

The United States' role and influence on the India-Pakistan conflict

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India and Pakistan have long held contradictory views on the involvement of external non-regional powers—primarily the United States—in their conflict. Whereas Delhi has opposed the intervention of 'third parties' in what it sees as a 'bilateral' dispute over Kashmir—due primarily to an uncertain outcome—Islamabad has actively encouraged international mediation to balance its asymmetrical relationship with India. The United States has also had an ambivalent attitude in an active and sustained role in South Asia.

However, these perspectives appear to be changing significantly. Not only is the United States actively involved in South Asia in the post-September 11 security environment—with its engagement of Pakistan in the 'war on terror' and the development of a strategic relationship with India—but, for the first time, it has a growing military presence in the region as well as in the Arabian Sea. The strengthened Indo-American relationship since the 1990s has made possible American 'facilitation' in the India-Pakistan conflict. Simultaneously, Islamabad has become aware that such facilitation may not lead to the expected outcome, due to its own complex internal dynamics. An American military presence in South Asia, especially in Afghanistan and Central Asia, can be expected to continue in the foreseeable future.

Although the Soviet Union played a critical role in formally ending the second India-Pakistan war in 1965—through the Tashkent Declaration—its close military and security relationships with Delhi during much of the Cold War years decreased its influence over Islamabad, which became increasingly linked to the United States for the supply of arms. China's discreet missile and nuclear linkages with Islamabad, along with memories of the India-China border war of 1962, precluded Beijing's influence over the India-Pakistan dispute. Despite an apparent shift in Beijing's position since 1996 (especially during the Kargil conflict in 1999 when it refrained from publicly supporting Pakistan, and due to its concerns over Islamist extremists in Xinjiang province), elements of future India-China competition make it difficult for Beijing to influence Delhi. While French, European Union or Japanese influence appear limited, a potential British role exists only alongside the United States, with the latter doing much of the 'heavy lifting'. Notwithstanding Washington's unprecedented and simultaneous influence over both Delhi and Islamabad, the nature and extent of its future engagement in the India-Pakistan conflict remains unclear.

Kashmir dispute

In view of India's asymmetrical relationship with Pakistan—population, size, economic strength and relative military power—Delhi has invariably resisted the role of a third party or the United

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Nations in its conflict with Pakistan; it is precisely for these reasons that Islamabad has favoured such a role, with the hope that ‘internationalization’ would provide a favourable resolution of the Kashmir dispute. India’s disillusionment with the international community over Kashmir began soon after Independence, when Prime Minister Jawaharlal Nehru took Pakistan’s aggression against India in Kashmir to the United Nations on 1 January 1948. Instead of being seen as the aggrieved party, losing Indian territory to an armed attack by Pakistan—following the signing of the Instrument of Accession by the Hindu ruler of the predominantly Muslim province of Jammu and Kashmir on 26 October 1947—India became a party to the dispute. Subsequent UN Security Council resolutions advocating the future of Kashmir on the basis of a UN-mandated plebiscite—after the withdrawal of armed forces by both countries from divided Kashmir—were ignored by Delhi, as was the United Nations force, the UN Military Observer Group in India and Pakistan (UNMOGIP). Since the UN-sponsored ceasefire to the first India-Pakistan war over Kashmir on 1 January 1949, UNMOGIP has been deployed to monitor the ceasefire line—currently, the Line of Control (LoC) (the *de facto* border dividing Indian- and Pakistan-administered Kashmir).

For Islamabad, however, the UN Security Council resolutions on Kashmir boosted its position on Kashmir, and justified its stance that it was a territorial dispute between the two sides. This contradicted Delhi’s view that Kashmir was ‘not a disputed territory’, with the only point of contention being Pakistan’s ‘illegal occupation of a portion of the state’, fortified by a Parliamentary resolution to this effect in the early 1990s. Even though it was clear that neither Pakistan nor India were inclined to withdraw forces from divided Kashmir, Islamabad was not averse to using UN Security Council resolutions on a plebiscite in Kashmir for political purposes.

However, Indian and Pakistani positions on a plebiscite and the status of Kashmir appeared to change in December 2003-January 2004. In an interview with Reuters in mid-December 2003, Pakistan’s President Musharraf, in a bold move, publicly offered to drop Pakistan’s traditional demand for a UN plebiscite in Kashmir, and meet India ‘half-way’ in a bid to resolve the Kashmir dispute. Musharraf reportedly stated, ‘... we are for the United Nations Security Council resolutions whatever it stands for. However, now we have left that aside’.¹ Although this was subsequently denied by Pakistani officials, it was clear that this was simply a recognition that a UN plebiscite could never have been implemented, in view of Indian and Pakistani intransigence. Yet, it had been a major irritant to Delhi,

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which welcomed Musharraf’s statement. Subsequently, in the joint press statement of 6 January 2004, following the meeting between Indian Prime Minister Vajpayee and Musharraf, on the sidelines of the twelfth South Asian Association for Regional Cooperation (SAARC) Summit in Islamabad, Delhi implicitly agreed that Kashmir was disputed territory, by explicitly agreeing that Kashmir was to be settled ‘to the satisfaction of both sides’.²

‘Third party’ involvement in war

Notwithstanding India’s aversion to a ‘third party’ (including UN) role in its dispute over Kashmir, this did not apply to assistance in formally ending wars, or in the 1990s, preventing the outbreak of full-fledged conventional war. The second India-Pakistan war in 1965, for example, ended with a UN Security Council-sponsored ceasefire on 23 September 1965. Three months later, Indian Prime Minister Lal Bahadur Shastri and Pakistani President Mohammed Ayub Khan met in Tashkent and signed an agreement to formalize the end of the war and the withdrawal of their armed forces to positions held prior to 5 August 1965. The erstwhile Soviet-brokered ‘Tashkent Agreement’ of 10 January 1966 also pledged continued negotiations and the observation of ceasefire terms on the ceasefire line.³

During this period, American policy towards South Asia remained fairly ambivalent, although an attempt at engagement on the Kashmir dispute had been made during the Eisenhower Administration in the 1950s.⁴ Although the Kennedy Administration was able to initiate direct negotiations between India and Pakistan—in the aftermath of the 1962 India-China war, the talks failed; by the mid-1960s the United States had virtually given up on Kashmir. During the 1971 India-Pakistan war, the United States 'tilt' towards Pakistan—through the deployment of an aircraft carrier task force in the Bay of Bengal in the midst of the war—whatever its intent or purpose—made it difficult for India, among other reasons, to develop a satisfactory 'comfort level' with the United States on security issues. Despite American economic and military sanctions on Pakistan in 1979 in an attempt to stem its covert nuclear-weapons programme, Pakistan's role as a front-line state against the Soviet occupation of Afghanistan in the 1980s alleviated this situation. The demise of the former Soviet Union, along with India's economic liberalization in the aftermath of the 1991 economic crisis, began to lead to more favourable Indo-American relations.

In the late 1990s, high publicity American engagement with South Asia took place on nuclear issues, sparked off by multiple Indian and Pakistani nuclear tests in May 1998. On 11 and 13 May 1998, India carried out a series of five underground nuclear tests, twenty-four years after its first 'peaceful nuclear explosion' on 18 May 1974. This was promptly followed by six Pakistani nuclear tests on 28 and 30 May 1998. Although the immediate American reaction was to impose economic and military-related sanctions on both India and Pakistan, their respective importance in United States foreign policy soon generated less coercive measures to counter proliferation. In a significant development, within the Lahore Memorandum of Understanding (MoU), both countries agreed to develop confidence-building measures (CBMs) in the nuclear and conventional fields aimed at the avoidance of conflict within nine months of the nuclear tests.⁵ The Lahore documents—signed at the Summit between Vajpayee and Pakistani Prime Minister Nawaz Sharif in Lahore—appeared to provide the momentum towards enhanced and formalized nuclear stability in South Asia.

American facilitation in the Kargil Conflict, 1999

Unfortunately, the Lahore framework remains unimplemented, with the single exception of advanced notification of ballistic missile flight tests on a unilateral basis—in the 'spirit' of the Lahore MoU—although this has generated its own share of controversy over the years. Pakistan's military intrusion across the LoC, allegedly at the time of the Lahore Summit, effectively ended all moves towards regional nuclear stability. Instead, India and Pakistan were involved in an armed conflict with each other for the first time after their nuclear tests; the Kargil conflict of May-July 1999 formally ended with United States facilitation.

In early 1999, Pakistan's regular and irregular forces crossed the LoC and occupied positions in the Kargil sector of Indian-administered Jammu and Kashmir, for reasons that are as yet unclear. When this was detected in early May 1999, Delhi's response was swift and comprehensive, involving the use of land and air forces to evict the intruders from the Indian side of the LoC. After several weeks of increasingly bloody conflict, Indian forces captured the key heights of Tololing (14 June) and Tiger Hill (early morning on 4 July). With Pakistani forces suffering critical defeats, it was expected to be only a matter of time before they were pushed back across the LoC; but, undoubtedly this would have raised Indian casualties further. Meanwhile, the United States was urging Pakistan to respect the LoC and withdraw its forces across the LoC, while at the same time, urging India to restrain itself from crossing the LoC to open another front in the conflict. Notwithstanding Delhi's public statements on not using force across the LoC, the potential for escalation into a full-scale conventional war raised fears in the international community of the risk of inadvertent nuclear escalation.

In early July, the Pakistani Prime Minister flew to Washington, concerned over Pakistan's increasing international isolation. At a hastily organized meeting with President Clinton on 4 July, Sharif requested American intervention to stop the fighting and resolve the Kashmir issue. But Clinton came down heavily on Sharif, and told him that a clear Pakistani withdrawal to the LoC was essential. Clinton also told Sharif that Pakistan was preparing its nuclear arsenal for possible deployment at the instructions of the Army Chief, General Musharraf, which was apparently taking place without Sharif's knowledge.⁶ Amidst considerable American pressure, Sharif finally agreed 'to take concrete and immediate steps for the restoration of the LoC', which was accepted by Vajpayee when it was conveyed to him prior to its publicization.⁷ In effect, the United States facilitated a formal end to the Kargil conflict, which shortly

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afterwards saw the withdrawal of all Pakistani forces to its own side of the LoC without many additional Indian casualties. American facilitation on the Kargil conflict—in Delhi's favour—came as quite an unexpected surprise to many in India's Ministries of External Affairs and Defence. This was, in effect, the first time in fifty years that the United States had sided with India against Pakistan 'openly and firmly'.⁸ This soon led to a greater 'comfort level' with the United States, followed by Clinton's successful visit to India in March 2000, followed by Vajpayee's visit to the United States in the final days of the Clinton Administration.

American facilitation in the India-Pakistan Border Confrontation, 2001–2002

Even though the United States became involved in resolving the Kargil conflict, it is the American-led war on terror in South Asia and the subsequent India-Pakistan border confrontation that has brought about a significant change in American engagement in South Asia. Following the American attack against Afghanistan in October 2001—targeting the terrorist Al-Qaeda leadership responsible for the attacks on the United States and their Taliban hosts—Pakistan became a frontline state for American logistics support and intelligence facilities in Afghanistan. A number of American military personnel and equipment also remain deployed in Pakistani military bases in support of the ongoing war on terror in Afghanistan.

However, the attack on the Indian Parliament on 13 December 2001—allegedly by Pakistan-based Jaish-e-Mohammed terrorists—threatened to disrupt the ongoing American-led military campaign in Afghanistan. As part of its 'coercive diplomacy' against Pakistan, Delhi launched 'Operation Parakram' ('valour') on 19 December 2001, which constituted the largest mobilization of the Indian armed forces. This was a deliberate move, taking place amidst the war on terror, to threaten military action against Pakistan if its demands to end alleged Pakistan-sponsored cross-border terrorism were not met. This included the deployment of India's three strike corps (comprising armoured and mechanized formations) at forward positions on the international border with Pakistan. With Pakistan's counter-mobilization, nearly one million armed personnel were deployed across the India-Pakistan borders. In view of the nuclear-armed status of both states, there appeared to be considerable risk of nuclear escalation—by misperception or miscalculation—following the break-out of a conventional war. On 20 March 2002, the Director of the Central Intelligence Agency (CIA), George Tenet, warned the United States Senate Armed Services Committee that the chances of a war in the region were the highest since 1971.⁹

Having repeatedly stressed the sanctity of the LoC during the Kargil war, India's prospective actions—threatening the use of force across the LoC—set off alarm bells in Washington and London. Meanwhile, Pakistan appeared equally determined to counter an Indian military attack with conventional

and nuclear forces. With the deliberate disruption of normal diplomatic communication, Delhi and Islamabad were communicating with each other on nuclear and conventional matters on a public basis during much of the ten months of the 2001–2002 border confrontation. These nuclear signals were multiple in nature, carried out at multiple levels, and addressed to multiple constituencies—internal, regional and international. For both India and Pakistan, the most important constituencies were the domestic public, each other and the United States, which had the most influence in the region. For Delhi, the United States could help put pressure on Pakistan to cease cross-border infiltration of militants into Indian-administered Kashmir; for Islamabad, the United States could restrain Delhi from military action.

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With tensions heightening following the terrorist attack on an Indian Army residential camp in Kaluchak, Jammu, on 14 May 2002, and Delhi's subsequent nuclear signalling, a flurry of high-level American and British choreographed visits took place to Delhi and Islamabad. The contours of a possible easing of India-Pakistan tensions began to emerge from Jack Straw's visit at the end of May. On 28 May, Straw visited Islamabad, where he urged Musharraf to take action on the ground to counter cross-border 'terrorism' in Indian-administered Kashmir. In Delhi the next day, Straw urged India to exercise restraint and prevent its armed forces from using force across the LoC. He also told Delhi that Musharraf had promised to curb infiltration into India and to close down 'terrorist' camps in Pakistan-administered Kashmir by the time of Armitage's visit to the region in early June.

On his return to London on 31 May, Straw publicly expressed his concern over the 'dangerous situation' in the region, 'when you have one million men under arms on either side of the LoC, all in a high state of alert and readiness, both countries have nuclear weapons, and one of them—Pakistan—has said they reserve the right to use them first'.¹⁰ This essentially signalled the issue of travel advisories on 1 June by the Governments of the United States, the United Kingdom, Canada, France, Japan, Australia, New Zealand and others, urging their citizens to leave India and Pakistan immediately, and warned others from travelling to either country. The travel advisories led to an exodus of business visitors, tourists, diplomatic personnel and their dependants, largely from India, as they had already pulled out from Pakistan earlier. Ostensibly ordered for fear of an outbreak of war, this unprecedented step caused much annoyance in Delhi, which perceived it as an attempt to pressure it against launching an attack across the LoC.

On 31 May, United States Secretary of State Colin Powell publicly criticized Pakistan for the 'continuing' infiltration across the LoC, despite Musharraf's assurances that it would be ended. The following day, in an interview with the BBC, Musharraf indicated that 'instructions' had been given by Pakistan to cease such activity. Although it was still too early to say that it had stopped, Powell emphasised that '... when, and if, it does stop, it must also stop permanently'.¹¹ On 6 June, United States Deputy Secretary of State Richard Armitage arrived in Islamabad to build on Straw's visit, and hammer out a deal between India and Pakistan. After a tough meeting, Musharraf gave Armitage a commitment that he would end cross-border infiltration 'permanently'.¹² This was a considerable improvement on his pledge to Straw a week earlier to curb infiltration into India. While Delhi formally welcomed this development, it expressed caution in terms of implementation. Consequently, Armitage described India-Pakistan tensions as 'a bit down on both sides'.¹³ Within days of Armitage's departure from Delhi, the thaw in India-Pakistan tensions was evident. In effect, American facilitation successfully eased India-Pakistan tensions, and ended the ten-month border confrontation—the longest period of military mobilization between the two countries.

India-Pakistan Joint Press Statement, 6 January 2004

In a dramatic development on the sidelines of the twelfth SAARC Summit in Islamabad in January 2004, India and Pakistan agreed to resume an official-level dialogue after a three-year hiatus. The Joint Statement of 6 January 2004 also noted that Delhi agreed to settle Kashmir 'to the satisfaction of both sides', and that Islamabad would not permit 'any territory under Pakistan's control to be used to support terrorism in any manner'. On 18 February 2004, after three days of official-level 'talks on talks' in Islamabad, India and Pakistan agreed to resume their bilateral 'composite dialogue' in May–June 2004, soon after the Indian general elections. This is to take the form of a 'composite dialogue' on eight issues, including two—on 'peace and security, including CBMs' and 'Jammu and Kashmir'—at the Foreign Secretary-level. The two foreign ministers are to meet in August 2004 to review progress.¹⁴

Both Delhi and Islamabad had strong motivations to reach an accord during the SAARC Summit. For Vajpayee, a personal desire for a stable bilateral relationship with Pakistan—his third and final peace effort—had been initiated with his 'hand of friendship' speech in Srinagar in April 2003, and buttressed by approaching general elections in April 2004; for Musharraf, two assassination attempts within eleven days in December 2003 had led to a renewed vigour to fight terrorism of all kinds, along with the increasing radicalization of domestic politics. Vajpayee's rising popularity, seen by the results of the Indian assembly elections in November 2003, also boosted Islamabad's view that it would be advisable to deal with Vajpayee himself.

In addition, American pressure on Islamabad to end cross-border infiltration into Indian-administered Kashmir, and to a lesser extent on India—to begin an official-level dialogue with Pakistan—may also have played a part in the success of bilateral diplomacy on the sidelines of the multilateral summit. Even if the United States had facilitated such a dialogue, it would have been advisable to have maintained this in a low-key manner, for fear of undermining the fledgling peace process.

Current American engagement with India and Pakistan

In the post-11 September security environment, American relations with Delhi and Islamabad have strengthened considerably, placing it in a unique position of trust by two traditionally antagonistic nuclear-armed states. But the content of the two sets of 'dehyphenated' diplomatic relationships—stressing the absence of any inter-relationship—are quite different and complex.

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Current Indo-American ties are fairly broad-based and comprehensive, with the prospect of developing into a strategic relationship in the medium term. If the United States 'tilted' towards Islamabad in the 1971 India-Pakistan war, it clearly 'tilted' towards Delhi in the 1999 Kargil conflict. A relatively high level of joint military exercises, growing naval cooperation, and high-level political and trade-related relations continue to take place between Delhi and Washington. This has not been adversely affected by Delhi's refusal in mid-July 2003 to send troops to Iraq—at the behest of the United States—in the absence of a UN mandate or UN forces command. In January 2004, a joint agreement on a 'quartet' of issues—cooperation in high technology fields, civilian nuclear and space programmes, and discussions on missile defence—provided the framework for significantly enhanced strategic relations. While this may appear related to an American requirement to counter China in the medium term, it is extremely unlikely that Delhi will acquiesce to such a role for some very good reasons—the most important being that both countries share a long land border.

In marked contrast, American relations with Islamabad appear to be more focused on the war on terror and on countering nuclear proliferation. Within Pakistan's highly charged and volatile politics, there are legitimate concerns over Musharraf's personal safety—exacerbated by the two assassination attempts. His reputation and influence is increasingly under question in the light of the proliferation activities of key scientists in the nuclear-weapons establishment. They are expected to decline further when he retires as Army Chief at the end of the year, even though he continues as President until 2007.

However, the United States also sees Pakistan as a major source of Islamic radicalism. On several occasions, the United States has had to stress to Islamabad the need to counter terrorism in Afghanistan, and its related aspects in Indian-administered Kashmir and the activities of Islamist extremist groups operating in Pakistan. In November 2003, Musharraf re-banned several Islamist extremist groups. In one of his strongest statements against extremism, Musharraf—in his first address to the joint sitting of parliament on 17 January 2004—appealed to the Pakistani nation 'to wage *jihad* against extremism'.¹⁵

Nonetheless, Islamabad is clearly Washington's closest ally in the war on terror, through the provision of considerable intelligence and logistical support to its Afghanistan operations. In March 2004, Pakistani paramilitary and armed forces carried out their first major operation against Al-Qaeda-linked militants in the tribal areas of Wana in South Waziristan, loosely controlled by Islamabad. In recognition of this support, the United States granted Pakistan the status of 'major non-NATO ally' in March 2004, subject to Congressional approval. Although this appeared to be largely, though not wholly, symbolic, to provide additional support for Musharraf under trying conditions, Delhi expressed pique at not being informed earlier. This also increased Islamabad's prospects for acquiring American military equipment, ammunition and defence R&D cooperation—all of which had been previously denied.

Prospects for the future

In view of the nature and extent of diplomatic relations with both Delhi and Islamabad, there are attempts to encourage a sustained American foreign policy engagement in the region. Instead of current American foreign policy fixation on what is essentially 'crisis management', a more activist role in conflict resolution in South Asia is advocated. In October 2003, for example, an American Independent Task Force on India and South Asia—co-sponsored by the Council on Foreign Relations and the Asia Society—urged Congress and the Bush Administration to make South Asia a high foreign policy priority. It warned that if this did not take place, the United States could face crises in the region that would pose major threats to American national security. Although some members of the Task Force felt that American foreign policy did not go far enough in view of the dangers of another India-Pakistan conflict—and therefore urged a more active stance, including putting forward American ideas about a Kashmir settlement—this was not its formal conclusion. Instead, it felt that there should be 'more forward-leaning and sustained United States engagement. There should be a long-term American diplomatic effort to assist—not to mediate or arbitrate—India and Pakistan's intermittent efforts to bridge their differences'.¹⁶

Despite highly successful American facilitation between India and Pakistan in the recent past—formally ending the Kargil conflict, easing tensions during the border confrontation, and helping initiate an official-level dialogue between the two countries—Delhi remains disinclined to accept an American-mandated resolution of the Kashmir dispute. It continues to feel quite strongly that this remains a bilateral issue, as stated in the Simla declaration of 2 July 1972. This stated that both countries agreed to 'settle their differences by peaceful means through bilateral negotiations or by any other peaceful means mutually agreed upon between them'.¹⁷ Emphasis on the implementation of the Simla

Agreement—in letter and spirit—was reiterated in the Lahore Declaration of 21 February 1999.¹⁸ The India-Pakistan Joint Press Statement of 6 January 2004 also noted the bilateral nature of the dialogue which is required to resolve the disputes between the two countries, including Kashmir. In a wide-ranging interview with *India Today* in January 2004, Vajpayee clearly indicated this when he stated that the United States had been making genuine efforts to promote peace in the subcontinent—'as friend, not mediator'.¹⁹ In effect, a resolution of the Kashmir dispute needs to emanate from the governments and people of India and Pakistan, if it is to lead to a meaningful and lasting settlement. However, the United States can play an extremely useful role in the following issues, but it needs to be done quietly in the background.

- *Assist the fledgling India-Pakistan peace process.* For the peace process to be tangible, it needs to be understood as a long-term process, as there are no quick solutions. However, it is fraught with problems and difficulties. If it is not to break down—as has happened so often in the past—it needs to be carefully managed by both Delhi and Islamabad, with assistance from the United States. The key, therefore, will be to sustain the dialogue against disruption. The United States could assist by facilitating communication and promoting dialogue.
- *Share ideas on nuclear-related issues.* Much more needs to be done to enhance bilateral nuclear stability. The United States could assist by sharing ideas on various technical issues, such as the drafting of a bilateral agreement on the advanced notification of ballistic missile flight tests or the establishment of nuclear risk reduction centres for the mutual notification of nuclear accidents or unauthorized or unexplained nuclear incidents—both of which have been agreed to in the Lahore MoU of February 1999. Also, nuclear deterrence in both countries needs to be made more stable, with far greater understanding and thinking on critical issues, such as nuclear doctrine, force development, command and control, deployment and readiness, survivability and nuclear safety.
- *Prepare for the disruption of diplomatic communication between India and Pakistan.* In a worst case scenario, the disruption of bilateral diplomatic communication in the future may not easily lend itself to American facilitation as in the past. This may require the conduct of immediate 'back channel' negotiations between the Indian and Pakistani governments—with senior and trusted representatives of the two leaders. The United States could assist in setting the groundwork for such 'back channel' diplomacy amidst the current thaw in India-Pakistan relations.

Notes

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