But the United States did not accept the claim and imposed

sanctions against Pakistan. Pakistan's government under Prime Minister Nawaz Sharif faced a difficult choice. Islamabad lost the opportunity to secure major changes in US policy. On June 1998 under the Geneva declaration India and Pakistan were urged to sign the CTBT and were pressurized to take steps to reduce the danger of nuclear war<sup>14</sup>.

Strobe Talbott, a US diplomat held seven rounds of separate talks with Pakistan and India on their nuclear programmes. These meetings were held in Washington in 1998. The US-India talks became central to negotiation as Islamabad held to its traditional stance of accepting nuclear proposals only if India was willing to do so.<sup>15</sup>

### **The establishment of an Indo-Pak hotline to ease the tension**

Pakistan's finances totally collapsed; sanctions sank Pakistan's unstable economy, it was difficult for Pakistan to survive without fresh help from International Monetary Fund (IMF). Same time it was necessary for her to improve relations with neighbouring countries, especially with India, because the nuclear rivalry between the two countries might lead to a disaster in South Asian region. The nuclear experts from fifteen countries gathered in the Hiroshima, western city of Japan. The Prime Minister of Japan, Ryutaro Hashimoto, presided over the conference. In this conference, the experts suggested that by establishing a hotline between the leaders of India and Pakistan, the two countries could improve relations with each other. The Japanese foreign minister, Masahiko Komuro, said that opening a hotline might ease the tension which had been created by their nuclear tests. He further mentioned that the nuclear tests in the two countries showed that the threat of nuclear proliferation remained real. "Now the time has come that both countries solve their disputes under mutual dialogue."<sup>16</sup>

On 23 June 1997, Foreign Secretary level talks started in Islamabad between India and Pakistan. The talks between both countries marked a major stride towards normalizing bilateral relations, each of them addressed basic problems like Jammu-Kashmir, Siachen, drug trafficking and terrorism. They also discussed the border disputes between India and China. Indian

Prime Minister I K Gujral and Pakistan's Prime Minister Nawaz Sharif met at Male, the capital of the Maldives. Both leaders agreed to engage themselves in further discussion according to the Simla agreement.<sup>17</sup> This round of talks was regarded as the practical implementation of the "Gujral Doctrine".<sup>18</sup>

### **The Gujral doctrine**

The Gujral doctrine was initiated by Mr. Inder Kumar Gujral, the Indian Prime Minister was an impressive effort on the part of India to get on better with its South Asian neighbours. The Gujral Doctrine's essence was that, since India is the predominant nation in South Asia, she should be willing to go further than half way in dealing with her smaller neighbours<sup>19</sup>. Inder Kumar Gujral and Nawaz Sharif met again on 22 September 1997 at the UN General assembly's session; both leaders agreed to seek ways to reduce tensions along with the line of control and to extend the hotline network to include army Generals at sector levels, as well as the respective Director Generals of Military Operations<sup>20</sup>. A month after that meeting the Gujral government collapsed and the prospects of improvement in Indo-Pak relations were put aside once again, until a new government came in power.

The new BJP government came in power on March 1998, under A B Vajpayee. Prime Minister Vajpayee's initial signals were positive, in his first address in response to Nawaz Sharif's felicitations he said that the two countries "must not remain mired in the past, prisoners of the contentions, but respond positively and with energy to the call of the future and aspirations of our people, the younger generation, for a more co-operative relationship"<sup>21</sup>. Minister Nawaz Sharif's message and Vajpayee's response appeared to lay the groundwork for a continuation of the bilateral dialogue.<sup>22</sup> In 1970 when Vajpayee had been Foreign Minister in the Janata government, Pakistan had regarded this era as a golden era in relations with India.

The two governments agreed that a direct bus service should be restored between New Delhi and Lahore; this event achieved major symbolic importance. Moreover, when Prime Minister Nawaz Sharif invited Vajpayee to visit Pakistan, Indian Prime Minister accepted the invitation<sup>23</sup>. Vajpayee reached Lahore,

the heart of Punjab, on 21 February 1999. The visit ended with the "Lahore Declaration."

The Lahore Declaration raised hopes that the two countries sobered by the dangerous implications of their decision to become overt nuclear powers, might at last begin a serious effort to reduce tension<sup>24</sup>.

Chances for early progress were set back, however when the BJP government fell on 17 April 1999. Until the general election, the Vajpayee government remained in office as a caretaker government. There was no assurance that the next Indian government would want to continue the process<sup>25</sup>. Relations were proceeding smoothly according to Simla agreement, but a low intensity conflict at the Kargil heights which was not an open war, but which brought both countries to the brink of war, created new mistrust between the two countries.

### **The Kargil Conflict**

In May 1999 an incident occurred in Kargil district on the LOC, the dividing line between Pakistan- and Indian-administered Kashmir<sup>26</sup>. It was not clear when the movement of armed men towards Kargil began, nor it is clear who the men were, but New Delhi blamed Pakistan. It claimed that a large number of insurgents with Pakistani support has crossed the line of control into the far north of Kashmir to occupy a position on the 15,000 feet mountain peaks near the town of Kargil, dominating the sole road link between Srinagar, the state's capital city, and Ladakh, the state's north-most area<sup>27</sup>. New Delhi reacted forcefully, employing air power and mounting a substantial counter-attack. President Clinton phoned Nawaz Sharif persuading him to withdraw the Pakistan forces back from their advanced positions<sup>28</sup>. A large scale military operation over two months was carried out by Indian forces around the LOC, resulting in a sizeable number of casualties, including 25 officers.

Prime Ministers Nawaz Sharif and Vajpayee spoke on the telephone several times in the early weeks of the crisis, Vajpayee essentially telling Sharif that India would do whatever was necessary to drive the intruders back across the LOC<sup>29</sup>. The Indian Foreign Minister Jaswant Singh met the US Deputy Secretary of

State who agreed to take a firm stand against Pakistan. In return India pledged not to cross the LOC or otherwise escalate the fighting<sup>30</sup>. After some reckless brinkmanship on both sides, Pakistan had succeeded in bringing Kashmir back to the diplomatic chessboard<sup>31</sup>.

The war like situation ended when Prime Minister Nawaz Sharif announced the pullout of the army and the start of a fresh series of talks with India and blamed Muslim militants and some elements in the army for the Kargil action. The general impression was that Nawaz Sharif had bowed under US pressure; the Pakistan army became unhappy when he ordered a stop to the Kargil operation and blamed the military for initiating it.

It was a common opinion that the Kargil war was the victory of Kashmiri Mujahdeen, who had proved that they were in a dominant position. Right-wing supporters of the Mujahdeen denounced the agreement as a "sell out" to Americans. Various political parties criticised the government for having approved a risky military operation without considering the broader political consequences.<sup>32</sup>

Events came to a head on 12 October 1999 when Nawaz Sharif attempted to dismiss General Musharraf, the chief of staff of the army, who replied by mounting a successful coup. The military was in charge of Pakistan for fourth time in the country's fifty-two years of independence.

Washington imposed additional sanctions that were legally required as a result of the overthrow of a democratically elected government. Pakistan was already under severe sanctions because of the operation of the Pressler amendment after the 1998 nuclear tests.<sup>33</sup>

For the new regime, the re-opening of negotiations with India was not any easy task, particularly over the Kashmir issue. Negotiations restarted in July 2001, when General Musharraf visited India for a landmark Agra Summit. Discussions over bilateral relations were held with much more optimistic approach by the Pakistani government. The Vajpayee government, which had returned to power after winning the fall 1999 elections, welcomed Pervez Musharraf, because Musharraf indicated that

Pakistan would benefit by lowering the temperature on Kashmir, by controlling on terrorist groups, by pressuring the Taleban, by talks with India and by seeking compliance where possible with non-proliferation measures<sup>34</sup>.

### The Agra Summit

Talks held in Agra from 15 July to 17 July 2001. It was the first summit between the two countries for more than two years. The Agra summit was an attempt to restart the bilateral discussions especially after Kargil war. According to UN chief Kofi Annan, the Agra Summit was potentially a prelude towards more peaceful relations between the two powers.

The Agra summit marked a real step towards thawing of relations between the two countries. India and Pakistan looked forward to starting a composite dialogue under different 'baskets' which included contentious and bilateral issues such as Kashmir, the Wullar Barrage, Sir Creek, Siachen Glacier, trade, cultural ties and the sharing of river waters. Lal Kishan Advani, the Indian Home Minister, claims in his book *My Country, My Life*, that the outcome of the Agra Summit was 'a huge PR disaster for the NDA government'. Musharraf's televised breakfast meeting with Indian editors, 'blasting India's position on cross-border terrorism and Jammu and Kashmir ensured the collapse of the summit in acrimony and mutual blame-game'. The aftermath of Agra summit was that the atmosphere deteriorated with pointedly publicized border skirmishes or personae non-grata declarations of diplomats,<sup>35</sup>.

The terrorist attack on the Indian parliament in December 2001 served to infuse tension between both countries. The Indian government blamed Pakistani militant groups for the attack and the Indian Home Minister Advani requested the President of Pakistan to take action against Harkat-ul-Jiha-al-Islami, Lashkar-e-Taiba, Jaish-e-Mohammed and other militant groups.

India moved its forces to the border where they remained for over a year. General Pervez Musharraf strongly condemned the attacks on the Indian parliament and said, "If the Indian government provide any proof of involvement of any group in the

attacks on Indian parliament he would take action against that group"<sup>36</sup>.

Whereas India seeks to formalise the line of control (LOC) in Kashmir as the legal international border, Pakistan rejects this course of action as a viable means of dispute resolution.<sup>37</sup> India understands that the resolution of the conflict is necessary to achieve its ultimate goal of becoming an important global power. Pakistan's President General Pervez Musharraf stated to Vajpayee.

If we want to normalize relations between Pakistan and India and bring harmony to the region, the Kashmir dispute will have to resolve peacefully through dialogue on the basis of the aspirations of Kashmiri people. Solving the Kashmir issue is the joint responsibility of our two countries...<sup>38</sup>

Prime Minister Vajpayee's base of support was among Hindu nationalists, who historically advocated the goal of "Akhand Bharat" or greater India that includes Pakistan. How could the proponents of such views resolve the Kashmir issue? It is their popular slogan that "India is a bouquet and Kashmir is the rose in bouquet"<sup>39</sup>.

From the first day of independence until the current peace process, the policies of the Indian state have been crucial to the eruption, spread, decline and renewal of insurgency, its role has been crucial to both the shaping of the internal conflict and its radicalisation and trans-nationalisation towards Pakistan<sup>40</sup>.

After more than thirteen years of unrelenting violence and gun culture evoked revolution among the vast majority of the people in Jammu and Kashmir. This armed conflict has not only resulted in terrible human loss and suffering but also a deeply adverse impact on infrastructure and the environment of the countries which are basic to the quality of life<sup>41</sup>.

## **Track II Diplomacy**

The 9/11 attacks opened a new episode for Pak-American collaboration when Musharraf committed Pakistan to support the US-led war against terrorism. Washington now seemed to be welcoming Musharraf as a full-fledged and highly esteemed partner in the international coalition against terrorism. The Bush administration lifted the sanctions against Pakistan, pledged to

provide generous assistance and helped Pakistan renegotiate its debt obligations<sup>42</sup>. Furthermore Pakistan also obtained economic assistance from the IMF, the World Bank and the Asian Development Bank for various projects, including poverty reduction, education, health etc. According to the *Hindustan Times*, "this is like revisiting the nightmare"<sup>43</sup>. The improved relations between Pakistan and US enabled Pakistan government to convince the Bush administration that it was not involved in any government-authorized transfer of nuclear equipment and technology and that Dr A. Q. Khan had acted in his own right.

As part of the global drive against terrorism, Pakistan was pressurized to ban the Jihadi militants. When the United States declared that Kashmiri militant groups Jaish-e-Muhammad and Lashar-e-Taiba were terrorist organizations, Pakistan was required to freeze their bank accounts. Before 9/11 in June 2001 the president of Pakistan addressed a religious conference at which he said "Islam is a vibrant and forward looking, but more than that we claim it is most tolerant of all faiths. How does the world judge our claims? It looks upon us as terrorists"<sup>44</sup>. After 9/11 Pakistan had no choice but to change track in its policy, firstly by co-operating and collaborating with the US in the war on terrorism without any ambiguity or reservation and secondly by normalizing the relationship with India and seeking a resolution of disputes through dialogue<sup>45</sup>. The people of Pakistan did not appreciate this collaboration because the American administrations persuade what were seen as anti-Muslim policies. US policies on counter terrorism placed the blame for terrorist attacks in the USA on 'Islamic extremism'<sup>46</sup>.

US policy towards India was a potential source of friction, since the US restored high-level defence contracts with New Delhi and considered it a diplomatic revolution in military-to-military relations between the two countries<sup>47</sup>. The terrorist attacks changed the context of the USA-Indian partnership. Pakistan's U-turn policy created a new phenomenon in South Asian diplomacy. The US declared Pakistan a Major Non-NATO Ally (MNNA) and a partner in the war against terrorism. China having considerably improved its economic relations with the USA, it has been

concentrating on modernizing rapidly and building its Comprehensive National Power (CNP)<sup>48</sup>.

Pakistan and India have been engaged in an arms race for the last fifty-eight years, when India signed a contract to buy one million dollars military radar systems from Israel, Pakistan armed forces were reviewing their request to secure US-made F-16 jets<sup>49</sup>. Because of President Musharraf's "Track II Diplomacy", a robust peace between India and Pakistan could transform Pakistan's relations with the US, its foreign assistance prospects, and its foreign relation opportunities<sup>50</sup>.

Russia's decades-long relations with India set limits on Moscow's ties to Islamabad. Apprehensive that Pakistan would soften Russia's opposition to the Taliban, India sent its Foreign Secretary to Moscow in early September 2003, to discuss the Kashmir issue. Russia refused its support for the Kashmir issue, much to Pakistan's dismay<sup>51</sup>. Pakistan proposed Most Favourite Nation (MFN) status for India in the civil aviation sector. President Musharraf also invited Prime Minister Vajpayee to visit Pakistan and proposed that both sides should restart talks from where they had left off at the Agra summit and work out an agenda for a tiered dialogue<sup>52</sup>.

### **Pakistan's Role in Maintaining Bilateral Relations, 2002-4**

Pakistan has always taken tentative steps towards improving the bilateral relations with India. The 'nuclear optimists' believe that the possession of nuclear weapons must eventually lead to cooperation between the two countries to prevent open conflict<sup>53</sup>.

But there were also domestic considerations prompting Pakistan to seek to resume negotiations: the Musharraf government began to fear that the Jihadi groups might be turning against his regime<sup>54</sup>. Events moved fairly fast after 2003, when India announced under the Vajpayee government a resumption of the bus service between New Delhi and Lahore. Advantage was taken of the SAARC meeting in Islamabad in January 2004, which also allowed the first talks between Indo-Pak governments since the Agra summit<sup>55</sup>. The air link between India and Pakistan resumed<sup>56</sup>. India and Pakistan exchanged lists of their nuclear installations and

facilities. 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. Both countries discussed the 450MW power project on the Chenab River in Baglihar<sup>57</sup>. The Chenab formula had already been discussed in 1999 at the time of former Prime Minister Nawaz Sharif. According to this formula, rivers hold "the key to future conflict", meaning that rivers should be used as the basis for solving conflict between India and Pakistan, including the issue of Jammu and Kashmir. It was suggested that the Chenab river used as the border. This suggestion was already proposed in the year 1960 by Pakistan's Foreign Minister at that time, Zulfikar Ali Bhutto<sup>58</sup>. But the idea was rejected by his Indian counterpart, Sarwan Singh. The proposal remained in cold storage until 1999. In the famous Lahore meeting, Indian Prime Minister Atal Behari Vajpayee and his counterpart Nawaz Sharif suddenly revived that proposal with the hope of the peace in the region.

On 17-18 February 2004, both countries reached on a broad understanding on the modalities and time frame for commencing a composite dialogue<sup>59</sup>. On 28 July, the Foreign Secretaries of two countries hold talks on peace and security, including drug trafficking, smuggling and other issues such as:

- Wullar Barrage
- Siachen Glacier
- Sir Creek
- Economic and commercial cooperation
- Friendly exchanges in various fields

These disputes between India and Pakistan had often in the past been consigned to the domain of discussions devoted to Confidence Building Measures (CBMs)<sup>60</sup>.

### **Time to Break from the Past**

If history is any guide, the likelihood that the peace process will break down is high, and the probability of a meaningful result is quite dim. Observers generally agreed that both India and Pakistan were confronting several internal political changes during

this initial period of rapprochement, and the commencement of this process reflected both countries' internal political dynamics.

The whole outlook has changed when, on 13 May 2004, the Congress party won a surprise victory in Indian general election, and India's former finance minister Manmohan Singh was sworn in as India's new Prime Minister. On 23 May 2004, Pakistani President General Pervez Musharraf telephoned Dr Manmohan and congratulated him and expressed his desire for the continuation of the peace process<sup>61</sup>. Both countries renewed the ban on nuclear weapons tests and setup of hotline to alert each other on potential nuclear risks<sup>62</sup>.

The President of Pakistan and the Indian Prime Minister discussed options to solve the Kashmir dispute. The leaders of two governments hold meeting in New York in September 2004, and announced the future strategies. November 2004 saw a first ever withdrawal of some of the Indian troops from Jammu & Kashmir<sup>63</sup>. Both leaders agreed that confidence-building measures (CBMs) between the two countries should be implemented, keeping in mind practical possibilities. The possibility of gas pipeline via Pakistan to India was discussed along with various other proposals. Some of these confidence buildings measure are listed below:

- *Engaging Kashmiris in the Peace Process*

On both sides of the line of control contact with Kashmiris are expanding as the result of the resumption of the bus service. Many families on both sides of the LOC have been separated for decades. Provision of such service may make the movement within disputed territory more feasible, facilitate the reunion of the families and may even encourage marital and other family alliances across the LOC.

- *Expanding people to people relations between India and Pakistan*

People to people contacts should be expanded and the reunion of families scattered across India and Pakistan should be encouraged. The India and Pakistan governments have decided to ease the obtaining of visas and to facilitate travel between the two states. People to people contacts should be expanded in the area of educational exchange.

- *Expanding Markets to Build Confidence*

On 23 February 2005, the India-Pakistan Joint Study Group (JSG) meeting was held in New Delhi where India's Commerce Secretary

and Pakistan's Commerce Secretary discussed Trade and Economic Cooperation. The two sides identified issues relating to the bilateral trade and economic cooperation<sup>64</sup>.

- *Pipelines for Peace Process*

The proposed natural gas pipeline through Iran, Pakistan and India is likely to foster confidence between India and Pakistan. However, the India-Iran gas pipeline will have to be considered as a part of wider economic cooperation between New Delhi and Islamabad. It should form a part of wider trade and business relationship and MFN encompasses<sup>65</sup>.

- *Discussion on Bilateral Interests*

The two leaders decided and agreed to engage bilateral confidence building on security concepts, and nuclear doctrine with a view to developing measures for confidence-building in the nuclear and conventional fields, aimed at the avoidance of conflicts. The leaders agreed to continue discussions in a sincere, purposeful and forward looking manners for permanent resolution.

- *Involving Kashmir in the South Asian Trade Agreement*

It was proposed that Kashmir be thoroughly integrated into the South Asian Free Trade Agreement, bringing economic benefits to all three parties. Economic integration would require a massive infrastructure project (e.g. roads, lines of communication, fuel and transport), integration of electrical grids, and possibly even a reworking for the Indus Water Treaty, which governs bilateral water sharing from the Basin of Indian Rivers. It is thought that this project could create constituencies for normalization while deferring some questions of Kashmir's ultimate disposition<sup>66</sup>.

- *Reducing malice*

India and Pakistan should try to dampen "malice" by government agencies and the media. Forging respective national identities based on a cooperative future rather than a conflictual past would carry advantages for both India and Pakistan.

- *Nuclear Risk Reduction*

Nuclear risk reduction measures must be introduced, given the possibility of accidental and deliberate use. Such measures might include a Nuclear Risk Reduction Organization (NRRO) that could provide instant communication to prevent unintended escalation and help to build trust in nuclear conflict resolution<sup>67</sup>.

- *Diplomatic Exchange Program*

India and Pakistan should resume diplomatic exchanges to complete and implement promising steps in a memorandum of understanding (MOU).

- *Implementation on CBMs*

Both heads of states agreed on the implementation of the existing confidence building measures (CBMs) and where necessary to setup appropriate consultative mechanism to monitor and ensure effective implementation of these CBMs<sup>68</sup>.

The Foreign Ministers of India and Pakistan met three times on the sidelines of a multilateral conference. The meeting provided fresh confirmation that the Indo-Pak composite dialogue process was underway, even if the pace appeared to be slow. After 26 July, Indian and Pakistani officials and experts met to discuss on the Wullar Barrage, Tulbul Navigation Project, the sharing of river waters and economic and commercial cooperation. The Baglihar project, Siachen issue, Sir Creek, drug trafficking issues and Kashmir were on the top of the dialogue agenda<sup>69</sup>.

Both the nations agreed:

- To set up monitoring centres with permanently managed hotlines between the two national command line authorities for Nuclear Risk Reduction.
- To exchange and discuss nuclear doctrine to build confidence. They pledged that they would not allow terrorism to impede the peace process<sup>70</sup>.

### **Pakistan's sincere efforts to remove Deadlock**

On 23 November 2004, Pakistan's Prime Minister Shaukat Aziz visited India as the chairperson of SAARC. Prime Minister Aziz held talks with leaders of All Parties Hurriyat Conference (APHC) in New Delhi. During a chilly winter night Shaukat Aziz and the APHC leaders remained locked in discussion for almost five hours on the Kashmir issue<sup>71</sup>. On the second day, Prime Minister Aziz met the Chief Minister of Jammu & Kashmir Mufti Saeed and Kashmiri ruling peoples' Democratic Party's President Ms Mehbooba Mufti. There were adverse comments in the Indian media about the discussions. Mr Shaukat Aziz met Harkishan Singh Surjeet, head of the Communist Party of India (CPI-M). Mr Aziz's visit to India was a sustainable improvement in Indo-Pak

relations. He stated that dialogue must move in tandem, and that 'cherry picking' was not the right way forward.

He made it clear that Indian demands for MFN status and reverse transit were out for the moment and were linked to progress on Kashmir. He emphasized that the Kashmiris were the third important stakeholders in the Kashmir dispute and could not be wished away, underlining the need to involve them in dialogue process<sup>72</sup>.

President Musharraf visited India on 16 – 18 April 2005 soon after the first bus ran successfully between Srinagar and Muzafferabad. The visit raised the level of expectations in the minds of the peaceniks in the both countries. President Musharraf's visit to New Delhi proved to be a landmark in the Indo-Pak peace process, because he brought a freshness of approach and displayed remarkable honesty and sincerity of purpose. President Musharraf showed a deep understanding of world affairs, a sensibility towards peoples' feelings and a healthy sense of humour. Pervez Musharraf is a person who spurred the peace process and made the ground smooth for India to give up its reservations on the K – word and to proceed in discussions<sup>73</sup>. He said in his meeting with the Indian delegation that Kashmir is a complicated issue and needed a balanced approach and understanding. He said Kashmir issue could not be resolved through a rigid approach. Both heads of states agreed to re-establish the Khokhraper – Munnabao route by January 2006, and also agreed that the consulates of the two countries in Mumbai and Karachi would open before the end of the year<sup>74</sup>. They leaders declared that the peace process was now 'irreversible'. Both leaders agreed that their ministers for Petroleum and Natural Gas would meet in May 2005 to explore cooperation in the sector, including the issues of pipelines. They also agreed that the Joint Business Council should meet soon<sup>75</sup>.

From May to July 2005 different meetings were held on the soil of Pakistan and India, and the Memorandum of Understanding (MoU) on the establishment of communication links, and DGMO (Director General Military Operations) hotline to facilitate direct communication between both countries have been discussed. On 8 June 2005, President Musharraf met Kashmiri leaders from the AHPC to discuss the Kashmir dispute<sup>76</sup>. President Musharraf gave

them assurances that he was hopeful of a relatively rapid resolution of the Kashmir dispute with India<sup>77</sup>. Pakistan and Iran agreed a gas pipeline project, both countries' experts meeting on 7 July 2005 and signing a Memorandum of Understanding on the issue. The two countries decided that India would be involved in all Ministerial or Secretarial level talks on the project<sup>78</sup>.

In the meeting of the South Asian parliamentarians in Islamabad, which was held on 20 May 2005, President Musharraf stated that the solution to the dispute over Kashmir is within the grasp of Pak-India leadership. According to him the two leaders must grasp fleeting moments.

### **Earthquake Diplomacy**

The devastating earthquake of 8 October 2005 created new and urgent reasons for a further softening of the LOC. This earthquake had offered an opportunity to India and Pakistan to move forward and finalize the settlement of the Kashmir issue. The Muzafarabad – Srinagar bus service had begun operations in April 2005. It had made 14 trips back and forth before the earthquake of 8 October. On 18 October 2005 President Musharraf declared clearly that his government was ready to open up the LoC and let any number of persons to cross over, meet relatives and assist them in their reconstruction efforts. The line of control could thus be made "irrelevant"<sup>79</sup>.

Bold earthquake diplomacy could breathe a new life into halting efforts to thaw Indo-Pakistan relations. Bold initiatives were taken to demilitarize the bilateral relationship and particularly to defuse the dangerous standoff over Kashmir. Earthquake Diplomacy created a new era for negotiations. Both countries were agreed to seek a solution to the Kashmir problems through quiet diplomacy and back channel diplomacy.

Both diplomacies have been used to debate proposals like self-governance, demilitarization and independence. Both governments were interested to pursuing 'Track two diplomacy'.

The whole scenario was changed when terrorists attacked at Mumbai railway station on 11 July 2006, the most hardened observers of both countries were worried about this situation. After this barbaric act that has taken hundreds of innocent lives, Pakistan

government strongly and unequivocally condemned this brutal act. The peace process was halted due to the Mumbai Train bomb blast. Pakistan's Foreign Minister Khurshed Mohammad Kasuri in an interview with Reuters during his visit to Washington said that in Mumbai blasting and other recent bombing in India and Pakistan shows that "anything can go wrong anywhere". He said, "I think the back channels are working and I know what they are doing but I cannot speak more than what I have already said"<sup>80</sup>.

The Mumbai blast showed that the freelance terrorists roaming around all over the world and especially in South Asia, wants to create problems between India and Pakistan. Their agenda basically is to affect the process of peace building among the conflicting partners; namely India and Pakistan. Hence, soon after the bomb blast both the countries by realizing the gravity of the situation urgently needed "doable" parameters such as demilitarization and self-governance to normalize the situation. Heads of the both states realized that once a settlement was reached on Kashmir, the two countries could crown the entire process with a treaty of peace, friendship, cooperation and understanding. However, the talks were not held up for long, the composite dialogue was resumed on 14<sup>th</sup> -15<sup>th</sup> November, in the foreign secretary level meeting in New Delhi.

India's foreign secretary Shyam Saran addressed a news conference that the Mumbai blasts had put a 'question mark' on the peace initiative with Pakistan as "it is becoming difficult" for India to take forward the process in view of terror strike. He said that India is "very much committed" to the peace process with Pakistan and pointed that New Delhi had initiated a number of confidence building measures, most of which related to Jammu and Kashmir.

On 17, August 2006, President Musharaf in an interview with writer A. G. Noorani said that I have been setting a 'doable parameters for resolving the Kashmir dispute', which can yield friendship treaty with India. I condemn the Mumbai blasts and agreed with Mr. Noorani's proposals that the two countries set up troubleshooting contacts between their top security aides to calm things down in emergencies<sup>81</sup>.

After a brief interlude which was marked by uncertainty, the meeting between president Musharraf and Prime Minister Man Mohan in Havana on 16<sup>th</sup> September 2006, on the sideline of NAM summit, revived the peace process. The two leaders reached an agreement to put in place India-Pakistan anti-terrorism Institutional mechanisms to identify and implement counter-terrorism initiatives and investigations.

On 5 December 2006, in an interview on NDTV in India, President Musharraf proposed a 'four-point' solution to the Kashmir issue, which remains the most viable option to pursue with the objective of a settlement: soft or porous borders in Kashmir with freedom of movement for the Kashmiris; exceptional autonomy or 'self-governance' within each region of Kashmir; phased demilitarization of all regions; and finally, a 'joint supervisory mechanism', with representatives from India, Pakistan and all parts of Kashmir, to oversee the plan's implementation<sup>82</sup>.

In February 2007, the Samjhota Express was hit by a blast in Indian territory. Most of the victims were Pakistanis. After the crude incident, Indian government realized that the perpetrators were not Pakistanis because Pakistani terrorists did not have to cross the border to kill the Pakistanis<sup>83</sup>. The perpetrators are those who wanted to sabotage the Peace Process.

After this terrorist attack, India and Pakistan established a joint anti-terrorism mechanism, termed a landmark in counter-terrorism co-operation between Islamabad and New Delhi. After launching this anti-terrorism mechanism both head of states agreed to make the line of control 'irrelevant'. They decided that Kashmiri representatives should sit down together to work out further details to move forward.

On 28 March 2007, President Musharraf addressed the 19<sup>th</sup> Arab League Summit which was arranged at Riyadh, stating that "undoubtedly, terrorism today poses a grave security further threat not only to India and Pakistan but to the whole of South Asia". President Musharraf further said that in "South Asia we are working to promote a peaceful and stable Afghanistan in the vital interests of Pakistan and entire region"<sup>84</sup>. He added that "we are working to solve the long lasting Kashmir dispute [with a] just

settlement which is imperative for [a] bright future of our region". After the president's address, the "Ray of hope for the peace process" seemed to shine brightly.

### **Conclusions**

The Indo - Pakistan relationship is poised at strategic crossroads. The countries can seize the historic moment with both hands and exercise the out standing issues of over half a century of animosity and bitterness. After a bitter relationship and several wars, the two countries need to work on following much needed recommendations:

- Both countries need to open an internal dialogue for durable peace.
- Both countries must do more to create constituencies for peace.
- Indian should positively deal with kashmiris.
- A permanent and complete end of cross border LOC infiltration (which is possible only when India sincerely enters into the negotiations over Kashmir).
- To open the borders in Kashmir and give the Kashmiri people the right to choose their own governments are key elements in the solution to contested sovereignty.
- To reduce military expenditures and shift scare resources to urgent social needs.

Hopefully, India and Pakistan in their resumed dialogue will focus on the issue of peace and security, as well as the Kashmir issue, with a fresh approach consistent with global realities and in keeping with the vital interest of their people. The consent of Kashmiri people is essential before making any decisions. Pakistan, India and Kashmir must realize that a settlement is well within their grasp. If they miss this chance, future generations will suffer the consequences.

The world community also realizes that a genuine and lasting peace in South Asia will come only through elimination of the root causes of instability and conflict in the region. After more than half century of hostility and bitterness in Indo-Pak relations, it would be naïve to presume that the problems will disappear overnight. Change will come and must come. The issue is whether the respective rulers can show the maturity and far-sightedness to engage in true national reconciliation in order to make a new

beginning. It is insufficient to wait for a new crisis or some new tragedy to break the *status quo*.

God says in the Holy Quran:

*"Rivalry in worldly increase distracteth ye  
Until ye come to the graves.  
Nay, but ye will come to know!  
for ye will be held hell-fire".*

Surah C - II, Rivalry In Worldly Increase. P. 29

M M Pickthall; The meaning of the Glorious Quran, New Delhi, India 2003

**Table - 1**

Irrigated cropped area permitted for India under the Indus Water Treaty

Basin	ICA on effective date Hectares	Additional ICA Permissible Hectares	Net ICA Permissible Hectares	Total ICA Achieved till 1999-2000 Hectares
Indus	17,070	28,239	45,398	20,619
Jhelum	209,595	60,704	270,299	258,671
Chenab	33,342	20,235	53,577	46,790
Total	-	109,268	369,274	326,081

**Table: 2**

Catchments Areas of Indus Rivers System in the Indian Subcontinent

	Indus	Jhelum	Chenab	Ravi	Sutlej	Beas	Total
Jammu & Kashmir	47,298	11,171	10,831	Nil	Nil	Nil	69,300
India (Excel) Jammu & Kashmir	Nil	Nil	1,735	4,408	12,138	7,719	26,000
Pakistan	158,078	10,188	13,469	Nil	Nil	Nil	181,375

Source: Minister of Water Resource, Government of India, The Final settlement Restricting India Pakistan Relations, Andheri West Mumbai, 2005, p.72.

## Indo-Pakistan Talks on Kashmir

Table - 3

The total population was 2,950,975 and the electorate number 164,185 and their communal distribution were as follows:

Province	Muslims	Hindus	Sikhs	Buddhists	Others
Kashmir	85,613	44,211	8,825	-	29
Jammu	178,518	458,983	17,835	-	2,981
Ladakh & Kargil	22,433	62	66	25,418	121
	1,052,564	503,256	26,666	25,418	3,381

**Source:** Sisir Gupta: Kashmir, A study in India-Pakistan Relations, New Delhi 1966, P-35

**NOTE:**

*The election was held on 15<sup>th</sup> October 1951 and the candidates of the National Conference won all seventy-five seats. The Kashmir Constituent Assembly first met on 31 October 1951, and completed its task of constitution making on 17 November 1956.*

**ABBREVIATIONS**

<b>CTBT</b>	Comprehensive Test Ban Treaty
<b>IJK</b>	Indian controlled Jammu & Kashmir
<b>AJK</b>	Azad Jammu & Kashmir
<b>JKLF</b>	Jammu-Kashmir Liberation Front
<b>JUD</b>	Jamaat-ul Dawa (is a reincarnation of dread Lashkar-e-Taiba) it was formed in 2001, it is completely separate organisation, Hafiz Saeed is chief of JUD.
<b>KSG</b>	Kashmir Study Group
<b>ICPI</b>	International Centre for Peace Initiatives
<b>SAARC</b>	South Asian Association for Regional Cooperation
<b>ACD</b>	Asian Cooperation Dialogue
<b>POK</b>	Pakistan Occupied Kashmir
<b>XBT</b>	Cross Border Tension
<b>NDA</b>	National Democratic Alliance
<b>NRRO</b>	Nuclear Risk Reduction Organisation
<b>WPC</b>	World Punjab Congress
<b>UNMOGIP</b>	United Nations Military Observers Group for India and Pakistan

ACRSC	Arms Control and Regional Security
CWC	Chemical Weapon Convention
NPT	Nuclear Non-Proliferation Treaty
SAFTA	South Asian Free Trade Area
MFN	Most Favoured Nation
CAFTA	Central America Free Trade Agreement
HUM	Hizb-ul-Mujahideen
LeT	Lasher-e-Taiba
JeM	Jaish-e-Mohammad
HUJI-BD	Harkat-Ul-Jehadi-e-Islami,, Bangladesh
ARFC	Asif Raza Commando Force
FTO	Foreign Terrorist Organisation
HUA	Harkat-Ul-Ansar
ISAF	International Security and Assistance force
IKA	International Kashmir Alliance
CBMs	Confidence Building Measures
EEZ	Exclusive Zones
LNG	Liquefied Natural Gas
LOC	Line of Control
OK	Occupied Kashmir
WB	World Bank
CPI – M	Communist Party of India – Marxist
MOU	Memorandum of Understanding
CDS	Chief of Defence Staff
CBI	Central Bureau of Investigation
WTC	World Trade Centre
IWT	Indus Water Treaty
BHP	Baglihar Hydropower Project
APHC	All Parties Hurriyat Conference
TMD	Theatre Missile Defence System
DGMO	Director General Military Operation

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