

Reading Trump's Kashmir offer

Writer- Nirupama Subramanian (Editor)

This article is related to General Studies-
Paper II (International Relations)

Indian Express

27 July, 2019

"There is a history of the US seeking to mediate between India and Pakistan. But India has always thwarted these efforts — or ensured the US acts on New Delhi's terms. What could be on Donald Trump's mind?"

With the visiting Pakistani Prime Minister Imran Khan by his side, US President Donald Trump said Monday that Prime Minister Narendra Modi had asked him to mediate on Kashmir, and that he "would love to help".

Trump's claim has since been rebutted by Ministry of External Affairs spokesman Raveesh Kumar and External Affairs Minister S Jaishankar. India has reiterated its longstanding position that there is no room for mediation in Kashmir or on any other India-Pakistan issue and that all outstanding matters between the two countries would be resolved through bilateral dialogue — but only when Pakistan ends cross-border terrorism in India.

India then, has all but called President Trump a liar. How this impacts on the present uneven and unpredictable relations with the United States remains to be seen. The response from both sides may well be to bury the episode quietly and move ahead.

Hours after Trump's statement, the State Department tweeted to control the damage: "While Kashmir is a bilateral issue for both parties to discuss, the Trump administration welcomes Pakistan and India sitting down and the United States stands ready to assist."

US Congressmen on both sides of the political divide were reported to have "reiterated support for the long-standing US position on the Kashmir dispute", and criticised Trump's "amateurish and embarrassing mistake".

Why India insists on bilateralism with Pakistan

The Indian position has historically stemmed from its mistrust of outsiders meddling in its internal affairs, the strongly felt need to protect its secular nationhood project, and suspicion that mediators viewed Kashmir through Pakistani eyes.

Jawaharlal Nehru, who took Pakistan's invasion in 1947 to the United Nations, was quick to realise his mistake. The UN missions flowing from the resolutions, including the Dixon Mission, which led to the Dixon Plan of 1950 for partition of some areas of Jammu & Kashmir between India and Pakistan (Ladakh to India, PoK and Northern Areas to Pakistan, with Jammu divided between the two), plus a plebiscite in the Valley, strengthened India's determination to shut the door on international mediation. (See A G Noorani on Dixon Plan, Frontline, October 12-25, 2002)

The framework for bilateral resolution of problems between India and Pakistan was written into the 1972 Simla Agreement and reiterated 27 years later in the Lahore Declaration. Nonetheless, Pakistan has continued to view the "internationalisation" of the Kashmir issue as its best bet towards reversing J&K's accession to India, and has used every global forum to criticise India's "illegal occupation" of Kashmir.

The American 'hand', playing out earlier too

While India has mostly succeeded in conveying that it would brook no third-party mediation, Trump's offer is not the first time that an American leader has sought to "help" India and Pakistan resolve the Kashmir dispute.

In 1993, Robin Raphel, who headed the State Department's newly created South Asia division in the first Clinton Administration, sought to junk the Instrument of Accession, and asserted that for the US, Kashmir was "disputed territory", undermining years of Indian diplomatic efforts.

Her statement was taken far more seriously than Trump's remark on Monday, and in India, she was seen as being pro-Pakistan and anti-India. It was at that time that the Kashmiri people began to be viewed as the third side to what was until then perceived as an issue between just India and Pakistan. In 1995, Raphel told the US Senate Foreign Relations Committee that "[o]ur top foreign policy goals in South Asia reflect the Administration's global priorities. Reducing tensions and helping to resolve conflicts peacefully... We are continuing efforts to persuade them to begin a serious attempt to resolve this dispute... The United States has offered to assist with this process, if India and Pakistan so request. We have no preferred outcome. But we recognize that a resolution is long overdue and essential for the long term stability of the region as a whole."

As New Delhi's post-liberalisation economic clout grew, Raphel's influence in the State Department faded. Clinton 2.0 embraced the Indian stand on bilateralism. But as Pakistan's hand in the 1990's uprising in Kashmir and cross-border terrorism became apparent, it was India that sought outside help to rein in Pakistani meddling in the Valley. In 1999, the year after India and Pakistan went nuclear, it was US intervention that brought the Kargil crisis to an end. The Vajpayee government had been in touch with the Clinton Administration to get the Nawaz Sharif government to call off the intrusion in Kargil, even as the Indian Army fought the Pakistani forces.

Sharif arrived in Washington on July 3, seeking Clinton's help for a face-saving ceasefire that would include a US-guaranteed settlement on Kashmir. But he had to agree to an unconditional withdrawal of Pakistani forces back to the Line of Control. Clinton denied him a face-saver on Kashmir, and reaffirmed the US commitment to the bilateral Lahore Declaration signed earlier that year as the best way forward to resolve Kashmir and other issues.

After 9/11, which ushered in the UNSC-backed international legal regime against terrorism, India has looked increasingly to the world for help in dealing with Pakistan. But this was on one issue alone: an end to the terrorist groups that flourish on Pakistani territory, to put pressure on the Pakistan Army and political leadership to desist from permitting anti-India terrorist activity on its territory, and to censure it when such attacks took place. It was the US again that defused tensions, and persuaded India away from a war with Pakistan after the 2001 Jaish-e-Mohammad attack on Parliament.

Asking international players for help on Pakistan on one thing, and telling them to respect India's red lines on other kinds of involvement has had its moments. But for the same reasons that India has been able to get its way mostly on this — the nuclearisation of South Asia and the growing global interest in India's economy — members of the global community have, from time to time, also evinced interest in mediation in Kashmir.

In 2008, when Barack Obama was a candidate for his first term in the White House, he told Time in response to a question on Taliban attacks in Afghanistan from across the Pakistan border: "Working with Pakistan and India to try to resolve Kashmir crisis in a serious way... [is among the] critical tasks for the next administration. Kashmir in particular is an interesting situation where that is obviously a potential tar pit diplomatically. But, for us to devote serious diplomatic resources to get a special envoy in there, to figure out a plausible approach, and essentially make the argument to the Indians, you guys are on the brink of being an economic superpower, why do you want to keep on messing with this? To make the argument to the Pakistanis, look at India and what they are doing, why do you want to... [be] bogged down with this particularly at a time where the biggest threat now is coming from the Afghan border? I think there is a



moment where potentially we could get their attention. It won't be easy, but it's important."

India was quick to disabuse him of this idea, and Obama never brought this up again in the eight years of his presidency.

Other efforts: The United Kingdom and Norway

The United Kingdom, which has a large diaspora from the PoK, has also shown interest in being a mediator. International interest in Kashmir has usually found expression when there's a vacuum in India-Pakistan engagement, when "nothing" seems to be happening on the bilateral front, and especially if the Kashmir issue is also on the boil in the same period, as it has been over the last five years.

Last year, apart from the UN Human Rights Council's stinging report on Kashmir, former Norwegian Prime Minister Kjell Magne Bondevik visited Srinagar, met with the separatist leadership there and, after returning, went on to visit Pakistan-occupied Kashmir.

Norway's long history of mediation in conflict situations prompted much speculation over Bondevik's visit. On the Indian side, he told The Indian Express, he had been invited by Art of Living founder Sri Sri Ravi Shankar. The Indian government, which had evidently cleared and facilitated his trip to the Valley, did not comment; the Norwegian Ambassador to India later clarified that it was a personal visit.

Understanding President Trump's comment

There could be several reasons for Trump trying to wade into Kashmir.

For one, he may think it is easy. In February this year, he claimed to have defused the India-Pakistan standoff that arose from the Pulwama attack. The US is said to have played a part in the release of an Indian Air Force pilot who was captured across the LoC.

The US also played a role in forcing China to agree to the designation of Jaish chief Masood Azhar as a "global terrorist".

And most recently, Trump took credit for the arrest of Hafiz Saeed. Perhaps, the US President thinks he is already half way to solving the problem. He may also believe that if his Administration succeeded in dragging the Taliban to the negotiating table in Afghanistan, it can do the same with India and Pakistan.

GS World Team...

Shimla Agreement

Introduction

- After the Indo-Pak war on July 3, 1972, a treaty was signed in Shimla, which is called the Shimla Agreement.
- This included Zulfikar Ali Bhutto from India on behalf of Pakistan and Indira Gandhi from India. Zulfikar Ali Bhutto took over as President of Pakistan on December 20, 1971. He got a broken Pakistan in heritage.
- On assuming power, Bhutto promised that she would soon be able to join Bangladesh again in Pakistan. Many officers of the Pakistan Army were dismissed, liable for the defeat of the country.

Background

- After the political-level talks that lasted for several

months, India-Pakistan Summit was held in Shimla in late June 1972.

- Indira Gandhi and Zulfikar Bhutto, along with their high level ministers and officials, discussed all those issues that arose from the 1971 war.
- They also talked about other questions of both the countries. These were the main subjects-exchange of prisoners of war, question of recognition of Bangladesh by Pakistan, normalization of diplomatic relations between India and Pakistan, resume trade and set up a Line of Control in Kashmir.
- After a long interaction, Bhutto agreed that the Indo-Pak relations would be decided only by bilateral talks.



- At the end of the Shimla Agreement, an agreement was signed by Indira Gandhi and Zulfikar Ali Bhutto.

Main points of agreement

- It provided that both the countries would endeavor to end their struggle and dispute, and it was promised that the work will be done for permanent friendship in the sub-continent.

Talk bilateral

- For these purposes, Indira Gandhi and Bhutto decided that both the countries will conduct a direct dialogue for peaceful settlement of all disputes and problems and will not make any changes by taking unilateral action in the situation.
- They will neither use force against each other, nor will they hesitate in territorial integrity and will not interfere in each other's political freedom.
- Both governments will prevent the propaganda against each other and encourage the news, which will lead to the development of friendship. All communication relations will be re-established to normalize relations between the two countries.

Community Facilities

- Traffic facilities will be set up so that the people of both countries can come and come closer and establish close relations.

Will increase business

- As far as possible, business and economic cooperation will be re-established soon.

Will cooperate

- In the field of science and culture, mutual exchange will be encouraged.

Line of control

- In the interest of lasting peace, the two governments agreed that the forces of both India and Pakistan would go back to their respective territories.
- The two countries recognized the Cease fire line of September 17, 1971 as the Line of Control, and it was decided that within twenty days of this agreement, the armies will go back to their respective boundary.
- It was decided that both the heads of the governments will continue to meet in the future and in the meanwhile, the officials of both the countries will continue to talk to normalize relations.

Expected Questions (Prelims Exams)

1. Consider the following statements-

- Shimla Agreement was concluded on 2nd July, 1972 for bettering relation between India and Pakistan..
- In Shimla Agreement, India and Pakistan had decided that all disputes will be resolve through bilateral discussion.

Which of the above statements is/are correct?

- (a) Only 1 (b) Only 2
(c) Both 1 and 2 (d) All of the above

Expected Questions (Mains Exams)

- Q. Evaluating the claim of American mediation with respect to Kashmir dispute, explain how worrisome it is for India and Why. Explain with reasons.

(250 Words)

Note: Answer of Prelims Expected Question given on 26 July. is 1(c).

