

**KASHMIR:  
CONFRONTATION AND MISCALCULATION**

11 July 2002



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## **KASHMIR: CONFRONTATION AND MISCALCULATION**

### **EXECUTIVE SUMMARY AND RECOMMENDATIONS**

With tensions in Kashmir and the confrontation between Pakistan and India appearing to cool in recent weeks, it would be easy for the international community to focus its attention elsewhere. Unfortunately, the dynamics underpinning the conflict between India and Pakistan along the Line of Control (the de facto border dividing the two countries in Kashmir) have not changed, and the potential for strategic miscalculations by both sides and broader fighting remains all too real. Indeed, the heart of the dispute is being driven by both local political conditions in Kashmir and much more sweeping issues of national politics and national sovereignty in both countries. Further complicating the situation, both Pakistan and India have sought to use the U.S.-proclaimed “global war on terrorism” to their own tactical advantage, increasing the risk of military missteps.

The immediate cause of recent fighting has been the cross-border infiltration of militants into Indian-controlled Kashmir. Despite reiterated pledges, Pakistani President Pervez Musharraf has yet to take decisive action to contain the Pakistan-based Islamist extremists responsible for much of the violence in Indian Kashmir. Pakistani security services also continue to support home-grown militants operating within Indian-controlled Kashmir. As events in May and June 2002 made clear, skirmishes along the Line of Control can quickly escalate into a far more dangerous situation with both New Delhi and Islamabad appearing all too willing to engage in nuclear sabre rattling. With one million Indian and Pakistani troops confronting each other across the Line of Control and artillery clashes occurring daily, both militaries have remained on high alert, moved heavy armour

toward the border and reportedly deployed nuclear-capable missile batteries. Although both sides have taken some steps to climb down from their highest state of readiness, it would take little to rapidly escalate tensions again.

On a local level, the assembly elections in Indian-controlled Kashmir scheduled for September or October 2002 will likely continue to trouble relations. The recent assassination of a senior figure in Kashmir’s separatist alliance who intended to take part in the elections highlighted the stakes involved. India is eager to demonstrate that increasing numbers in this territory are willing to engage in a dialogue with New Delhi about fundamental issues of self-rule and governance and to participate in the Kashmir ballot. Indian Prime Minister Atal Bihari Vajpayee has declared that he is willing to consider any political arrangement short of independence for Kashmir.

In contrast, Pakistan is eager to keep the pressure on India by supporting more militant factions that continue to urge either independence or annexing Kashmir to Pakistan, often through violent means. Pakistan clearly hopes that many political parties and groups in Kashmir will boycott the state assembly elections. Pakistan’s deep-rooted desire to avoid anything that would appear to legitimise India’s control of Kashmir could well be pushing it to encourage cross-border incursions as a way to discourage participation in the elections – even though provocative steps risk triggering a war.

Both India and Pakistan have been quick to use the post-11 September “war on terrorism” to their advantage. The former has attempted to portray the

challenge in Kashmir as purely a matter of combating terrorism, and to make the case that it has a right to pursue extremists operating from Pakistan exactly as the United States and its allies have hunted down al-Qaeda and the Taliban in Afghanistan. While rhetorically convenient, this approach ignores the competing historical claims as well as the fundamental question of the competence of Indian administration of Kashmir.

Pakistan, for its part, has sought to use its broad cooperation with the United States on operations in Afghanistan to gain some leeway for maintaining the general policy of adventurism that seeks to bleed Indian resources in Kashmir. In essence, the Musharraf government seems to be implying that it is at the limits of the steps it can take against extremist groups, and that the West should tolerate cross border insurgency operations in Kashmir or risk facing a new government that could be far less accommodating.

Militancy in Kashmir and the subsequent heightened risk of an India-Pakistan war will not disappear until many things are done. These include the restoration of genuine democracy in Pakistan and steps by New Delhi to grant political autonomy to Kashmiris, improve their economic well-being, and end all human rights abuses by its security forces in the territory. Subsequent ICG reporting will examine these underlying issues in detail and offer more extensive proposals for addressing them. This report concentrates, however, upon immediate measures that are needed to cool off the situation and create space for a concerted political and diplomatic effort by the two countries and by a concerned international community to resolve the crisis definitively. Most notably, Pakistan must discontinue its support for cross border militants and the training camps and religious schools from which they spring, and India needs to show greater flexibility about reopening diplomatic and military channels of communication with Islamabad.

## RECOMMENDATIONS

### To the government of Pakistan:

1. Follow through rigorously on President Musharraf's commitment to end all support for cross border militants and to close any training camps for such individuals in Pakistan and Pakistan-controlled Kashmir.

### To the government of India:

2. Closely monitor and control the activities of the security forces in Jammu and Kashmir.
3. Reconsider its longstanding objection to deploying monitors on the Indian side of the Line of Control, who could help observe movements across it.

### To the International Community, in particular the governments of the United States and United Kingdom, the European Union and the UN Security Council:

4. Apply on a continuing basis the broad diplomatic pressure on both sides that is necessary to initiate and advance a bilateral diplomatic process to wind down the immediate crisis and move toward a permanent solution.
5. Sustain a commitment to democratic transition in Pakistan that would pay major dividends by marginalising Islamist extremists and enhancing prospects for India-Pakistan peace, in the first instance by urging President Musharraf to allow the October elections to lead to a genuine realignment of power and authority in Pakistan.

### To the government of the United States:

6. Urge India to reopen diplomatic and military channels of communication with Pakistan in order to scale back tensions.
7. Participate, if India agrees to drop its objection to an international presence in Kashmir, in helicopter-borne monitoring of the Line of Control and otherwise share with both India and Pakistan surveillance information on insurgent movements as well as on Indian and Pakistani military activities.

Islamabad/Brussels, 11 July 2002



## KASHMIR: CONFRONTATION AND MISCALCULATION

### I. INTRODUCTION AND BACKGROUND

While the immediate post-11 September security environment has ramped up the long simmering hostilities between India and Pakistan, their disputes over Kashmir obviously have a much more extensive history.<sup>1</sup> In the past decade and a half, tensions have nearly resulted in war on at least three separate occasions: in 1986-87, 1990 and 1999. Although each crisis was eventually defused, this cumulative history of discord fuels the general sense of hostility and suspicion. In the current atmosphere of mistrust, the prospects that a conventional war could escalate to the nuclear level cannot be ruled out.

In 1986-87, India conducted a major military exercise, "Operation Brasstacks", close to the border. Pakistan perceived the manoeuvres as a precursor to an attack, and massed troops in offensive positions along the international border. It also resorted to nuclear coercive diplomacy to ward off the perceived Indian threat. Although the potential for escalation was high, the crisis was ultimately defused through leadership-level talks.

In 1990, Pakistan attempted to exploit widespread unrest in Jammu and Kashmir resulting from New

Delhi's heavy-handed governance. Pakistan's efforts included stepping up military and logistical support to Kashmiri and non-Kashmiri militants (including Pakistanis). This led India to mass forces along the international border and Line of Control. The United States intervened to walk the two sides back from the brink of war.

Pakistan's proxy war in Kashmir assumed a new dimension in 1999. In February of that year, Prime Minister Nawaz Sharif and Indian Prime Minister Atal Vajpayee agreed on a number of confidence building measures at a summit in Lahore. Vajpayee and Sharif appeared to be on the verge of an agreement on Kashmir. According to Pakistan Foreign Secretary Naiz Naik, the Indian Prime Minister agreed not to call Kashmir an integral part of India, while Sharif consented not to seek a resolution of the dispute on the basis of UN Security Council resolutions for a plebiscite in Kashmir. If implemented, the deal would have most likely entailed Indian and Pakistani recognition of the Line of Control as the permanent border.<sup>2</sup>

Pakistan's Chief of Army Staff General Pervez Musharraf, however, infiltrated regular forces and militants into the Kargil and Drass sectors of Jammu and Kashmir, in what appeared to be a direct effort to undermine the nascent opening of ties between the two nations. India responded by launching a major military offensive, stationing its troops on the Line of Control and international border, and deploying helicopter gunships and jet fighters close to the disputed Kashmir border.

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<sup>1</sup> The purpose of this initial report is to provide a sense of the current crisis and suggest approaches by which to defuse its most immediately dangerous elements. Subsequent ICG reporting will examine in greater detail the fundamental issues that underlie the Kashmir problem and offer more extensive proposals for achieving a permanent solution.

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<sup>2</sup> Rasheed Khalid, "India Had Agreed in Informal Talks Not to Call Kashmir Integral Part: Naik", *The News*, 19 May 2002.

Although India's military action was restricted to its side of the Line of Control, Indian casualty figures mounted, and the Vajpayee administration threatened to extend the fighting if Pakistan did not withdraw from Indian Kashmir. In turn, Pakistan threatened to respond to an Indian attack by using nuclear weapons. All-out war was narrowly averted through President Clinton's mediation and Prime Minister Sharif's acceptance of India's precondition for a unilateral and unconditional military withdrawal. U.S. Central Command General Anthony Zinni also met General Pervez Musharraf to demand the withdrawal of Pakistan-backed forces from Indian-administered Kashmir.

Musharraf's assumption of power and his Kashmir policy have reinforced India's conviction that Pakistan's proxy war can only be ended through the use of force. After the October 1999 coup that brought Musharraf to office, India downgraded diplomatic relations. When Prime Minister Vajpayee finally agreed to meet Musharraf at Agra in July 2001, the latter did not use the opportunity to mend fences. Instead, Agra ended in a diplomatic debacle when Musharraf launched into a public diatribe against India's Kashmir policy and justified Pakistan's support for Kashmiri "freedom fighters". Since the cross-border insurgency also continued in Kashmir, India renewed efforts to convince the international community that Pakistan should be treated as a terrorist state. India's attempts to isolate Pakistan, however, received a setback after 11 September 2001 when participation in the U.S.-led anti-terrorism campaign improved Islamabad's international standing.

The current situation can best be seen as a continuation of the hostilities that have marked India-Pakistan relations since the Kargil crisis. India has continued to view President Musharraf's leadership with scepticism and serious concern given his central role in planning and implementing the Kargil operation. In Pakistan, with the military as sole decision-maker on national security, animosity toward India is deeply ingrained and drives everything from nuclear doctrine to support for militant groups.

On 13 December 2001, terrorists attacked the Indian parliament. India quickly accused two Pakistan-based Islamist extremist groups – Jaish-i-Mohammad and Lashkar-i-Taiba – of being behind the attack. It withdrew its ambassador from

Pakistan, placed its military on high alert and moved hundreds of thousands of troops to forward positions along the Line of Control and the international boundary with Pakistan.<sup>3</sup> India demanded immediate Pakistani action against the organisations responsible for the attack, as well as the extradition of twenty alleged terrorists, and threatened to take matters into its own hands unless Pakistan ended cross-border incursions into Kashmir.

Pakistan's reaction was, by turns, both conciliatory and bellicose. It placed its military on high alert and moved forces toward the Line of Control and international border. In a national address on 12 January 2002, President Musharraf demanded evidence that Pakistan-based organisations were responsible for the attack on the Indian parliament, denied that Pakistan harboured anti-Indian terrorists, refused to extradite any Pakistani citizen to India and reiterated support for the Kashmir cause.<sup>4</sup> However, he also strongly denounced the attack on the Indian parliament and banned five Islamist extremist groups, including the Lashkar-i-Taiba and the Jaish-i-Mohammad. Their offices were promptly sealed, and Pakistani authorities arrested more than 2,000 Islamist extremists.

The threat of war appeared to recede as the Indian government reacted positively to Musharraf's speech and subsequent moves to curb militants in Pakistan. Nevertheless, it kept its military on high alert and in forward positions. Uncertain that Musharraf's declarations of intent would be translated into practice, the Indian government also refused to normalise relations with Pakistan until all its preconditions were met, including extradition demands.

The situation quickly took a turn for the worse after consecutive attacks by militants on a bus and the residential quarters of an Indian army camp in Jammu and Kashmir on 14 May 2002 that killed

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<sup>3</sup> This was the first time in 30 years that India has withdrawn its ambassador from Pakistan.

<sup>4</sup> "Kashmir runs in our blood. No Pakistani can afford to sever links with Kashmir. We will continue to extend our moral, political and diplomatic support for Kashmiris", said Musharraf, adding, "We should be under no illusion that the legitimate rights of the Kashmiris can ever be suppressed without their just resolution. Kashmiris also expect that you [the international community] ask India to bring an end to state terrorism and human rights abuses". *The Nation*, 13 January 2002.

35 people, mainly women and children. India quickly abandoned diplomacy and mobilised for war. In expelling Pakistan's ambassador, India closed the last line of direct communication with the Musharraf government. Indian forces were again put on full alert and its troops and heavy arms were in place, ready to act if and when orders came from New Delhi. Daily artillery clashes have continued along and across the Line of Control, and India continues to threaten use of force should Pakistan fail to end cross border infiltration of militants immediately and dismantle terrorist bases and training camps.<sup>5</sup>

Once again, intensive U.S. intervention was key to walking both sides back from the brink. Secretary of Defence Donald Rumsfeld, and Deputy Secretary of State Richard Armitage visited the region separately in an effort to ease tensions.<sup>6</sup> The United Kingdom and Russia also played important roles in pressuring both New Delhi and Islamabad to avoid any situation that could escalate into a nuclear exchange. The U.S. remains particularly concerned about the standoff given that its military personnel are stationed in Pakistan, and the country has served as an important staging area for U.S.-led operations in Afghanistan.

## II. INDIA'S PERSPECTIVE

*"We will not let Pakistan carry on with its proxy war against India any longer... India has accepted the challenge thrown by our neighbour and we are preparing ourselves for a decisive victory against our enemy".*

Indian Prime Minister Atal Bihari Vajpayee,  
13 May 2002.<sup>7</sup>

Prime Minister's Atal Bihari Vajpayee's Bharatiya Janata Party (BJP) has always positioned itself as a deeply nationalistic political organisation, eager to demonstrate strength in dealing with regional issues. While Prime Minister Vajpayee did make some efforts to reach out to Pakistan in 1999, the increasingly enfeebled Prime Minister now finds himself in a position where he must appease the party's domestic supporters and assuage an Indian public enraged by terrorist attacks on the Indian and Kashmiri parliaments. The fact that assembly elections are being held across India this year has also raised the stakes for the ruling BJP, as has jockeying within the party among those who hope to replace Vajpayee after his term expires.

The BJP government has good reason to doubt Musharraf's intentions to contain and to eliminate cross-border insurgency. As Chief of Army Staff, Musharraf was responsible for derailing the peace process set into motion by Prime Ministers Vajpayee and Nawaz Sharif in Lahore in February 1999. Although Pakistani support for militancy in Kashmir dates back to the mid-1980s, Pakistan had not used regular forces across the Line of Control since signing the 1972 Simla Accord. India's hostility toward Pakistan's military government is, therefore, shaped by memories of Musharraf's Kargil misadventure, and has strengthened domestic support for a military response.

The changed international environment has also given India's security establishment impetus to settle scores with Pakistan on the battlefield. The U.S. use of unilateral force against terrorists has convinced many Indian policymakers that a limited military strike against militant bases in Azad Kashmir – while likely causing profound

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<sup>5</sup> See, inter alia, Mayed Ali, "Tactical N-Warheads Moved to Borders", *The News*, 28 May 2002; Sharon LaFraniere and Rajiv Chandrasekaran, "Militants Raid Indian Post in Kashmir: Three Are Killed: Attack Follows Push by Briton to Defuse Crisis", *The Washington Post*, 30 May 2002.

<sup>6</sup> For an account of the preventive diplomacy conducted by the U.S. at a crucial stage of the crisis, and particularly Deputy Secretary of State Armitage's contribution, see "A Defining Moment in Islamabad: U.S.-Brokered 'Yes' Pulled India, Pakistan From Brink of War", *The Washington Post*, 22 June 2002.

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<sup>7</sup> Press Trust of India, text of Prime Minister's Statement in Kashmir, 23 May 2002.

international concern – would only result in muted condemnation from major international actors who themselves are dealing resolutely with terrorism. With the United States and other influential international players, India has emphasised Musharraf's duplicity in pledging and then failing to take any tangible measures to end the incursions by Islamist extremists across the Line of Control.

There are signs that the BJP's efforts to isolate Pakistan have begun to bear fruit, particularly after the terrorist attacks on the Indian and Kashmiri parliaments. Although initially hesitant to pressure a valuable regional ally, U.S. policymakers have begun to question Musharraf's sincerity in curbing extremism for a number of reasons. For example, while terrorists have seemingly attacked Western targets at will in Pakistan, law-enforcing agencies have remained cautious in dealing with Islamist extremists.<sup>8</sup> In addition, most extremists arrested after Musharraf's 12 January 2002 speech have been released unconditionally, signalling the military's reluctance to abandon its jihadi allies. Continued infiltration across the Line of Control into Indian-controlled Kashmir demonstrates that the military-jihadi nexus and capabilities remain intact. The Indian government is conscious of growing U.S. concern and remains hopeful that the international community would condone a war justified on the grounds of terrorism.

Angered by the attack on the Indian parliament and the mounting costs of the seemingly never-ending Kashmir campaign, the BJP government and Indian armed forces favour a military solution that would force Pakistan to abandon support for militants in Kashmir. The Indian military genuinely believes that a limited strike on militant camps and bases across the Line of Control would end cross-border infiltration without provoking an all-out war. Hardliners presume that India's military superiority would not only end Pakistan's Kashmir militant campaign, but also eliminate any risk of escalation while winning the BJP government domestic support. In the event that Pakistan did escalate, they expect that India would overwhelm it in a purely conventional conflict.

India has exhausted its patience with the Musharraf government and its avowed intentions to end the infiltration of militants across the Line of Control. The BJP government has just cause, for until recently, Musharraf had done very little to curb the militants, and even recent efforts have been carried out with obvious reluctance and only under considerable international pressure and threat of war with India. Should threats or pressure subside, the Pakistani military could again intensify its backing for the jihadis and their war in Kashmir. The militants are, after all, clients of the Pakistani military and have served it well in the past.

However, many of the issues in Kashmir stretch beyond the problem of Pakistani adventurism and cut to the shortcomings of Indian administration. Much Kashmiri dissent is rooted in New Delhi's mismanagement and often-indiscriminate use of force. Efforts to tilt earlier ballots in Kashmir toward candidates that New Delhi favoured also have done little to convince Kashmiris that they are treated fairly by the central government. Pakistan has exploited this unrest since the mid-1980s, fuelling anti-India sentiment and separatist violence by backing Kashmiri and non-Kashmiri militants. Because a number of the former groups such as the Jammu and Kashmir Liberation Front have surrendered their guns in order to pursue non-violent resistance, Pakistan has had to rely increasingly on Islamist militants from outside to wage its proxy war in Kashmir.

This situation has put intensive pressure on the assembly elections that will be held before the term of the Jammu and Kashmir Assembly ends in mid-October. The Indian government is eager to have a ballot that is seen as reasonably free and fair and lessens the spirit of militancy in Kashmir. Pakistan, by the same token, is equally eager that many individuals and parties boycott the election and the legitimacy of New Delhi's rule continues to be questioned.

The high stakes involved were unfortunately underscored by the assassination on 21 May 2002 of Abdul Ghani Lone, a senior leader of the All-Parties Hurriyat Conference (APHC) – Kashmir's 23-member separatist alliance – who had increasingly argued that the time for militant approaches had passed in Kashmir and who planned on participating in the ballot. Lone's death was clearly a blow to the government of India and called into question whether the elections could be

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<sup>8</sup> Pakistan's 2002 terrorist toll includes the murder of Wall Street journalist Daniel Pearl in February, two Americans dead in the bombing of a church in Islamabad on 17 March, eleven French nationals killed in Karachi on 8 May, and twelve Pakistanis killed in an attack on the U.S. Consulate in Karachi on 14 June.



held without considerable violence. There is also reason to suspect that the increasingly conciliatory tone of some of the militant groups in Kashmir may have propelled the Pakistani security services to feel that they needed to intervene with a new rash of cross border infiltrations.

Partially in response to Lone's killing, India arrested Syed Ali Shah Geelani on 9 June 2002. He represents the Jaamat-e-Islami in the All-Parties Hurriyat Conference. Geelani has traditionally maintained close ties with Pakistani intelligence services and has long advocated merging Kashmir with Pakistan. Pakistan quickly condemned Geelani's arrest.

Prime Minister Vajpayee will likely visit Kashmir again during the campaign (he was there the day Lone was assassinated), and he may try to reach out to more moderate political leaders. However, the All-Parties Hurriyat Conference is uncertain both about participating in the elections and the best way forward as a whole. The election picture remains very much up in the air. Indeed the Hurriyat has always been a loose coalition, representing parties urging both independence and union with Pakistan as well as some that, until most recently, called for more dialogue with New Delhi.

If India is to take full advantage of the political opportunity represented by the election, it will need to earn the genuine good will of large numbers of Kashmiris. It will have to clean up its human rights abuses in Kashmir<sup>9</sup> and more clearly articulate the role and the rights and responsibilities Kashmiris will enjoy within India. India has also offered to reduce its troop presence in Kashmir if the elections are peaceful.

There is ample evidence that everyday Kashmiris have grown weary of the steady pattern of violence and reprisals. It would seem that more and more would be happy to be given a respite from both Pakistani adventurism (for which they usually pay the price) and a constant state of near war with New

Delhi. Weary of violence and opposed to the puritanical form of Sunni Islam propagated by Pakistani and other outside militants, Kashmiris are also becoming increasingly hostile to Pakistani-backed Islamist extremists.<sup>10</sup> As local support for Pakistani jihadi organisations decreases, Indian security forces will find it easier to confront militants in Kashmir.

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<sup>9</sup> Noting that there were problems on both side of the Line of Control, German Foreign Minister Joschka Fischer insisted "it is very important that amid all dangers we do not forget human rights issues", adding that "there was and is a severe human rights problem in Kashmir. We have spoken again and again about this with the Indian side". Shadaba Islam, "EU Says No Plan to Put Curbs on Pakistan", *Dawn*, 8 June 2002.

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<sup>10</sup> In a poll conducted by a British pollster, Mori, 65 per cent of Kashmiri Muslim respondents said that foreign militants were damaging the Kashmiri cause while 68 per cent believed that Pakistan's involvement was not based on a genuine concern for Kashmiris. "Damning But True: A Breach in Pak's Grand Delusion on J&K: UK Pollster Mori Confirms the Obvious", *Financial Times* (Bombay), 1 June 2002.

### III. PAKISTAN'S PERSPECTIVE

Since the 13 December 2001 terrorist attack on the Indian parliament, Pakistan has strongly condemned all acts of terror, including those committed in the name of Kashmir. President Musharraf has also pledged to end all cross-border infiltration. Indeed, on 12 January 2002 he went so far as to say:

Pakistan rejects and condemns terrorism in all its forms and manifestations. Pakistan will not allow its territory to be used for terrorist activity anywhere in the world. No organisation will be allowed to indulge in terrorism in the name of Kashmir.<sup>11</sup>

Notwithstanding its denials, however, the military government has continued its proxy war in Kashmir as part of a broader long-term strategy to make the costs of controlling the territory untenable for India. Intending to bleed its larger neighbour – economically, politically, and militarily – the Musharraf government backs Pakistan-based, violent Islamist extremists in hopes of securing Kashmir's integration into Pakistan or at least its independence from India.

In April 2002, after winter snows had melted, hundreds of militants crossed the Line of Control and entered Kashmir. Facing international pressure and a belligerent India, the Pakistani military finally instructed its militants to lie low. Nevertheless, Musharraf, who heads a military establishment that is virulently anti-India, has retained a hard-line posture on Kashmir. He continues to justify the insurgency as an indigenous revolt of freedom fighters struggling to overthrow an oppressive occupier.

The current India-Pakistan impasse is also of the Pakistan military's making. While Musharraf wears several hats – President, Chief Executive and Chief of Army Staff – the military and intelligence services shape and drive his Kashmir policy. The security establishment's longstanding and deep-seated hostility toward India informed Musharraf's actions and leadership during the Kargil crisis. Even after 11 September, his government continued to back militants in Kashmir.

Although Musharraf is under immense international pressure to clamp down on the militants and has promised to do so, his steps in that direction would seem to be more tactical moves to prevent an Indian attack and deflect international pressure than an actual policy reversal. In order to deal with the crisis, Musharraf has adopted a two-pronged strategy: using the international community to pressure India to exercise military restraint while threatening to use nuclear weapons to deter New Delhi.

Musharraf appears to have the means, but not the will, to largely end cross-border militancy permanently. During the 1999 Kargil crisis, the Chief of General Staff, Lt. General Aziz, reportedly assured Musharraf that the Army had militants in Kashmir well under control, saying, "The scruff of their neck is in our hands."<sup>12</sup> Three years later, there is every reason to believe that the Pakistani military retains that upper hand and could largely restrain non-Kashmiri militants if it so desired – including the recent influx from Afghanistan. Cross-border infiltration has decreased significantly since the military government, under U.S. pressure, ordered militants to freeze cross-border operations after Armitage's visit on 6 June 2002. Given its heavy presence, the Pakistani military could largely seal off its side of the Line of Control, and if this happened, the flow of militants into Jammu and Kashmir would dwindle considerably.

Pakistan's military has always kept a fairly tight grip on its militant "clients" operating in Kashmir, going so far as to create, merge and eliminate militant organisations to better suit its purposes. Indeed, to ensure unity of command and control over the militants, the military created an umbrella group, the fourteen-member United Jihad Council. This includes the Hizbul Mujahideen, headed by Syed Salahuddin,<sup>13</sup> and the Harkatul Mujahideen (the group's earlier incarnation, the Harakat al-Ansar, was declared a terrorist organisation by the U.S.). The remaining twelve members are minor groups of the Deobandi persuasion.

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<sup>12</sup> Transcript of taped conversation between Generals Musharraf and Aziz on 20 May 1999, reproduced in *The Hindustan Times*, 12 June 1999.

<sup>13</sup> Although Syed Salahuddin often directs operations by Hizbul Mujahideen that take place in Indian-controlled Kashmir, he has taken sanctuary in Pakistan for the last eight years.

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<sup>11</sup> Text of Musharraf's speech, *The Nation*, 13 January 2002.

Two of the largest Pakistan-based militant groups – the Lashkar-i-Taiba and the Jaish-i-Mohammed – are not a part of the Jihad Council. While both were banned by Musharraf following the Indian parliament attack, it is doubtful that either could survive except on the fringes if it were not for the military's indulgence.<sup>14</sup>

Pakistan's military can exert considerable influence because of the militant groups' limited support base. The membership of all "jihadi" groups and organisations within Pakistan and Azad Kashmir likely ranges between 7,000 and 10,000. There are also some 5,000 to 7,000 Pakistani, Kashmiri and non-Pakistani militants in Kashmir itself.<sup>15</sup> Demoralised by their military setbacks in Afghanistan, Pakistani militants and their domestic and foreign backers are finding it difficult to gain new recruits. According to a mid-ranking commander of a Kashmiri militant organisation, the U.S. war in Afghanistan has broken "the backbone of these organisations".<sup>16</sup>

Internal rifts within some of the groups operating in Kashmir have also made it more difficult for the militants to defy Pakistani military directives. The Islamabad and Srinagar leaderships of Hizbul Mujahideen, for instance, have been at odds over a potential political dialogue with India. Syed Salahuddin, the Pakistani-based Hizb commander, rejected such dialogue, yet his former Srinagar counterpart, Abdul Majid Dar, has been more willing. In May 2002, Abdul Majid Dar was expelled from the Hizb-ul Mujahideen by the Pakistan-based command for his stance and since then has attempted to consolidate his position in Indian-controlled Kashmir.

The dismantling of militant bases in Pakistani territory is particularly important. If networks are not dismantled in Pakistan, extremists will return to

Azad Kashmir as soon as the situation permits. After Musharraf's latest pledge to contain the militants, many left their camps in Azad Kashmir for destinations within Pakistan. "The Mujahideen (Islamist militants) are no longer around", said a Kashmiri separatist leader, "and they have not crossed over into India".<sup>17</sup>

Pakistan has a legal obligation under UN Security Council resolutions to end all terrorist activities on, or originating from, its soil.<sup>18</sup> If the authorities are to fulfil the pledges that they have repeatedly made to stop cross border infiltrations, however, several critical steps must be taken. They must dismantle the networks of extremist parties and groups operating within Pakistan as a means to undermine militant capabilities and deprive these organisations of new recruits.

Efforts must also be made to ensure that banned extremist parties do not simply re-emerge under other names – a ploy that has often been used in the past. Several of the five extremist parties banned by Musharraf on 12 January 2002 have already re-emerged under new names. These groups have also sought to penetrate the more moderate Islamic parties in Pakistan.<sup>19</sup> Pakistan must also ban Islamist organisations that provide military training or support to militants. This means closing extremist madrasas. Finally, Pakistani agencies must discontinue their own direct military training programs and provision of weapons.

If applied in earnest, anti-terrorist financing laws could also be used to deny these groups the funds required to sustain operations. Until now, the Musharraf government has only ordered financial institutions to prepare a strategy to monitor and seize the accounts of terrorists and their organisations. The time has come to translate these directives into tangible action.

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<sup>14</sup> Because the Jaish and the Lashkar have been banned, their members can be tried under existing anti-terrorist legislation if they step out of line. For a detailed description of the players in the Kashmir jihad, see John Gersham, *Overview of Self-Determination Issues in Kashmir* (Washington D.C., Foreign Policy in Focus, 18 January 2002).

<sup>15</sup> ICG interview.

<sup>16</sup> "Now the army wants the militants groups to be active in Kashmir", says the al-Badar commander "but we are in fact short of manpower". Syed Saleem Shahzad, "Delhi May Attack AJK", *Weekly Independent* (Lahore), Vol.1, No. 49, 30 May-5 June, 2002, p. 6.

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<sup>17</sup> Edward Luce and Farhan Bokhari, "A War of Words," *Financial Times*, 28 May 2002.

<sup>18</sup> Debunking Pakistan's distinction between terrorists and "freedom fighters", visiting British Foreign Secretary Jack Straw reminded Pakistan that as a UN member, it has the responsibility to bear down "effectively and consistently on all forms of terrorism, including cross border terrorism". Hasan Akhtar, "Dialogue Alone can Help Settle Dispute", *Dawn*, 29 May 2002.

<sup>19</sup> The Lashkar-i-Taiba has merged with its parent politico-religious organisation, the Markaz-ud-Dawa-wal-Irshad.

If the demobilisation and disarmament of jihadis, including fighters of Arab and Afghan origin, is to be effective, the government must also use its law enforcement and intelligence agencies both to penetrate terrorist networks and to arrest extremists and bring them before the courts.

Militant groups in Pakistan continue to rely on government support because they enjoy little in the way of broad popular backing. If they are deprived of their state patronage in the shape of finances, bases, and sanctuary, militancy in Kashmir will inevitably diminish. Most Pakistanis support resolving the Kashmir dispute and have genuine anger at what are often seen as Indian abuses of Kashmiris. However, support for the Islamist extremists who have been responsible for the sectarian violence that continues to plague cities in Pakistan is marginal.<sup>20</sup> While Pakistan's religious right opposes a change in Pakistan's Kashmir policy, this view is not widely embraced.

A clampdown by the government of Pakistan on Islamist militants would not likely spark wide public anger. Popular reaction was quite muted when thousands of extremists were arrested in January 2002. Almost all the moderate, mainstream parties would favour a change in Pakistan's Kashmir policy given the high cost, international isolation and security risks it has brought in recent years.

Pakistanis would appear to be content with a policy that limited their government's role to diplomatic and moral support for the Kashmiri people. Because a majority would not oppose an end of the militant element of the government's Kashmir policy, all that Musharraf and the military would likely have to fear from such a course change would be a potential backlash from the jihadis themselves. Should Islamist extremists challenge the Pakistan military violently, they would likely be overwhelmed. The Pakistani armed forces have a very low tolerance level for attacks on themselves.

It is also unlikely that Musharraf would face stiff resistance from within the military if he reverses course on Kashmir. The Pakistan military is a

highly disciplined organisation that brooks little dissent. Mid-level officers and the rank and file are well aware that their professional futures depend on obeying and implementing orders, and would accept decisions made by their high command. The Chief of Army Staff and his corps commanders formulate policy by consensus, but the institutional interests of the armed forces drive most decision-making. Should the high command decide that Pakistan's Kashmir policy was undermining long-term institutional interests, they would be willing to put the jihad on hold.

In short, there is very little evidence that the Musharraf government will fall prey to a rising tide of extremism if it more aggressively challenges Islamist extremism.<sup>21</sup> Islamist extremists were unable to mount a serious attempt to overthrow Musharraf and destabilise the Pakistani state after the military was forced to do a turnabout on Afghan policy and support U.S. military operations there. Ultimately, a few thousand Islamist extremists are no match for the eighth largest military in the world. With the backing of his corps commanders, Musharraf is more than capable of resisting the extremists.

However, it should also be clear that even if Pakistan's security agencies directly take on the militants, attacks against civilian and military targets in Kashmir will not come to a full stop, particularly without some broader political solution supported by the majority of the Kashmiri people. The most dependent of clients also gain a degree of autonomy over time, and Islamist extremists in Pakistan are no exception.<sup>22</sup>

However, should Pakistani authorities impose a systematic and sustained clampdown on Islamist extremists, India could move effectively against the militants within Jammu and Kashmir since they could no longer escape across the Line of Control into Pakistan-controlled Kashmir. If India responded

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<sup>20</sup> Aside from periodic attacks on Shia mosques, thirteen Shia doctors were assassinated in Karachi alone by Sunni jihadis in the first five months of 2002. Other Shia professionals including teachers have also been targeted, and many are fleeing Pakistan.

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<sup>21</sup> See ICG Pakistan Briefing, *Pakistan: The Dangers of Conventional Wisdom*, 12 March 2002. All ICG briefings and reports are available at [www.crisisweb.org](http://www.crisisweb.org).

<sup>22</sup> "Three layers of security positions manned round the clock by the heavily armed Indian troops can't stop us from reaching destinations well inside Kashmir Valley", says a jihadi. "How can Pakistan do something that twelve divisions of Indian army so grossly failed to achieve"? Quoted in Kamran Khan, "Kashmir Struggle in Crucial Phase: India Seeks Face-saving Resolution of Crisis", *The News*, 29 May 2002.

positively to a Pakistani clampdown, refraining from blaming every attack in Jammu and Kashmir on Islamabad and practising a more enlightened administration in Kashmir, this would represent an important first step toward peace and reconciliation.

#### IV. THE NUCLEAR CARD

Much of the danger of the retrograde conflict over Kashmir stems from its potential to spark either a much broader conventional war or even a nuclear exchange. India and Pakistan have a dangerous disconnect on the nuclear issue driven both by very poor communication between the capitals and by strikingly different nuclear doctrines. In a recent study, the U.S. Defence Intelligence Agency estimated that more than twelve million Indians and Pakistanis could be killed – and another seven million injured – in a nuclear war.<sup>23</sup>

India has a declared no-first-use nuclear policy, but senior political and military officials have made clear that Pakistan's nuclear capability would not effectively deter India from launching a broad conventional operation. As Indian Army Chief, General Sunderajan Padmanabhan, states it, there is "space for conventional conflict between a low intensity conflict and an all-out nuclear war".<sup>24</sup> India's military planners continue to calculate that because of their own nuclear capacity, they could fight a conventional war with Pakistan while preventing escalation to a nuclear exchange.

Pakistan, by contrast, has not ruled out first-use of nuclear weapons. In past crises, its decision-makers have repeatedly resorted to nuclear threats, implying willingness to use nuclear weapons if India crosses into Pakistani territory.<sup>25</sup>

Pakistan's reliance on coercive diplomacy stems from its belief in the deterrent value of nuclear weapons. In the specific context of Kashmir, military leaders have escalated support for cross-border militancy, firm in their conviction that nuclear weapons would act as an effective barrier

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<sup>23</sup> Elisabeth Bumiller and Thon Shanker, "Bush Presses Pakistan on Kashmir and Orders Rumsfeld to Region", *The Washington Post*, 31 May 2002.

<sup>24</sup> Agence France Presse, "Army Trained for a Nuclear War", *The Washington Post*, 2 October 2000.

<sup>25</sup> When war almost broke out in 1987 during Operation Brasstacks, the head of Pakistan's nuclear enrichment program, Dr. Abdul Qadeer Khan, warned in an unprecedented interview with an Indian journalist, "We shall use the bomb if our existence is threatened". Cited in Neil Joeck, "Maintaining Nuclear Stability in South Asia", *Adelphi Papers*, No. 312 (Oxford: Oxford University Press, 1997), p. 21.

against a conventional or nuclear Indian attack.<sup>26</sup> Pakistan has also relied on a first-use nuclear doctrine because of its inferior conventional military strength. Its capacity to absorb a massive conventional attack from India is questionable, so it retains the nuclear first-use option out of concern that such a strike could conceivably target and destroy its military-nuclear infrastructure.

Although President Musharraf denies any intention of using nuclear weapons in the event of a conflict with India, his government has sent mixed signals. In the third week of May 2002, Pakistan tested a series of nuclear-capable ballistic missiles and signalled that it would likely disperse these weapons to increase their survivability if war broke out. Since it cannot conclusively rule out the possibility of a Pakistani field commander pushing the nuclear button in wartime, India's ability to practice nuclear restraint also appears far from assured.

This points to a very dangerous dynamic. India could well pursue a limited conventional strike along the Line of Control believing that its own nuclear arsenal would deter Pakistan from escalating to nuclear use. Pakistan could also opt for a tit-for-tat response, and attempt to push conflict into Indian territory. If fighting escalated, however, it could opt for a pre-emptive nuclear strike because of its vulnerability to a disabling Indian conventional attack. There would be pressure on Pakistani policymakers to use nuclear weapons quickly, before the ability to do so was lost.

Because India cannot rule out a Pakistani pre-emptive attack in a hot war, its policymakers could feel driven to launch a decapitating first strike to force Pakistan's military leaders into surrendering before resorting to nuclear use. This dynamic could force New Delhi to abandon its no-first-use posture in the heat of war. If Pakistan uses nuclear weapons against India proper, India would likely opt for massive nuclear retaliation, with the result that large swathes of both countries would be devastated. This degree of uncertainty about

intentions, along with the absence of effective communication mechanisms between the two governments, raises the potential for accidents and for decisions based on mistaken assumptions with tragic consequences.<sup>27</sup>

All this makes it painfully clear that intensely local issues such as assembly elections in Kashmir and small Pakistani-backed training camps for militants have sweeping strategic implications for the international community.

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<sup>26</sup> During the Kargil crisis, a senior Pakistani official stated: "The Indians cannot afford to extend the war to other areas in Kashmir, leave aside launching an attack across international boundaries", because of the "risk of nuclear conflagration". Quoted in Zahid Hussain, "On the Brink", *Newsline*, June 1999, pp. 24-25.

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<sup>27</sup> These issues are among those to be examined in more detail in subsequent reporting.

## V. THE INTERNATIONAL ANGLE

*“When you have close to a million men glaring, shouting and occasionally shooting across a territory that is a matter of some dispute, then I think you couldn’t say the crisis is over”.*

Deputy Secretary of State, Richard L. Armitage, 8 June 2002.<sup>28</sup>

The international dynamics following 11 September have inadvertently contributed to the tensions between India and Pakistan. Prior to the terror attack on the United States, the Musharraf government was internationally isolated and under pressure from Washington and its allies to restore democracy and end support for the cross-border insurgency in Kashmir. Since 11 September, the fortunes of the military government have been radically transformed. By participating in the U.S.-led military operations in Afghanistan, Musharraf’s government has gained international acceptance and offers of generous financial assistance. The almost total abandonment by the international community of its calls to restore democracy have also emboldened Musharraf and his military commanders both to solidify their hold on power domestically and to feel that they have the latitude to continue their proxy war in Kashmir.

Until the current crisis, President Musharraf appeared to reason that he could afford to maintain sponsorship of cross-border infiltration, confident that the U.S. and its coalition partners would not impose sanctions on a Pakistan that was vital to the campaign against al-Qaeda. Musharraf seemed confident that Washington would prevent India from an aggressive military response out of its desire to protect U.S. interests in Afghanistan and its ability to operate troops from Pakistan. Further, Islamabad’s cooperation in tracing al-Qaeda operatives in Pakistan was seen as a valuable asset.

Although the United States, the European Union and other influential actors used quiet diplomacy to push Musharraf to change his Kashmir policy, they were indeed averse to coming down too firmly on Pakistan for adventurism. U.S. policymakers also

feared that too much pressure on Musharraf and his military colleagues would render them vulnerable to an Islamist extremist backlash. U.S. failure to understand the implications of unconditional support for Pakistan’s military government has thus contributed indirectly to the current impasse in India-Pakistan relations and the heightened risk of war.

India, by the same token, has been alarmed by the strategic realignment set in train after 11 September, and concerned that Pakistan would enjoy much broader U.S. backing. Consequently, India has tried hard to paint Pakistan as soft on terrorism, and to justify its own actions in Kashmir as part of the global anti-terrorism coalition. It is six months since India signalled its intent to use military force against Pakistan and Pakistani-sponsored extremists by mobilising along the Line of Control and the border with Pakistan. India has demanded that Pakistan cease support for cross-border terrorism in Kashmir, close all terrorist camps and surrender terrorists who have taken sanctuary in Pakistan. While Pakistan has called upon India to resume a diplomatic dialogue to resolve the Kashmir problem, each terrorist attack has strengthened India’s resolve to end Islamabad’s interventions in Kashmir forcefully.

This has also played out against a historic backdrop of Pakistani eagerness to “internationalise” the dispute over Kashmir and invoke some kind of third party mediation or talks. India has always fiercely resisted this, insisting that the tensions are strictly a bilateral matter in which the international community should play no role. Nevertheless, given the high stakes of any war, it is clear that the international community should use its good offices to help cool tensions and work toward a long-term solution in the region.

The time has come for the friends of India and Pakistan to move beyond just treating the symptoms of this long running cycle of cross border violence and deal with its underlying causes. While cross border incursions have certainly been far fewer in recent weeks, the United States must make clear to the Musharraf government that this is simply not a tap that can be turned on and off when Islamabad sees fit. In addition, and regardless of Pakistani pledges, the international community needs to verify and monitor independently an end to Pakistani support for militant groups and their activities. To ease regional tensions, it must also

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<sup>28</sup> Quoted in Cecilia W. Dugger with Thom Shanker, “India Sees Hope as Pakistan Halts Kashmir Militants”, *The New York Times*, 9 June 2002.

pressure and persuade India to use diplomatic means to resolve its differences with Pakistan and with dissidents in Indian-controlled Kashmir.

The risk of an India-Pakistan war will remain high due to Indian hostility toward and mistrust of Musharraf and his military, and Pakistan's military will likely retain the option of supporting militant groups in Kashmir as long as there is no civilian check on its power. The international community should acknowledge the links between the overarching political role that Pakistan's military has secured and the continuing battle of nerves in Kashmir.

Historically, civilian leaders in Pakistan have been far more willing to talk peace with India than those military officers who have held control in Islamabad for long stretches. Elected Pakistani governments have often been directly thwarted in their overtures, however, by the military establishment. The Benazir Bhutto-Rajiv Gandhi peace initiative in December 1989 was a non-starter because the military continued to dictate Pakistan's Kashmir policy and escalated support for militants operating in Indian-controlled Kashmir. When Pakistan's relations with India deteriorated rapidly in 1990, the United States had to apply pressure directly on Pakistan's Chief of Army Staff, General Mirza Aslam Beg, to de-escalate the situation. In 1999, Prime Minister Sharif tried to normalise relations with India, only to have his government dislodged by his army chief – General Musharraf.

The U.S. policy of actively condoning military rule in Pakistan as a reward for military cooperation in the war on terrorism is understandable if considered in terms of only short-term goals but it can be dangerously counter-productive over the long-term. It is in the broad interests of the international community to see Pakistan's military withdraw to its barracks and restore democracy.

If a democratically elected leader replaced Musharraf after the October 2002 general elections in which Pakistan will elect central and provincial legislatures, the risk of an India-Pakistan war would likely decline significantly. Musharraf should be persuaded to step down from the presidency in the best interests of Pakistan and of the military which he leads. The international community has a direct interest in ensuring that the democratic process in Pakistan is sustained in order to advance the prospects for peace and stability in a volatile and conflict-prone region.

## VI. CONCLUSION

It has taken the threat of a nuclear war to crystallise international attention on the Kashmir issue. Had the international community more forcefully pressured President Musharraf to curb militant groups in Kashmir after the attack on the Indian parliament, the situation would not have veered so dangerously out of control. This underscores that the international approach, and particularly the U.S. approach to Kashmir, must move beyond the piecemeal and become more comprehensive and nuanced, addressing the factors underlying India-Pakistan tension.

Certainly there is blame enough for the current situation to go around. While the civilian and military toll of terrorist attacks in Jammu and Kashmir clearly aggrieves India and drives its threats and warnings to Pakistan, all dissent in Kashmir is not, however, external. India's policy shares responsibility. There are countless documented reports of human rights abuses by Indian security forces in Jammu and Kashmir,<sup>29</sup> and if Kashmiri Muslims remain alienated, Islamist extremists will have a base of support, no matter how limited, in Indian-controlled Kashmir.

Since India refuses to accept international intervention or mediation, much of the international community has remained averse to raising the issue of Kashmiri political rights and civil freedoms. While respect for Indian sensitivities is understandable, the international community, in particular for this purpose the U.S., UK, EU and UN Secretary-General, should still urge India, through quiet diplomacy, to monitor closely and control (for all practical purposes, given the lack of any legitimate local government or oversight, the security forces can do what they want) the activities of its security forces in Jammu and Kashmir and to resolve Kashmiri grievances through democratic means.<sup>30</sup>

<sup>29</sup> See, for instance, *Behind the Kashmir Conflict: Abuses by Indian Security Forces and Militant Groups Continue*, Human Rights Watch, July 1999, and "If they are dead, tell us", "Disappearances" in Jammu and Kashmir, Amnesty International (AL-index: ASA 20/002/1999-02-03/1999).

<sup>30</sup> "We are not professional militants," argued former Hizbul Mujahideen commander Abdul Majid Dar. "It is not our compulsion. We want a political process, but unless we see



India's insistence that the Kashmir dispute can only be addressed through a bilateral dialogue with Pakistan is increasingly becoming obviated. Although Prime Minister Vajpayee is understandably reluctant to resume a diplomatic dialogue with President Musharraf, the United States should urge India to reopen diplomatic and military channels of communication in order to scale back tensions. India's blanket rejection of any international mediation – even efforts that would likely affirm the existing Line of Control as an actual international border – leaves it looking needlessly obstructionist to any peace process.

The current military stand-off is particularly dangerous given that the lines of communication between New Delhi and Islamabad remain largely cut. If and when regular military and diplomatic communication is restored, another devastating terrorist attack in India or in Indian-controlled Kashmir could quickly reverse the progress.

Throughout the current crisis, President Musharraf has emphasised the linkage between militant violence and a resolution of the Kashmir dispute. While India rejects any such linkage, the BJP government also insists the conflict can be resolved through bilateral negotiations. There is, however, no evidence that either country has the near-term political will to move forward on Kashmir. Even in the best of circumstances, finding an acceptable solution would be an uphill task because the Kashmir dispute is so deeply entwined with Indian and Pakistani perceptions of national interest and identity. Broader international pressure, therefore, is probably essential to advance the process.

In the immediate term it will be most important to deal with the sources of tension that could again escalate and make meaningful talks on Kashmir elusive, most particularly cross-border infiltrations and the upcoming assembly elections in Indian-controlled Kashmir. The general decrease in infiltrations by Islamist militants since 7 June 2002 moved India to reciprocate by removing restrictions on flights to and from Pakistan and redeploying warships from the Arabian Sea to the Gulf of Bengal. India, however, refuses to withdraw its troops from forward positions, making any further

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a positive attitude from the government of India, we cannot put down the gun". Michael Krepon, "I Pray for an Indo-Pak War", *Weekly Independent* (Lahore), Vol. 1, No. 49, 30 May – 5 June, 2002, p.14

diplomatic or military concessions conditional on evidence that Pakistan has kept its pledge to end all cross-border terrorism.<sup>31</sup>

Although the Kashmir dispute will not be resolved overnight, cross-border insurgency can be tackled immediately and effectively. If and when Pakistani-backed violence ends in Jammu and Kashmir, the threat of an India-Pakistan war will also recede. As tensions ease, India and Pakistan could resume a bilateral dialogue on their many differences, including the Kashmir dispute. To minimise the immediate threat of war in South Asia, the United States should apply its technological and human resources to verify Musharraf's commitment to stop Pakistan-based militants from infiltrating Indian-controlled Kashmir to carry out attacks. The U.S. should share with both countries surveillance information on insurgent movements, as well as on Indian and Pakistani military activities.

A number of proposals to contain and ultimately eliminate Pakistan-based militancy in Kashmir have been made recently. India proposed joint patrolling of the Line of Control, which Pakistan rejected. Pakistan's proposal for an international monitoring presence on both sides of the Line of Control has been in turn unacceptable to India. A third option – helicopter-borne monitoring of the Line of Control by an international force that might include the UK and U.S. – has been undercut by Indian opposition to any international presence in Kashmir. India should reconsider its longstanding objection to deploying monitors on the Indian side of the border who could help observe movements across the Line of Control.

In the medium-to-long term, the FBI and other U.S. intelligence agencies, already tracking al-Qaeda operatives in Pakistan, can help determine whether Pakistan has dismantled terrorist networks, shut down militant bases and eliminated training camps.<sup>32</sup> Given the close links between Pakistani Islamist extremists and al-Qaeda, it is, in any case,

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<sup>31</sup> "Our response," said the Indian External Affairs Ministry spokesman, "will be a sequential reaction to the changes taking place. We have a menu of options open". Times News Network, "India Lifts Ban on Overflights by Pak Planes", *Times of India*, 11 June 2002.

<sup>32</sup> U.S. intelligence agencies, including the FBI and CIA, played the lead role in tracing and subsequently apprehending a number of al-Qaeda agents, including Osama bin Laden's lieutenant, Abu Zubaydah, in Feisalabad, in March 2002.

in U.S. interests to expand the scope of its intelligence operations in Pakistan. Agencies like the FBI can also assist Pakistani authorities in prosecuting terrorists, as they have already done in the Daniel Pearl case. President Musharraf has been willing to allow the U.S. to operate within Pakistan in high profile cases involving Western targets. If he really intends to contain and eliminate Islamist militancy, it stands to reason that he should have no objection to doing so in the context of the militants.

It would be to both India and Pakistan's advantage for the U.S. and its allies to monitor and verify Pakistan's compliance in ending the movement of militants across the Line of Control, while also assisting Pakistan to counter militancy on its own territory. Armed with this information, India would be better prepared not only to confront the militants, but also to take Pakistan to task if it failed to fulfil the pledges it has made.

Pakistan's own internal security situation would also improve as sectarian violence would be diminished – along with the threat of war with India and costly and extended military deployments in inhospitable territory. An effective international role in containing the menace of extremism in South Asia, however, requires a sustained commitment and consistent policies. It remains to be seen if the U.S. and its allies will sustain their commitment when the war against terrorism in Afghanistan winds down.

Domestic dynamics will also play a major role in determining Pakistan's future policy toward Kashmir. After a rigged referendum in April 2002 that gave him an additional five-year term as President, Musharraf's credibility is quite low domestically. All major political parties have called for his removal and the restoration of democracy. Pakistan's military leaders, are, however, still capable of withstanding domestic pressure for change. If the October elections do not lead to a realignment of power and authority in Pakistan, the military, operating without civilian oversight, could revert to the adventurism that has bedevilled India-Pakistan relations. A democratic government would, however, be more inclined to mend fences with India, provided it is genuinely in control of the state apparatus.

Just as the perceptions and preferences of the armed forces guide the policy choices of the military high command, elected leaders must meet the needs of

their domestic constituents. The Pakistani military considers India an implacable foe, hence its interventionist policy in Kashmir. However, while the Kashmir dispute remains important for most Pakistanis, it is secondary to more pressing needs: physical security, justice, education and health. With the right international incentives, elected governments would be willing to put Kashmir on the backburner, as it had been for several decades. Since moderate, secular parties would almost certainly prevail in a free and fair election, elected leaders and parliamentarians would, in any case, favour curbs on the activities of the extremists who pose a direct threat to their authority. A sustained international commitment to democratic transition in Pakistan would, therefore, pay major dividends by marginalising Islamist extremists and enhancing prospects for India-Pakistan peace.

The U.S. role is critical in that regard. Should India-Pakistan tensions temporarily dissipate – which is quite possible – the U.S. may well be tempted to ease pressure on Musharraf, and, after the October polls, tacitly accept quasi-military rule in Pakistan. However, if the military were to rule from behind-the-scenes after a formal restoration of democracy, Musharraf would be an irritant in India-Pakistan relations, at best. Given their deep hostility toward India, if Pakistan's military leaders effectively remain in the driver's seat, they would be tempted to resume their adventurism in Kashmir once international attention shifted to another global trouble spot.

Some U.S. policymakers argue that it is only pragmatic to work with Pakistan's military leaders because they run the country, with little or no opposition from a weak and pliant political leadership.<sup>33</sup> During Pakistan's failed democratic transition (1989-99), successive elected governments were more than willing to accept military-dictated policies toward Kashmir because they were dependent on the generals for survival. If this pattern of civil-military relations is revived after the October 2002 elections, not only will the democratic transition fail, but elected leaders will also once again become hostages to the military's dictates in all spheres of policymaking, including Kashmir.

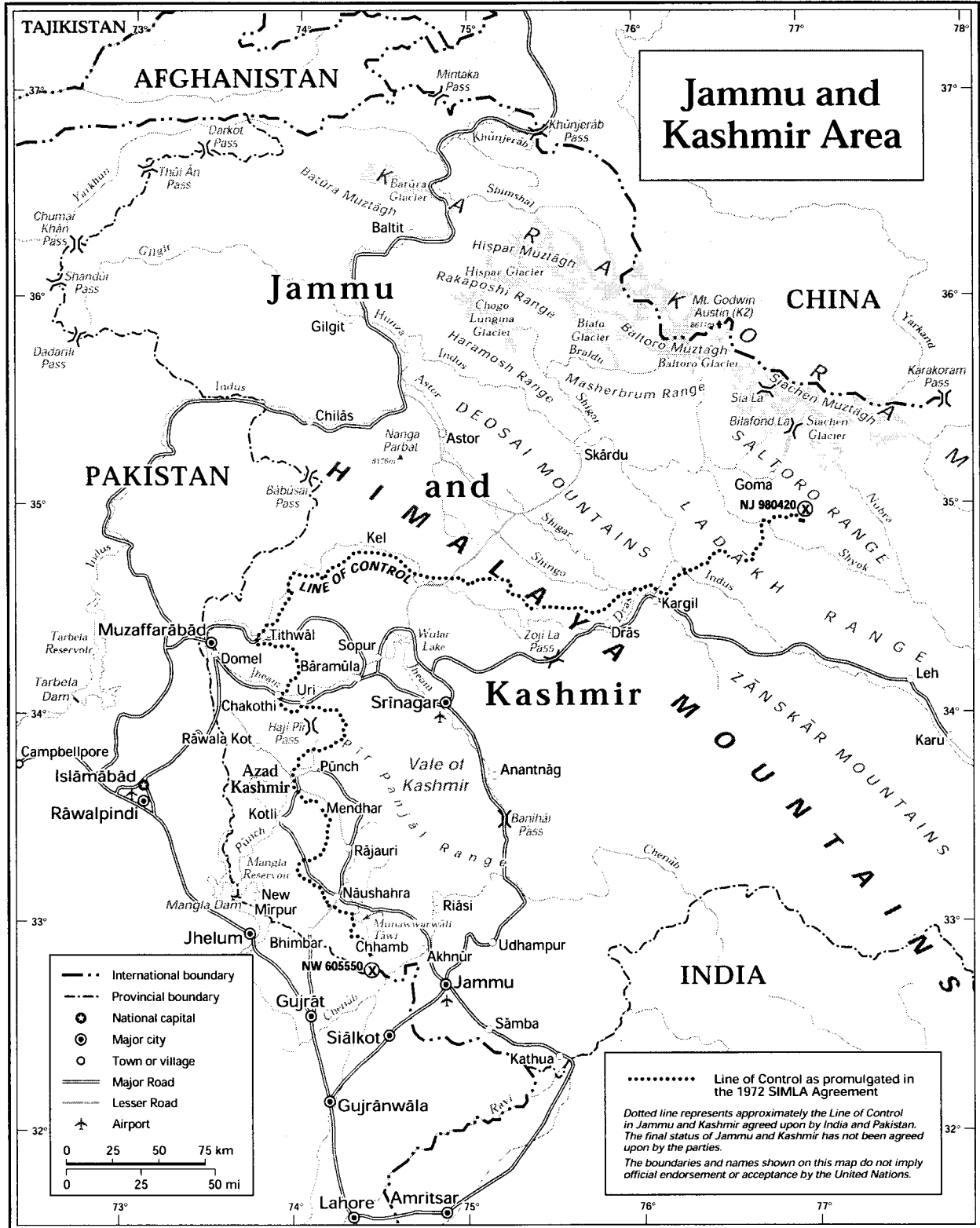
**Islamabad/Brussels, 11 July 2002**

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<sup>33</sup> ICG interview, May 2002.

APPENDIX A

MAP OF KASHMIR



## APPENDIX B

### ABOUT THE INTERNATIONAL CRISIS GROUP

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The International Crisis Group (ICG) is a private, multinational organisation committed to strengthening the capacity of the international community to anticipate, understand and act to prevent and contain conflict.

ICG's approach is grounded in field research. Teams of political analysts are located within or close by countries at risk of outbreak, escalation or recurrence of violent conflict. Based on information and assessments from the field, ICG produces regular analytical reports containing practical recommendations targeted at key international decision-takers.

ICG's reports and briefing papers are distributed widely by email and printed copy to officials in foreign ministries and international organisations and made generally available at the same time via the organisation's Internet site, [www.crisisweb.org](http://www.crisisweb.org). ICG works closely with governments and those who influence them, including the media, to highlight its crisis analyses and to generate support for its policy prescriptions.

The ICG Board – which includes prominent figures from the fields of politics, diplomacy, business and the media – is directly involved in helping to bring ICG reports and recommendations to the attention of senior policy-makers around the world. ICG is chaired by former Finnish President Martti Ahtisaari; and its President and Chief Executive since January 2000 has been former Australian Foreign Minister Gareth Evans.

ICG's international headquarters are at Brussels, with advocacy offices in Washington DC, New York and Paris and a media liaison office in London. The organisation currently operates eleven field offices with analysts working in nearly 30 crisis-affected countries and territories and across four continents.

In *Africa*, those locations include Burundi, Rwanda, the Democratic Republic of Congo, Sierra Leone-Liberia-Guinea, Somalia, Sudan and Zimbabwe; in *Asia*, Indonesia, Myanmar, Kyrgyzstan, Tajikistan, Uzbekistan, Pakistan and Afghanistan; in *Europe*, Albania, Bosnia, Kosovo, Macedonia, Montenegro and Serbia; in the *Middle East*, Algeria and the whole region from Egypt to Iran; and in *Latin America*, Colombia.

ICG raises funds from governments, charitable foundations, companies and individual donors. The following governments currently provide funding: Australia, Canada, Denmark, Finland, France, Germany, Ireland, Luxembourg, the Netherlands, Norway, the Republic of China (Taiwan), Sweden, Switzerland and the United Kingdom.

Foundation and private sector donors include The Ansary Foundation, The Atlantic Philanthropies, Bill and Melinda Gates Foundation, Carnegie Corporation of New York, Charles Stewart Mott Foundation, Ford Foundation, John D. and Catherine T. MacArthur Foundation, John Merck Fund, Open Society Institute, Ploughshares Fund, Ruben and Elisabeth Rausing Trust, Sasakawa Peace Foundation, and William and Flora Hewlett Foundation.

**July 2002**

## APPENDIX C

### ICG REPORTS AND BRIEFING PAPERS\*

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#### AFRICA

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##### ALGERIA\*\*

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*The Civil Concord: A Peace Initiative Wasted*, Africa Report N°31, 9 July 2001 (also available in French)

*Algeria's Economy: A Vicious Circle of Oil and Violence*, Africa Report N°36, 26 October 2001 (also available in French)

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*Burundi: The Issues at Stake. Political Parties, Freedom of the Press and Political Prisoners*, Africa Report N°23, 12 July 2000 (also available in French)

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*Burundi: Breaking the Deadlock, The Urgent Need for a New Negotiating Framework*, Africa Report N°29, 14 May 2001 (also available in French)

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*Somalia: Countering Terrorism in a Failed State*, Africa Report N°45, 23 May 2002

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*Capturing the Moment: Sudan's Peace Process in the Balance*, Africa Report N°42, 3 April 2002

*Dialogue or Destruction? Organising for Peace as the War in Sudan Escalates, ICG Africa Report N°48, 27 June 2002*

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*Sierra Leone: Ripe For Elections?* Africa Briefing, 19 December 2001

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\* Released since January 2000.

\*\* The Algeria project was transferred from the Africa Program in January 2002.

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*Central Asia: Fault Lines in the New Security Map*, Asia Report N°20, 4 July 2001 (also available in Russian)

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\* The Algeria project was transferred from the Africa Program in January 2002.



## APPENDIX D

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