



Summary¹ of the First Meeting of the Pugwash India-Pakistan Independent Commission

3-4 June 2010, Islamabad

Executive Summary

From 3-4 June 2010, Pugwash facilitated the convening the first of a planned series of meetings of a new bilateral Pugwash India-Pakistan Independent Commission (PIPIC) to discuss ways to promote greater security for both countries through increased cooperation in several key areas. The 21 participants from India and Pakistan included prominent current and former policy makers, diplomats, military and intelligence experts, and media analysts, who brought to the table a wide range of experience and insights.² The meeting was held according to Pugwash/Chatham House rules, and each participant took part in his or her individual capacity and not as a representative of any government, political party or any other institution.

The meeting was convened based on the belief that **it is crucial that dialogue between Pakistan and India continues**. Some felt strongly that the two countries are on the cusp of a bilateral, normalized relationship, and recognized that there is a public yearning for peace³. This executive summary includes “interim” recommendations, as the Commission will address these issues in more depth in future meetings. A more complete discussion of the issues and recommendations is contained in the full report.

Summary of key interim recommendations

Terrorism

1. The foreign ministers should issue a statement that emphasizes the commonalities both countries face in combating terrorism.
2. Differing national perceptions could be addressed unilaterally. Pakistan could give a clear description of what it is doing to cut off ties with radicalized elements of society and provide a forthright statement as to current policies on the use of proxies. India could explicitly acknowledge the actions Pakistan has taken so far to combat terrorism, and the cost of such action

¹ Please note: This report was written by Sandra Ionno Butcher, Senior Program Coordinator, Pugwash Conferences on Science and World Affairs (sibutcher@earthlink.net) with the help of David Cliff, Researcher, Verification Research, Training and Information Centre (VERTIC). This report is not comprehensive. This is the rapporteur’s personal report. It highlights selected points of discussion from the Commission’s meeting in Islamabad. As with all Pugwash meetings, there was no attempt to reach consensus. No position described herein should be attributed to any particular person.

² They were joined by 3 experts from International Pugwash and representatives from USIP and VERTIC, the two funding institutions.

³ Two Indian participants wanted to reiterate, as a comment to the report, that “dialogue can only be meaningful if Pakistan puts a stop to terrorism.” The majority of others believed the very process of dialogue in resolving all outstanding issues is urgent and timely.

on the Pakistani society in terms of lives lost and financial and other resources devoted to the problem.

3. Foreign ministers could commit to review, revive, and revise joint anti-terrorism mechanisms, exploring options for verification, joint intelligence⁴, joint investigations, and possibly ultimately joint trials.

4. Legal issues demand immediate attention. The foreign ministers should discuss ways to ensure the most robust case possible is put forward for the Mumbai trial and set in process ways to upgrade and further intensify bilateral communications between the criminal justice systems of the two countries. Both countries (or Pakistan) may have to introduce additional legislation to ensure that the prosecution case is strengthened and perpetrators of crime are duly punished.

5. Both countries must proceed in careful recognition of the differing requirements of counterinsurgency versus counterterrorism activities.

Water⁵

6. The foreign ministers should emphasize the shared interests in working cooperatively to develop the Indus Water System.

7. Arbitration should proceed expeditiously regarding the Indian hydroelectric project on the Kishanganga River.

8. Immediate transparency measures, such as providing information on discharge rates, could be explored as confidence building measures.

9. An expert/parliamentary committee should be established with the goal of preparing a working document or statement emphasizing technical options for ways forward. A range of topics that could be explored is provided in the full report.

Afghanistan

10. Pakistan and India should increase transparency by discussing what they are trying to achieve in Afghanistan. Pakistan and India should discuss frankly their mutual concerns and see how best they can reconcile their differences.

11. Transit facilities for reaching Afghanistan from India could be a potential CBM and useful to the development of Afghanistan

12. Cooperative uses of regional energy resources should be further explored.

13. There should be increased transparency and dialogue about any concerns over the representation of each country in Afghanistan.

⁴ Some participants believe there is no need for joint anti terror mechanisms in view of the trust deficit and past experience, but that the focus should be on cooperation of the judicial systems. Others thought both could proceed.

⁵ Some participants urged faithful adherence to the Indus Water Treaty, which has stood the test of time and provides a perfect mechanism for resolving all issues with scope for addressing "differences" and "disputes".

14. Cooperative approaches toward economic assistance to Afghanistan should be explored.
15. Pakistan and India should promote regional discussions about how to prepare for stability in Afghanistan following the withdrawal of foreign forces. This should proceed also on a Track II level.

Kashmir

16. Dialogue on Kashmir must be resumed.
17. In addition, Kashmiris should be engaged in discussions on ways forward on a range of topics, including: increased travel, porous borders, free trade, commerce, development of joint institutions across the LOC, unified chambers of commerce, banking facilities across the LOC, etc.
18. Framework ideas and non-papers from the earlier talks should be made accessible so they can be reviewed and adapted to instruct, where possible and useful, future agendas for dialogue between the two countries.

People to people contact

19. It would be desirable to start direct flights between Delhi and Islamabad for which an agreement already existed.
20. Dialogue and Track II meetings between MPs should be encouraged
21. Visa procedures need to be simplified.
22. Opportunities for scientists to meet should be encouraged.
23. India should allow access to some Pakistani television channels.

Trade

24. The foreign ministers should send a clear signal from their meeting indicating the two countries' goals for the further development of trade and commerce.
25. Pakistan should consider granting MFN status to India.
26. Chambers of commerce in both countries should appoint a joint committee to help influence the climate in both countries for discussion of non-tariff barriers and measures to increase incentives for trade.

Arms control/disarmament

27. India and Pakistan should have a meaningful dialogue on the meaning and consequences for the two countries of a fissile material cut-off treaty.
28. Foreign ministers could reaffirm that both countries have no intention to conduct future nuclear tests. A possible statement (either a joint statement or mutual unilateral statements) on

this topic could be useful for the general ongoing discussions on the CTBT and on its entry into force.

29. Peaceful uses of nuclear energy could be further discussed by the two countries.

30. Progress on limiting or eliminating⁶ short range missile systems could be further discussed as a CBM and might include transparency exercises related to verified destruction of the systems. Cruise missiles could be discussed and should be included in the advance missile notification regime.

31. The two governments need to move toward “track one” discussions on nuclear issues, including perhaps: increased transparency on nuclear doctrines; possible non-deployment or de-alerting agreements; studying consequences of possible nuclear use; and nuclear risk reduction and crisis/accident management techniques.

32. It might be possible for India and Pakistan to become leaders in promoting global negotiations on a treaty of non-use of nuclear weapons.

33. Promoting negotiations at the Conference on Disarmament for a nuclear weapons convention may be an area where the two countries could cooperate, as they have in the past.

34. Lessons could be drawn from the experience of other countries regarding how to minimize the demands of aging nuclear arsenals.

35. A discussion among scientists and military experts from both countries could be promoted in order to facilitate a constructive approach towards the international proposal of cutting off the production of fissile material for military purposes.

Other pending issues

38. Discussions should be promoted addressing the entire range of pending issues between the two countries. The Siachen and Sir Creek issues in particular should be put on a fast track for resolution.

Moving forward

39. Participants were encouraged to channel the ideas discussed at this meeting into the relevant policy streams in both countries, particularly in the lead up to preparations for the scheduled foreign ministers’ meeting.

40. The Pugwash Commission will continue to meet, alternating between the two capitals.

41. Participants were encouraged to promote the substance discussed in the media.

42. Cooperation among the various Track II initiatives is essential and underway.

⁶ Some expressed doubts about the possibility of eliminating short-range missiles.



Full report⁷ of the First Meeting of the India-Pakistan Commission

3-4 June 2010, Islamabad

Overview

From 3-4 June 2010, Pugwash facilitated the convening the first of a planned series of meetings of a new bilateral IndiaPakistan Commission to discuss ways to promote greater security for both countries through increased cooperation in several key areas. The participants recognized there is a trust deficit in relations between the two countries and acknowledged the importance of proceeding with sensitivity to this “burden of history.” However, now that the two governments are poised to resume dialogue, the purpose of the Commission is to explore points of convergence and to highlight suggestions for possible ways to move forward. The discussions in Islamabad were held in this generally positive and productive spirit, with a belief that in times of tension more dialogue is required, not less.

The 21 participants from India and Pakistan included prominent current and former policy makers, diplomats, military and intelligence experts, and national media analysts, who brought to the table a wide range of experience and insights.⁸ Across these diverse perspectives, there was a shared commitment to and sense of urgency for “track two” unofficial dialogue, and a hope that discussions begun here in Islamabad might contribute in some small way to fostering an environment conducive to progress in the “track one” or intergovernmental dialogue.

Topics addressed included:

- Terrorism
- Water
- Afghanistan
- Kashmir
- People-to-people contact
- Trade
- Arms control and other confidence building measures, and
- Next steps

The meeting was held according to Pugwash/Chatham House rules, and each participant took part in his or her individual capacity and not as a representative of any government, political party or other institution. Participants expressed their deep appreciation to the local organizers and all

⁷ Please note: This report was written by Sandra Ionno Butcher, Senior Program Coordinator, Pugwash Conferences on Science and World Affairs (sibutcher@earthlink.net) with the help of David Cliff, Researcher, Verification Research, Training and Information Centre (VERTIC). This report is not comprehensive. This is the rapporteur’s personal report. It highlights selected points of discussion from the Commission’s meeting in Islamabad. As with all Pugwash meetings, there was no attempt to reach consensus. No position described herein should be attributed to any particular person.

⁸ They were joined by 3 experts from International Pugwash and representatives from USIP, and VERTIC, the two funding institutions.

those who made possible the visas, financing⁹, and other arrangements that allowed the meeting to convene.

Introduction

At their recent side meeting in April at the annual South Asia Association for Regional Cooperation (SAARC) meeting, Pakistani Prime Minister Gilani and Indian Prime Minister Singh agreed to resume dialogue between their two countries. There are key decisions yet to be taken as to the format of the discussions, including whether it will follow the earlier pattern or whether it might include additional areas of interest of the two countries.

The meeting was convened based on the belief that **it is crucial that dialogue between Pakistan and India continues**. Some felt strongly that the two countries are on the cusp of a bilateral, normalized relationship, and recognized that there is a public yearning for peace.¹⁰

Terrorism

Terrorism has placed a serious pressure on both bilateral relations and domestic systems in Pakistan and India. In the opinion of some, terrorism – and the response to terrorism – represents the most important element affecting, or, rather, contributing to, the “trust deficit” between the two countries. Grave concerns were raised about the **possible impact of another future Mumbai-style attack** and its implications for military postures in the region and the relations between the two countries.

In Pakistan, for example, some were concerned that it may be counterproductive to push Pakistan too hard to the point of destabilizing the country. There also is enormous strain on the judicial system as it seeks to process the hundreds of cases and a challenge for the military and intelligence in providing limited available resources to these tasks. From the Pakistani perspective, India is not looking at the extent of changes in Pakistan in recent years, and there is a sense that this window of opportunity must be taken advantage of while it exists. One participant said, “If India walked an extra mile with a Pakistani military leader, it should see if it can walk an extra two miles with a democratic leadership.”

In India, however, a perception remains that Pakistan is still not doing enough post-Mumbai to address the root problems. Moreover, the Mumbai trial – some noted – had taken on “political overtones” that were damaging the judicial process. Further dialogue on this critical area is needed to deconstruct the complicated and interrelated issues, to move toward concrete actions that might begin to address the outstanding problems. At the heart of this are two central questions.

- Will the two countries use terrorism as the essential benchmark upon which to base relations?
- Is it possible to bridge the trust deficit in this area?

⁹ We would like to acknowledge the generous support of the United States Institute of Peace and VERTIC for making this meeting possible.

¹⁰ See note 3.

It was recognized that given the climate in the region, and the powerful force multiplier of the significant recent increases in media and telecommunication technologies, a few terrorists now have disproportionate power to disrupt relations between the two countries, or, as one participant said, “Twenty deaths can change the nature of the world.”

Interim recommendations:

1. Clear demonstrations of political will, followed by concrete examples and actions, contributes to re-building damaged trust.
 - 1.a. There needs to be **greater profile given to the commonalities** both countries face in addressing this shared risk to their security.
 - 1.b. **A statement from the foreign ministers that emphasizes this commonality** would be a very positive step forward.
2. Differing national perceptions must be addressed:
 - 2.a. From the Indian perspective, it would be helpful if **Pakistan could give a clear description of what it is doing to cut off ties with radicalized segments of the society.** Additionally, a forthright **statement regarding current policies toward the use of proxies** would be helpful.
 - 2.b. From the Pakistani side, it would be helpful if **India could acknowledge the actions Pakistan has taken so far, and the cost of such actions**, both in terms of the lives lost and financial and other resources devoted to this problem. (Consider the attacks in Lahore just one week before this Pugwash conference was convened.) For example, in the past five years, Pakistan has lost more soldiers than NATO, and is the principal victim of terrorism. Pakistan has changed its approach to Hafiz Saeed and applied strong pressure on him and his followers.
3. **The joint anti-terrorism mechanisms should be reviewed, revived, and revised as appropriate.**
 - 3.a. This should include exploring further options for **verification, joint intelligence and joint investigations¹¹ and possibly joint trials**, and study of what is blocking mechanisms and earlier talks, for example as a group in the Composite Dialogue, from delivering results?
4. **Legal issues demand immediate attention:**
 - 4.a. The **foreign ministers meeting should discuss what might be done to ensure the most robust case possible is put forward for the Mumbai trial.** This is urgent, as it was believed the Indian-Pakistan dialogue may not be strong enough to survive an acquittal in the Mumbai case.

¹¹ Some participants believe there is no need for joint anti terror mechanisms in view of the trust deficit and past experience, but that the focus should be on cooperation of the judicial systems. Others thought both could proceed.

4.b. Political leaders should try to **dampen rhetoric about pending legal cases and rationalize deadlines**, in order to ensure prosecution moves forward on legally sound ground. Some were concerned that the legal system has been a casualty of the political overtones injected into several high profile cases.

4.c. To the extent possible, it is imperative to **develop bilateral communication between the criminal justice systems of both countries**, establishing a “proper legal conveyor belt” between the two countries so as to avoid acquittals, such as with the recent Marriott bombing case. While there are agreements all over the world at a law enforcement level to address transnational crimes, India and Pakistan don’t have a legal framework to implement these sorts of agreements. There is a shared interest in better synthesizing the judicial systems, to avoid evidentiary exclusions and other procedural difficulties that can arise from the current situation. **Examples could be drawn from existing agreements.** For example, both India and Pakistan are parties to disaster management conventions that oblige each state to identify official contacts. Perhaps that example might be an instructive starting point for developing a better structure to facilitate a better coordinated approach to terrorist actions.

4.d. Likewise, it is possible to **look at the mutual legal assistance mechanisms each country already has in place with other countries and to take draft language from those existing agreements to create a bilateral agreement.** Some participants thought such cooperation should proceed on a scale: civilian legal mutual agreements are easier to negotiate, and perhaps through such confidence building measures, addressing the more difficult cooperation on topics such as extraditions, intelligence, etc may be possible in future.

4.e. **Both countries could work together to explore what happens to suspects/prisoners while in detention. Studying deradicalization policies in the prisons might provide an opportunity for bilateral interactions,** to ensure that time spent in jail does not harden inmates’ views but rather encourages them to review their world view and responsibilities as citizens of states. There is a need to develop a counternarrative, emphasizing that more can be achieved through peace than violence.

4.f. Both countries (or Pakistan) may have to introduce additional legislation to ensure that the prosecution case is strengthened and perpetrators of crime are duly punished.

5. A greater understanding of the demands of executing counterinsurgency versus counterterrorism actions is needed.

5.a. In Pakistan, for example, engaging military in city-based counterterrorism roles would be a “hornet’s nest” and patience is needed while the police training is revised to include better counterterrorism training. The example of Europe was raised, regarding the need to respect the law while fighting terror.

5.b. If the lines are blurred and the Kashmir struggle is painted as an Al-Qaeda related struggle which would invoke counterterrorism measures, there is a concern this demolishes the self-determination arguments.

5.c. There was concern expressed that some groups have an interest to fuel tension between India and Pakistan, to force Pakistan to divert attention and resources from the Afghan border and that India and Pakistan must be attuned to this dynamic.

Water

Water has emerged as an “irritant” in bilateral relations between Pakistan and India. Water scarcity is a fact, and these sorts of pressures will only increase. Therefore, it is crucial to continue to move forward cooperatively, using the solid basis of the Indus Water Treaty’s mechanisms to address the current issues¹². Bilateral communication on water issues can serve as an important confidence building measure between the two countries, as it also provides one of the better historical success stories of a common approach based on joint strategic interests where, according to one participant, “sanity and level-headedness prevails.”

At present both countries are approaching this issue in a reasonable manner, avoiding strong rhetoric. For reasons of demographics and climate change, the two countries must continue to interact in a positive way on these issues as the pressures are only likely to increase in the future. As one participant said, “we cannot partition an ecological system.” There was a general recognition that the 1960 Indus Water Treaty is functioning well.

However, there also was a grave recognition that if this issue is not managed with appropriate political will on both sides, based on sound analysis, water can become not only a “flashpoint” in relations between the two countries, but also a force multiplier for conflict in which issues can become emotionally charged.

Interim recommendations:

6. The two governments, at very senior levels, must take political ownership of this issue and dampen any rhetoric.

6. a. **The foreign ministers should emphasize the shared interests in working cooperatively to develop the Indus Water System.**

7. Resolution of the recent dispute regarding the Indian hydroelectric project on the Kishanganga River should proceed expeditiously.

7.a. Pakistan has named arbiters. **With the names of its arbitrators** provided by India there should be confidence on both sides that arbitration will be done in a timely manner.

8. **Immediate transparency measures** could be explored.

8.a. Discharge rates could be provided.

8.b. Installation of telemetry systems could be agreed upon by the Indus Water Commission.

9. Concrete discussions are needed on how to move forward to jointly develop the Indus River system. This includes looking at modern technologies, based on best practices in other regions. This document then could be injected into discussions in the parliaments and policy making streams in both countries, and might prove pivotal in creating a better environment. This could draw on lessons from the earlier task forces that existed, for example, on water basins.

¹² Some participants urged faithful adherence to the Indus Water Treaty, which has stood the test of time and provides a perfect mechanism for resolving all issues with scope for addressing "differences" and "disputes".

Issues that could be explored by this group include:

- how to ensure optimal use of water on both sides;
- irrigation techniques;
- alternatives to canals (which encourage evaporation);
- salination/sea water in the delta;
- further transparency measures and technologies;
- how to foster education and development of water experts in both countries (this need was particularly identified for Pakistan, and this may be an area where joint academic exchanges could prove useful);
- identifying the best forums for addressing water issues (ex. bilateral, through SAARC, etc);
- flood control measures (looking for example at the experience with Tibet);
- studying the actual impact of melting glaciers;
- better coordination of placement of hydroelectric water plants;
- The model of the US-Canada international joint commission to manage water could be studied in which each country has an equal number of commissioners, technical experts, who report to the two governments. The governments are not obliged to take the recommendations but the credibility of the body is such that they usually do. Water management issues are thus taken out of the political arena. Pugwash can provide contacts to this secretariat in Ottawa if any are interested.
- Ways to strengthen the legal arrangements between the two countries. The Indus Water Treaty resolution mechanisms should be utilized to the extent possible. There was recognition, however, that sometimes the timing of the arbitration courts is too slow, that desertification may proceed, while arbitration is underway. It was pointed out that Article VII of the Indus Water Treaty allows for the two governments to explore further measures for increased cooperation without renegotiation of the whole treaty. This should be further explored as an alternative to any discussions of scrapping the Indus Water Treaty and starting over with a new legal framework.
- Experts on both sides also might look, for example, the convention on non-agricultural uses of international watercourses, which has some suggestions and codification of existing laws. This convention has not been in use since 2005, but it might provide the basis of discussion.

Afghanistan

Afghanistan is an area that can be a win-win situation for both countries or, as one participant said, “Afghanistan could be the greatest confidence building measure between the two countries.” There is space to work together toward the ultimate goal of a peaceful Afghanistan, which could become a member of SAARC and become fully integrated into the region. Participants discussed the long-term vision of India and Pakistan working cooperatively on joint projects with and in Afghanistan, provided the current trust deficit is removed on all sides. However, others noted that an improvement in bilateral Pakistan-India relations will have a positive impact in Afghanistan, so these processes must work concurrently. As one participant noted, Afghanistan is as close to a “level playing field” as India and Pakistan have got.

Pakistan can benefit enormously from a stabilized Afghanistan. The presence of current and former Afghan refugees in Pakistan and the large number of Pakistanis working in Afghanistan

create strong ties. Economically, Pakistan could benefit from increased exports to Afghanistan and decreased informal trade. Border issues, and concerns over the impact of possible US withdrawal from Afghanistan, must be addressed urgently. India could benefit from decreased militancy, and both countries could gain a trade route to Central Asia. Indian concerns over being sidelined in recent meetings in Istanbul and London were acknowledged.

Participants acknowledged the future of Afghanistan is for the Afghans themselves to decide. Participants discussed the need to avoid Western stereotypes, and to maintain distinctions between Taliban and Al Qaeda leadership. The Indian position is more nuanced now, for example, and they are no longer saying any talk with the Taliban is bad, though they are not actively encouraging this approach. It would be helpful, however, if Pakistan could be more proactive in acknowledging India has some legitimate goals in Afghanistan. While there is an enormous loss of goodwill in Afghanistan for Pakistan, relations will continue. Concerns that outside countries might support non-Pashtuns in the north, and further destabilize the situation, were addressed. However, it was also acknowledged that concerns about ‘outside influences’ must not be overblown. Indian sensitivities to possible US talks with the Taliban were noted. More broadly, some participants urged that the role of the women and the role of Pashtuns must be examined and that supporting retrogressive elements too enthusiastically also will have a price.

Interim recommendations

10. Pakistan and India could **increase transparency by discussing what each country is trying to achieve in Afghanistan**, to remove any misperceptions and to explore options for increased cooperation. Similarly, Track II settings should focus proactively on this topic. Pakistan and India should discuss frankly their mutual concerns and see how best they can reconcile their differences.

11. Pakistan should provide **transit facilities for reaching Afghanistan from India** as a confidence building measure, which is in its long-term interests and useful to the development of Afghanistan.

12. Cooperative uses of **regional energy resources** should be explored, including: possible energy exchanges (Tajikistan and Uzbekistan have great potential to produce energy and cannot consume it all); sharing of natural resources (Afghanistan may have huge reserves of coal, gas and petroleum); etc.

13. Further transparency and discussion is needed regarding any concerns over the **representation of both countries in Afghanistan**. India currently has 4 consulates in Afghanistan. It is possible to discuss changing personnel if there is a specific concern.

14. Pakistan and India could explore mutually reinforcing or cooperative approaches to **economic assistance to Afghanistan**, for example hospitals, roads, etc.

15. Pakistan and India should work together with Afghanistan and regional countries to **prepare for stability following the future withdrawal of foreign forces from Afghanistan**. Talks and Track II discussions should focus on these issues as a matter of priority.

Kashmir

Kashmir remains among the most urgent, central, and emotive issues that needs attention at the highest levels between the two countries and in Track II settings. The critical issue is how to provide comfort to Kashmir that allows India and Pakistan also to feel secure. How the two governments approach this issue will be a bellwether for future progress in other areas. (Or, as one participant said, “What starts in Kashmir can move to other parts of the countries.”) Equally, general progress on India-Pakistan relations will have a positive knock-on effect on the Kashmir issue. In moving forward, care must be taken to bring along key stakeholders, especially including Kashmiris themselves, as this process unfolds. One participant put forward the vision of a “Line of Concord” or a “Line of Peace” as opposed to the “Line of Control.”

If there is a commitment to decreasing tension and increasing confidence, then it must be possible to find a way to set an agenda of progress in this area, starting with smaller confidence building measures and ultimately leading to a full resolution of the issue, or as one of our participants said, “peace with honor and self-respect.” The last round of the Composite Dialogue may have outpaced public opinion, and there is a need to engage with the media and opinion shapers on these issues in a reasonable and coherent manner. And yet, as one participant said, “the governments will always be out ahead of the people. The governments need to lead and talk and teach.”

While there is frustration that the two countries were so close to agreement earlier, there is scope to move forward in new and encouraging ways at this time without necessarily recreating the wheel. There were framework ideas and non-papers exchanged that concretized certain ideas at the time. Every effort and encouragement should be made to access these papers.

Most participants thought a return to the UN resolution or a plebiscite or referendum is not possible. The situation could be moved forward by addressing issues related to transit, moving goods, normalized relations where people can move across borders in simple and legitimate ways. Indeed, one participant felt transit to be the key issue in the dispute over Kashmir. Experience shows that in areas where countries have been separated artificially political progress is often initiated when freedom of movement is allowed. (It was proposed that if there is a desire to reconnect, Punjab could be used as a first step confidence building measure.)

There is a new generation now, urging for resolution of the issue. Some participants reflected that this level of fatigue may in itself provide an opportunity for policy makers at this time. Perceptions that in Pakistan earlier efforts were “Musharraf’s show” belie the continued presence of people in the Pakistani government now who were supportive then. Equally, on the Indian side, there is also depth of support at high levels for resolution of these matters. The “quiet diplomacy” of recent years has been productive, and there are signs that leaders in both countries are attuned to ideas for progress. It appears possible that after 1 or 2 more backchannel discussions, these topics could move now to front channel dialogue.

There also exist impediments of a shifting nature, which make a rapid resolution of the Kashmir issue in the urgent interests of both sides. (The ceasefire was one of the strongest confidence building measures, and it has lasted for 7 years.) Firing across the LOC has restarted and increased, despite agreement from both sides that it would stop and this is considered especially worrisome for India. The last 6-8 months in the Valley were not very good, but now it is the beginning of the summer tourist season and things have cooled down hopefully for a period. Outside actors are taking advantage of the instability and geography, as can be seen from

changing infiltration patterns and the kinds of weaponry used. As long as the situation is unresolved, these influences which promote terrorism will thrive in the environment and this is to the detriment of all countries in the region. In this respect, participants discussed, once again, the need for the countries to develop a strong counter narrative to that of the stakeholders in militancy.

Interim recommendations:

16. Dialogue on Kashmir must be resumed. If it is not possible to discuss sovereignty, then other more creative approaches need to be taken to begin to “chip at the edges” of this issue, such as joint control, demilitarization, etc.

17. Dialogue with Kashmiris is an integral element of a solid, forward looking plan. Any sustainable solution to the Kashmiri problem must, after all, include the people of Kashmir. Topics that need to be addressed include: increased travel, porous borders, free trade, commerce, development of joint institutions across the LOC, unified chambers of commerce, banking facilities across the LOC.

18. Framework ideas and non-papers from the earlier 2007 talks should be made accessible, so they can be reviewed and adapted to instruct, where possible and useful, future agendas for dialogue between the two countries.

People to people contact

The linkages that exist between the two countries are long-standing and can provide the basis for future progress. This has been aided in past by the nostalgia of family and other personal connections. However, that generation is fading away, and the new generation on both sides doesn't know each other. Perhaps some of the earlier hatreds have been replaced by indifference, which in itself could provide opportunity for progress. Cultivating greater familiarity between the next generation in both countries is a priority.

Similarly, there is an urgent need for increased interaction between parliamentarians, scientists, and other segments of society. But while improved people-to-people contact could act as a springboard for improved ties in other areas, it is important that it not be seen simply as a means to other ends, one participant felt. Rather, better contact between the people of India and Pakistan is a desirable goal in itself.

As a natural first step, participants discussed the need for easier and more regular travel between the two countries. It was noted that easier travel also yields economic benefits. This must be done carefully, and with cognizance of the fear of the perceived interrelatedness of people-to-people contact with increased terrorism opportunities. However, it is crucial to ensure that the real dimensions of the terrorist phenomenon are not unduly magnified. A concerted effort on all sides is needed to ensure that communication is kept open, even after a serious dangerous event, such as Mumbai. As one participant pointed out, “No terrorist comes through with a visa.”

There is need for moderate voices on television in both countries. There was a concern expressed on the Pakistan side that this is especially true of the Indian mainstream media, though both sides experience “frenzied” media reporting immediately following crises. Increased connectivity is needed, along with increased access to books and newspapers from both countries. Increasing

means of contact need to be explored (bus routes versus air travel). Free phone communications should be immediately allowed with no exception.

Ideas for people to people contact have surfaced in Track II meetings before, but must keep pace with structural changes imposed by governments. In this sense it is important that these sorts of ideas are pushed coherently into the governmental system.

Interim recommendations

19. Direct flights between Islamabad and Delhi should be established as an agreement for these flights already exists.

20. Dialogue and Track II meetings between MPs should be encouraged

21. **Visa procedures need to be simplified.** Ideas include exploring options for security clearances vetted by home ministries or options for visas being issued at the border.

22. There should be increased **opportunities for scientists to meet** in independent forums.

23. India should reconsider its policy and allow access to some Pakistani television channels.

Trade

Trade relations are another area that is a potential win-win situation for both Pakistan and India, and ways to strengthen commercial ties should be explored. The two countries have a compelling reason to create larger home markets as a means to become more globally competitive.

Trade is not able to pick up in a region where there are restrictions on the movement of people and restricted information. If communication is facilitated, business will follow and it may be impossible to force this in reverse (by promoting business first, then communication). For example, if there limited or no air links, the movement of cargo is limited. If no visas are available, businesses cannot promote goods or facilitate communication with potential customers. Some thought the ultimate goal might be a zero visa regime in South Asia. Trilateral trade with China could be further developed. Participants reinforced again the importance of exploring these issues also in the context of Kashmir.

Despite the fact India has offered Pakistan MFN status (and it was noted that this has not been reciprocated yet by Pakistan), imports remain stagnant, and as one participant said, there is some “bureaucratic sluggishness” on the Indian side. There are still barriers that are strong impediments to the growth of trade, especially in terms of Pakistan exports to India. Non-tariff barriers exist that compound the situation, such as import licensing, visas, travel restrictions, interprovisional movement of goods and ports to enter markets are very limited, etc. However, it also was noted that in a globalized world, balanced trade may not be a realistic goal. It was noted that recent invitations from Indian chambers of commerce went without formal response from the Pakistani side. There is hope that if clear signals are sent after the July meeting, a lot of these sorts of issues will get “unlocked.”

As one participant said, it is possible to consider gradually building a “pyramid of trade” between the two countries. While investments of magnitude can have broad strategic impact and would be welcomed, they may depend on further strengthening of the overall political framework. There

are in the meantime a whole range of opportunities for medium size businesses which, if explored and promoted, can provide the basis for more strategic business deals in future.

Interim recommendations

24. The **foreign ministers should send a clear signal in their meeting indicating the two countries' goals for the further development of trade and commerce**. This hopefully then will filter its way through to business people and others who have been trying to second-guess what the establishment desires.

25. **Pakistan should consider granting MFN status to India**. It was noted that this may not make a qualitative difference as Pakistan has one of the most liberal trade regimes in the world. But symbolically it might send a good signal.

26. **Chambers of commerce in both countries should appoint a joint committee** to help influence the climate in both countries for discussion of non-tariff barriers and measures to increase incentives for trade. The goal would be a bipartisan report, with examples and focusing on possible solutions to existing problems. The committee should explore:

26.a. Greater **interaction between chambers of commerce** should be considered, including possible reactivation of the joint chamber of commerce or joint committees.

26.b. Further study is needed on **what Pakistan could do to attract Indian investment**.

26.c. The specific issue of Indian policies toward **textile imports** could be addressed.

26.d Rationalization of **state subsidies** could be examined.

26.e. Are there ways to explore **joint sector companies** between the two countries, for example, might it be possible to encourage Indian car companies (India will soon outpace China in car exports), to set up sub-plants in Pakistan.

26.f. Options for bilateral cooperation on the **coal reserves** in Pakistan. Indian investment in the grids and plants would increase Pakistani production capacity, it would encourage India to buy some of the energy, and within 4-5 years this could yield very positive mutual benefits.

26.g. Ways to **decrease goods coming from third countries** (via Dubai, etc.) and smuggling should be explored to encourage direct trade. As one participant said, "Like water, trade will find its route." There is an imperative to find ways to encourage trade in a more open and clearer framework. Palm oil is an example of Indian-Sri Lankan trade that might be instructive.

Arms Control and Disarmament

Nuclear issues, like water issues, are an area where the two countries have prioritized stability and confidence building measures even during times of great tension. To an extent, these measures are little known in other parts of the world, but form a solid basis for future progress.

After both countries conducted nuclear tests, there was perhaps a greater sense of urgency on these matters, which became codified in an important Memorandum of Understanding that was part of the Lahore Declaration. Earlier agreements on non-attack of nuclear installations were supplemented with steps such as: on 1 January every year the two countries exchange information on the location and details of nuclear installations. Despite the ups and downs of the relationship, this deadline has been met. Other CBMs include promises not to attack each other's nuclear installations; advance notification of ballistic missile tests; exchange of information on nuclear doctrines; and additional CBMs fostering communication, transparency and trust building. While it was acknowledged there are obviously limits to transparency on nuclear issues, to the extent that certain information can be shared, this encourages confidence and contributes to stability.

However there is no reason for complacency. While there is not necessarily agreement on the benefits of transparency on defining minimum deterrent needs, both countries to an extent seem to lack a solid definition of what constitutes a minimum deterrent and they each have differing threat perceptions (Pakistan's main concern is India, while India's main strategic concern is China and any movement on arms control may need to include China). There is a danger that a gradual arms race (or arms "crawl") may be underway between the two countries. Low-yield weapons, tactical nuclear weapons developments, submarine-based systems, and other such projects create incentives for destabilization and furthering the arms race.

There are strains presented by the US-India deal that participants acknowledged. However, in the words of one of the participants who urged Pakistan not to "jump into the same well," "the American embrace is a dangerous thing." India has some limitations placed on it as a result of this deal, and those should not be overlooked. (This includes, for example, the withdrawal of the deal if India conducts a nuclear test and India is committed to go along with the FMCT.) Yet it also was recognized that India has attained a certain level of international status as a result of the deal that has not been accorded equally to Pakistan.

There is a new emphasis globally on moving toward an eventual world free of nuclear weapons. While the rhetoric at the moment certainly outpaces the solid steps toward implementing this vision, nevertheless this provides some opportunities for global leadership for both Pakistan and India.

It was noted that the militaries of the two countries have in place a series of solid confidence building measures, and they have at the conventional level more frequent contact than previously. They have the ability to talk with each other, and can hold flag meetings across the LOC if necessary. As in other parts of the world, the linkages between conventional and nuclear force structures cannot be ignored, and ways to promote synergy on these issues should be explored. For example, it might be possible to move some garrisons back in Kashmir, eventually to consider moving back cantonments to an agreed distance. In addition, participants reiterated the earlier points that there are also non-traditional security issues, such as climate security, water security, cybersecurity, etc, which create additional pressures.

These issues and others are under discussion in other Track II forums, including the Ottawa Process. There is synergy between that dialogue and the Pugwash Commission, and both efforts are proceeding in a spirit of mutually reinforcing goals.

Interim recommendations

27. India and Pakistan should have a meaningful **dialogue on the meaning and consequences for the two countries of a fissile material cut-off treaty**, with a goal toward addressing any

concerns that exist which might then allow Pakistan to reconsider its position that is holding up negotiations at the Conference on Disarmament in Geneva. It was noted that any concerns Pakistan may have about possible Indian imports of uranium allowed under the US-India nuclear deal (and the ability this might then give India to use domestic uranium for bomb production) would be best addressed through the monitoring provisions that would kick in with an FMCT. It also was noted that the FMCT is a central mechanism to decrease concerns about possible nuclear terrorism and as such it is in the best interests of both countries to pursue this treaty.

28. Foreign ministers **could reaffirm that both countries have no intention to conduct future nuclear tests.** A possible statement (either a joint statement or mutual unilateral statements) on this topic could be useful for the general ongoing discussions on the CTBT and on its entry into force.

29. **Peaceful uses of nuclear energy** could be further discussed by the two countries.

30. Progress on **limiting or eliminating¹³ short range missile systems** could be further discussed as a CBM, taking into account concerns that India may have regarding the Chinese force structure. It was noted that these systems create instability in the nuclear field, as it is impossible to differentiate whether they are nuclear or conventional. They either need to be one or the other use if there is to be stability in the regime.

30. a. Lessons could be drawn from the recently-concluded work of the UK and Norway into the verified dismantlement of nuclear warheads. In a similar vein, it may be possible to explore options for a joint project to investigate matters of **transparency and verification in the destruction of short range missile systems** that are already planned to go offline.

30. b. **Cruise missile systems** are another area which could be discussed. Cruise missiles should be included in the advance missile notification regime.

31. The two governments need to move toward **“track one” discussions on nuclear issues.** It was noted that such dialogue, even with limited results, can provide increased stability, by requiring education of people within the relevant ministries, but urging a common language between the two sides, and creating forums for discussion of difficult topics.

31.a. This might first begin with discussions of **greater transparency on nuclear doctrines**, including discussions of first strike/no-first use, launch on warning/launch under attack/second strike capabilities, are all very difficult concepts to verify. Each country might conduct its own nuclear posture review as part of this process.

31. b. The two countries might consider **non-deployment agreements and de-alerting Memoranda of Understanding or agreements.** Some pointed out that it is essential the two countries do not reach the deployment stage, and that risks should be managed through non-deployment ambiguities. Indian doctrine is not a “pure” no-first use policy, and allows deviations for the types of attacks, soldiers being hit, and chemical or biological weapons attack. (Possible use versus chemical or biological weapons was noted by some with concern.) Indian policy allows for launch after attack, but this could be within three minutes. Some say this policy minimizes concerns on the Indian side as to the size of the Pakistani arsenal but places primacy on India’s second strike capability. Questions then arise as to how to verify these weapons are meant for a second-strike and not a first-strike capability.

31. c. Due to reasons of geography, the **consequences of potential nuclear use need to be further explored.** For example, the potential impact on each country’s own territory

¹³ Some expressed doubts about the possibility of eliminating short-range missiles.

of a nuclear strike on the other's territory needs further examination, as does the likely impact on one's own country of a possible retaliatory strike after nuclear use (an exercise which India is undertaking now for the first time).

31.d. Further confidence building measures could be explored for **nuclear risk reduction and nuclear crisis management**, including procedures for dealing with accidents ("hot-line procedures"), etc.

31.e. Dialogue between the two countries on the issue of **minimum deterrence** – and maximum stockpile numbers – might be another area in which positive momentum could be established. If agreed, maximum stockpile numbers could at some future stage be incorporated into a legally-binding treaty. Engaging China in a "trilateral dialogue" could be considered also.

31.f. There may also be scope to **codify those understandings established pursuant to the Lahore Declaration** – information exchanges, for instance – into more formal legal agreements.

32. It might be possible for India and Pakistan to become **leaders in promoting global negotiations on a treaty of non-use of nuclear weapons**, similar to the 1925 Geneva Protocol in which nations pledged only to use chemical weapons in retaliation. While it did not effectively stop all use, it contributed to an international norm against use, and led eventually to the Chemical Weapons Convention. The International Court of Justice legal opinion can serve as a starting point for this discussion. Such an agreement also would allow countries to ascribe to the agreement without implying whether or not they have nuclear weapons.

33. Promoting **negotiations at the Conference on Disarmament for a nuclear weapons convention** may be an area where the two countries could cooperate, as they have in the past.

34. Lessons could be drawn from the experience of other countries regarding how to **minimize the demands of aging nuclear arsenals**, as these issues can create a whole new basket of incentives for vertical proliferation which can then have a follow-on effect on regional arms races. The role of engaging independent nuclear scientists was discussed.

35. A discussion among scientists and military experts from both countries could be promoted in order to facilitate a **constructive approach towards the international proposal of cutting off the production of fissile material for military purposes**.

Other pending issues

38. Discussions should be promoted addressing the entire range of pending issues between the two countries. The Siachen and Sir Creek issues in particular should be put on a fast track for resolution.

Moving forward

39. Participants were encouraged to **channel the ideas discussed at this meeting into the relevant policy streams** in both countries, particularly in the lead up to preparations for the scheduled foreign ministers' meeting.

40. The **Pugwash Commission will continue to meet, alternating between the two capitals**.

41. Participants were encouraged to **promote the substance discussed into the media**, while maintaining the Pugwash/Chatham House rules and not attributing any particular point to any person.
42. **Cooperation among the various Track II initiatives** is essential and underway.
- 42.a. A **list of the various interrelated Track II initiatives** underway would be useful. Participants reinforced the importance of Pugwash initiative, due to the convening power of Pugwash, its international profile, and its unparalleled ability to get the most important stakeholders together.
- 42.b. Pugwash might consider holding a **separate, related Track II meeting in Kashmir**, following on its earlier work in the area.

Pugwash India-Pakistan Independent Commission

Islamabad, June 2-5 2010

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About Pugwash

The Pugwash Conferences brings together, from around the world, influential scientists, scholars and public figures concerned with reducing the danger of armed conflict and seeking cooperative solutions for global problems. In line with its mission, Pugwash has over fifty years' experience of Track II work in arms control, non-proliferation and disarmament initiatives, including supporting negotiation and implementation of seminal treaties such as the Non-Proliferation Treaty, the ABM Treaty, the Comprehensive Test Ban Treaty and others. Pugwash also, since its inception, has worked to reduce the salience of nuclear weapons in defense strategies, to decrease tension in regions where nuclear weapons are present, and thus the risk of the use of nuclear weapons in conflict.

The Pugwash involvement in South Asia goes back to its very roots, when plans to hold its very first meeting in 1956 in Delhi fell through, leaving Pugwash, Nova Scotia as the next option. Recently, in December 2004 in Katmandu, Pugwash convened the first meeting that brought together people across the LOC. In March 2006, a Pugwash meeting provided the first forum in which political leaders from the Indian State of JK visited Pakistan as acknowledged political leaders (including the first visit to Pakistan of Omar Abdullah, who is now chief minister of the Indian State of JK). Since then, Pugwash has facilitated an influential network of experts from both sides of the LOC, addressing a range of issues from economic relations to highly technical arms control and disarmament issues. We also recently have facilitated meetings between Indians and Pakistanis, and between Pakistanis and Americans.