

THE CURRENT CRISIS IN SOUTH ASIA

HEARING BEFORE THE SUBCOMMITTEE ON THE MIDDLE EAST AND SOUTH ASIA OF THE COMMITTEE ON INTERNATIONAL RELATIONS HOUSE OF REPRESENTATIVES ONE HUNDRED SEVENTH CONGRESS SECOND SESSION

JUNE 6, 2002

Serial No. 107-93

Printed for the use of the Committee on International Relations



Available via the World Wide Web: http://www.house.gov/international_relations

U.S. GOVERNMENT PRINTING OFFICE

80-061PDF

WASHINGTON : 2002

For sale by the Superintendent of Documents, U.S. Government Printing Office
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CONTENTS

	Page
WITNESSES	
Michael Krepon, Founding President, The Henry L. Stimson Center	9
Anatol Lieven, Senior Associate, Carnegie Endowment for International Peace	12
Amit A. Pandya, Senior Fellow for South Asia, Institute for Global Democ- racy	15
LETTERS, STATEMENTS, ETC., SUBMITTED FOR THE HEARING	
The Honorable Benjamin A. Gilman, a Representative in Congress from the State of New York, and Chairman, Subcommittee on the Middle East and South Asia: Prepared statement	2
Michael Krepon: Prepared statement	10
Amit A. Pandya: Prepared statement	17

THE CURRENT CRISIS IN SOUTH ASIA

THURSDAY, JUNE 6, 2002

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON THE MIDDLE EAST AND SOUTH ASIA,
COMMITTEE ON INTERNATIONAL RELATIONS,
Washington, DC.

The Subcommittee met, pursuant to call, at 10:29 a.m. in Room 2141, Rayburn House Office Building, Hon. Benjamin A. Gilman [Chairman of the Subcommittee] presiding.

Mr. GILMAN. The Committee will come to order. Members, please take their seats.

We want to welcome our witnesses who are with us today. The current state of affairs between India and Pakistan is weighing heavily on all of our minds. We are concerned about how a possible nuclear exchange and how a battle over Kashmir would affect our efforts in Afghanistan, would affect the region's stability.

The Congressional Research Service informs us that since September 11, nearly 400 of the Indian population were killed as a result of terrorism in Kashmir. While the Administration seeks to calm down and cool tensions, we were dismayed to learn that just yesterday Prime Minister Vajpayee offered to conduct joint military patrols with Pakistan on the line of control and that President Musharraf rejected that offer.

Agreeing to joint monitoring would have been one important step to begin to diffuse the tense situation. If President Musharraf is serious about diverting a war, he needs to match his words with deeds, and he should agree to some joint monitoring. I hope we can explore that issue with our panelists.

Our nation has delivered over \$1 billion worth of assistance to Pakistan since our war on terrorism began. While we do appreciate all that President Musharraf has done to help us since the September 11 terrorist attacks, we should bear in mind that he and the Pakistan military were given an ultimatum soon after September 11 to stop nurturing and supporting the Taliban and other Islamic militants or else face those consequences.

He made the right decision then, and we expect him to follow through on that decision now. Those who kill innocent men and women and children for any cause are not freedom fighters. They are cold-blooded murderers who must be hunted down and brought to justice. Any support for them is totally unacceptable. As our President has said, any nation that harbors terrorists is a terrorist nation.

We look forward to learning from our witnesses today so that we may have the benefit of your expertise and be able to appropriately respond to the crises.

I am calling on our Ranking Minority Member, the gentleman from New York, Mr. Ackerman, for any opening statement and for any of our colleagues who may have opening statements.

[The prepared statement of Mr. Gilman follows:]

PREPARED STATEMENT OF THE HONORABLE BENJAMIN A. GILMAN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW YORK, AND CHAIRMAN, SUBCOMMITTEE ON THE MIDDLE EAST AND SOUTH ASIA

We want to welcome our witnesses here today. The current state of affairs between India and Pakistan is weighing heavily on everybody's mind. We are concerned about how a possible nuclear exchange and how a battle over Kashmir will effect our effects in Afghanistan.

The Congressional Research Service informs us that since September 11th nearly 400 Indians were killed as a result of terrorism in Kashmir. While the Administration seeks to cool tensions we were dismayed to learn that yesterday Prime Minister Vajpayee offered to conduct joint military patrols with Pakistan on the line of control and that President Musharraf rejected the offer. Agreeing to joint monitoring would have been one important step to begin to diffuse the tense situation. If President Musharraf is serious about diverting a war he needs to match his words with deeds. He should agree to joint monitoring.

The United States has delivered over one billion dollars worth of assistance to Pakistan since the war on terrorism began. While we appreciate all that President Musharraf has done to help us since the September eleventh terrorist attacks we must remember that he and the Pakistani military were given an ultimatum soon after September 11th... stop nurturing and supporting the Taliban and other Islamic militants or else face the consequences. He made the right decision then and we expect him to follow through with it now. People who kill innocent men, women and children for any cause are not freedom fighters. They are cold blooded murderers who must be hunted down and brought to justice. Any support for them is totally and equally unacceptable.

We look forward to learning from our witnesses today so that we may have the benefit of their expertise and be able to appropriately respond to the crises.

Mr. ACKERMAN. Mr. Chairman, thank you for calling today's hearing. Once again, the world finds itself on the brink of war between two nuclear neighbors, and once again we find ourselves here because of actions or lack thereof by the government of Pakistan.

Back in January after the horrendous December 13 attack on the Indian Parliament, General Musharraf gave a speech that described his vision of Pakistan as a modern, moderate, secular and democratic state, a state that rejected terrorism and would not be used as a base for terrorist activity "anywhere in the world."

But no sooner did the international community hail General Musharraf for his rejection of Islamic extremism than he reverted to form in attempting to describe the terrorist acts committed in India as those of freedom fighters. Apparently, his rejection of terror anywhere in the world did not include India.

General Musharraf seems not to have learned a lesson from September 11 that terrorism, any terrorism, is unacceptable. If Pakistan wants to remain a member of the International Coalition Against Terrorism, then support for terrorists in Kashmir must end completely and permanently. That means no more infiltration across the line of control, no more terrorist training camps on Pakistani territory.

This is the minimum that the United States should expect from our ally in the war on terror, and I hope Secretary Rumsfeld and

Deputy Secretary Armitage are carrying that message to Pakistan this week.

To be fair, we should give credit where credit is due. General Musharraf made a courageous decision on September 13 of last year and has supported Operation Enduring Freedom. Without that support, we would have had a much more difficult time prosecuting the war in Afghanistan.

In return for that support, the United States has provided significant economic assistance, including \$600 million during the past fiscal year. The supplemental appropriations bill that just passed the House has \$40 million in additional aid, and the Administration is requesting another \$250 million in economic and development assistance for the coming fiscal year.

This does not even include the \$73 million provided for border security and an additional \$75 million for foreign military financing in the supplemental and another \$50 million in military assistance for the coming fiscal year.

After all this, I think it is time to make clear to General Musharraf that no further economic or military support will go to Pakistan if he continues to support militant organizations. At the very least, no military assistance should go to Pakistan during the current crisis.

What concerns me the most is not that the Administration will not deliver the right message, but the man on the receiving end of the message does not want to hear it or, worse, intends to ignore it. After all, General Musharraf is the architect of the Kargil incursion that brought the subcontinent to the brink of nuclear war in 1999. What makes anyone believe that a cause for which he was ready to go to war 3 years ago is any less dear to him now?

Our experience so far is that he does not intend to call off Pakistani support for the terrorists in Kashmir. Instead, he continues to use violence in Kashmir to internationalize the issue and to push the international and world community to intervene on his behalf.

We have seen this strategy before. It is the same one used by Yasser Arafat against the Israelis, and, just like the Israelis, India has a right to self-defense. It is the same right that we assert as we hunt the world over for terrorists with a global reach.

We have found the next front in the war on terrorism, Mr. Chairman, and it is in Kashmir. The bottom line is that General Musharraf has to stop the infiltration across the line of control permanently and verifiably, and he has to dismantle the terrorist training camps on Pakistani soil. Only after he has done these things can a dialogue with India begin about Kashmir, as well as all the other issues that should be discussed between two neighbors. Accepting anything less is simply rewarding terror, and rewarding terror will only bring more terror.

I thank you, Mr. Chairman. I look forward to hearing from today's witnesses.

Mr. GILMAN. Thank you, Mr. Ackerman.

Mr. Burton? I am going to ask our Members if they would try to be brief in their opening statements so we can get on with the witnesses. Mr. Burton?

Mr. BURTON. Mr. Chairman, I think it is extremely important that the history of this issue be clearly stated, and for that reason I hope that we will get at least our 5 minutes.

Mr. GILMAN. Very well.

Mr. BURTON. Okay. Thank you. First of all, let me just say that Mr. Gilman, for whom I have the highest respect, indicated that Mr. President Musharraf rejected a proposal for joint patrols along the border, but he failed to mention that India rejected a proposal for neutral third parties to patrol the border.

I think that is one of the concerns that they have in Pakistan; that there may be some conflicts that occur because of both sides being involved in that because they have a long-time, state-of-war mind toward each other, and a neutral third party along the border seems much more realistic to me.

Now let us just look at the history of this issue. I have before me the resolution of the 21st of April, 1948, and here is what it said.

“Having considered the complaint of the Government of India concerning the dispute over the State of Jammu and Kashmir . . .”,

and I will just take a couple of excerpts out.

It says,

“Noting with satisfaction . . .”

This is the U.N. speaking, the Security Council.

“Noting with satisfaction that both India and Pakistan desire that the question of the accession of Jammu and Kashmir to India or Pakistan should be decided through the democratic method of a free and impartial plebiscite.”

Both of them agreed, and the U.N. was very happy about that. The U.N. went on to say that they recommended to the governments of India and Pakistan the following measures as those which in the opinion of the Council are appropriate to bring about a cessation of the fighting and to create proper conditions for a free and impartial plebiscite to decide whether the State of Jammu and Kashmir is to accede to India or Pakistan.

Now, they agreed to that in 1948, and ever since then India has been recalcitrant in saying they did not want the plebiscite. They would not let the plebiscite take place. They will not let the people of Kashmir decide for themselves whether they want to be with Pakistan, India or independent, and yet this U.N. resolution is still in effect, and nobody talks about it. It bothers me a great deal.

We cast aspersions and point fingers all the time, but the fact of the matter is if they just did what they were agreeing to in 1948, this issue would be moot today, and we would not be facing the possibility of a nuclear war.

Now let us just go into some of the other facts that are very important. We have heard that several hundred Indian troops have been killed by terrorists in Jammu and Kashmir, but we have not heard these facts. I want you to listen to this.

Since 1990, 60,000 Kashmiris have died at the hands of Indian security forces. Not hundreds. Sixty thousand. One and a half million Kashmiris have had to flee to Pakistan. Six thousand young

Kashmiri women and girls have been raped. Twenty-one thousand homes have been burned to the ground. Tens of thousands have been tortured and maimed. They find their bodies bound and gagged and thrown in the canals up there.

Billions of dollars worth of property have been looted and destroyed. Indian forces have burned entire villages, sparing neither schools, hospitals or places of worship, and they have had up to three-quarters of a million troops in Jammu and Kashmir imposing martial law, the largest concentration of military forces in a place where they are not in a military conflict in the world. This has been going on for years, and yet nobody ever talks about that.

I want to tell you a story. This is a real life story; the story of Kunan rampage. There were more than 800 Indian troops sealed off and rampaged through the village of Kunan. Indian troops herded all the men in the village out into an icy field. While the men stood freezing under guard, other troops entered their houses and at gunpoint gang raped 23 ladies. Local people say that as many as 100 women were molested in some way, and the rampage lasted from 11 p.m. until 9 a.m. the next morning.

You know, that would kind of tick me off if I was in Indiana and that happened, but we do not talk about that sort of thing. Now, there is concern about so-called terrorists being trained and coming across the border in Jammu and Kashmir from Pakistan, but the fact of the matter is most of the rebellion is coming from people who live in Kashmir and Jammu.

These are not people from the outside that are fighting the Indian occupation. These are people who want a free and fair plebiscite that was promised in 1948, 54 years ago, that has never taken place, and they want to have a vote. About 80 percent of the people that live there are Muslim, and probably about 15 or 20 percent are Hindu, and yet these people, because of their religious beliefs, they believe are persecuted on a regular basis.

The facts bear that out. I could sit here and bring you a stack of reports from Amnesty International and other organizations that verify what I have just said, and yet what are we doing today? We are talking about how important India is and how we ought to put more heat on Musharraf.

Pakistan has been with us in every single conflict I can remember. In Afghanistan when we fought the Soviets, in Somalia. When 007 was shot down, an American plane, Pakistan was with us. They are with us time and time again. India, on the other hand, built T-55 tanks for the Soviets, MIG fighter planes, and they were opposed to almost everything we did at the U.N.

Now, the thing that I do not understand is why there is not fairness, and I said this yesterday. I believe sincerely that we ought to have an open mind and a nonpartisan approach, if you will, to solving this problem because we face the nuclear precipice, but what I am hearing from our leadership and others in the Congress is Mr. Musharraf ought to take care of this. He ought to do that.

He is doing everything he can. He is helping us against Osama bin Laden. He is helping us every way he can. He has internal problems, and yet we keep beating on him. Now we are talking about pulling away foreign assistance at a time when he needs our help and he needs stability.

What we need to do is get an independent group of military personnel to patrol that border—not Indians, not Pakistanis—who patrol it to make sure that there is no cross border fighting and there is no more infiltration. If we do it in a fair and honest way, I think we can take us back from this precipice. If we do not and continue to point fingers at our friend, Pakistan, I think we are making a huge mistake.

Mr. GILMAN. Thank you, Mr. Burton.

Ms. Berkley?

Mrs. BERKLEY. Thank you, Mr. Chairman. I do not have prepared remarks, and I am very anxious to hear our witnesses before I say anything. I am hesitant to say anything because I do not want to interfere or interrupt the Administration's peace initiatives as they send members of the Administration over to the area in order to speak with both parties.

I want to speak just a moment not only as a Congresswoman, but as a citizen of the United States. I mean, we are dealing with a part of the world where there is no potable water. There is no electricity for most of the countries. There is no infrastructure, no decent schools, no quality of life, and we are sitting here worried to death that these two nations are going to annihilate each other by the use of nuclear weapons.

Now, it seems to me that they ought to be spending their money elevating the quality of life for their citizens and not spending fortunes of money on conventional and nuclear weapons. It is an offense to me to think that I am going to go back to my constituents and ask them to continue to make sacrifices, continue to use their tax money for foreign aid for the region, continue to have them send their young husbands and their sons to stand in the middle of warring factions, when I think we need to have people in the region exercising some responsibility on their own.

It is their lives. It is their countries, and it is time that they stand down. While I listen to what Mr. Burton says and I appreciate very much what Musharraf has done in our war against terrorism, I think what the President said is very right. You are either with us, or you are not.

He is going to have to stop harboring terrorists. He is going to have to shut down those terrorist schools and military structures and let us start moving forward in an effort to make peace in the region. It is just the height of irresponsibility to have gotten to this point, and I am beginning to resent the fact that as an American we are going to have to clean up this mess that is not being made by us.

I would urge both parties to act responsibly, but I would particularly ask the Pakistanis, who I know have many, many problems, to make sure that they start the same way we are asking the Palestinians to end the terrorism, end the terrorist schools, and let us start acting responsibly as human beings, as citizens of the world, so that we can protect not only that region, but the civilized world across the globe.

We owe it to our fellow citizens throughout the world to ensure a safe world for our children and our children's children. This is not the way to do it.

Mr. GILMAN. Thank you, Ms. Berkley.

Mr. Pitts?

Mr. PITTS. Thank you, Mr. Chairman, and thank you for convening this very important hearing this morning.

The conflict over Kashmir and the standoff between India and Pakistan headlines all of the major news these days, but despite the publicity of India and Pakistan being on the brink of war, I think few truly grasp the enormous complexity of the issue.

Surely one mis-step on Kashmir could be catastrophic. Kashmir is the meeting point of Communist China, Hindu India and Muslim Pakistan. It has been a region filled with humanitarian suffering from violence for many years. I have seen firsthand the increased toll on human dignity and life in recent years.

I traveled to Kashmir twice in the last couple of years, both times to visit Kashmir refugees who were maimed and wounded in the current conflict. Both times, the seriousness of the conflict and the suffering etched in the faces of the refugees have haunted me. The second time I visited we were able to take wheelchairs. With the help of the Mobility Project for these refugees in Kashmir.

Both of my visits were on the Pakistan side, and I am grateful to the government of Pakistan for facilitating those visits and for the assistance of humanitarian aid to the refugees. I hope to be able to visit the Indian side of Kashmir in the future.

Needless to say, tension in the region is mounting. The degree of humanitarian suffering on both sides—underscored by recent media attention—must be addressed. Both governments must reign in those who would do harm. Both governments should allow the international community to help address the humanitarian needs in the area.

Further, United States' interest in the region are enormous as continued conflict between these two powers which possess nuclear missile technology could bring global instability. Is there hope for peace in Kashmir or for stability? What role can the U.S. play in fostering dialogue and a peace plan?

With this in mind, I am pleased to say my colleagues Kevin Brady, David Bonior and I are announcing today the formation of a Kashmir Forum to serve to educate Members and staff on all sides on the conflict, encourage non-threatening dialogue on the issue on a regular basis, and it will provide an opportunity for all sides, including the Kashmiri people, to present their views and to work together to reach a common understanding that can lead to stability and peace for the people of the region.

Mr. Chairman, the volatility of this region, the impact of the conflict could have on the rest of the world is very apparent. In some ways, it is even more dangerous than the Middle East because both sides have nuclear weapons. It is vital that the Congress and the Administration pay very close attention to Kashmir.

Obviously that is occurring now, but where was the attention a year ago at a time when some of the current tension could have been prevented? I believe President Musharraf desires to bring an end to this conflict, as does Prime Minister Vajpayee, and I hope both sides can come together, increase confidence building measures, bring an end to the conflict that has caused such suffering.

I look forward to hearing from our witnesses this morning, and I yield back the balance of my time.

Mr. GILMAN. Thank you, Mr. Pitts.

Mr. Rohrabacher?

Mr. ROHRABACHER. Thank you very much. I will try to be short. Let me just say that I respect Mr. Burton, and I think that people should pay attention to what Mr. Burton had to say. I agree with many of the points and much of the things he had to say.

Let us not forget that what our colleague has just stated is therein reality because every time we discuss this issue the central points that Dan Burton brought up are just ignored. As long as they are ignored, the situation in Kashmir is going to get worse and worse.

Today, let me suggest that the people of the United States, the people of the world, are frightened to death about what is going on in Kashmir because it could lead to the slaughter of even more people outside the borders of Kashmir and Jammu. But we have to get to the heart of the matter, and the heart of the matter which keeps the conflict on is not terrorism.

Yes, we condemn terrorism. We demand an end to it. Terrorism is the attack of non-combatants and both sides in that war of attack non-combatants. How do we end the fighting? You end the fighting by having a vote. That is what the people of Kashmir want, a plebiscite. We should demand, the people, the good people of this world, demand that the people of Kashmir and Jammu have a vote internationally supervised, and in the end that vote will clear the path toward peace. Without it, there will be no peace. Let us not forget that.

Dan, thanks very much for bringing that up.

Mr. GILMAN. Thank you, Mr. Rohrabacher.

We will now introduce today's witnesses, Mr. Michael Krepon, Mr. Anatol Lieven and Mr. Amit Pandya.

Mr. Krepon is the Founding President of the Stimson Center, a Washington-based think tank specializing in national and international security problems. Previously he served as President and CEO of the Stimson Center. During the Carter Administration, Mr. Krepon worked in the U.S. Arms and Disarmament Agency. He also spent many years as a senior associate at the Carnegie Endowment for International Peace responsible for verification and arms control issues.

Mr. Lieven is Senior Associate for Foreign and Security Policy in the Russia and Eurasia Center at the Carnegie Endowment for International Peace in Washington where he works on the issue of terrorism. Previously, he edited the strategic comments and served as an expert on the Soviet Union at the International Institute for Strategic Studies in London.

Mr. Lieven has published a number of books, his latest entitled *Chechyna: A Tombstone of Russian Power*. Mr. Lieven was a correspondent for the Times in Pakistan, in Russia and in the former Soviet Union.

Mr. Pandya is a Senior Fellow at the Institute for Global Democracy, previously serving in the United States Department of State on the Policy Planning staff and a Deputy Assistant Administrator for Asia and the Near East with the United States Agency for International Development. He also was the Director of Humanitarian Assistance at DoD.

After a stint in private practice of law and as a lecturer, Mr. Pandya held a number of positions in the House of Representatives, and he worked for many years for this Committee. Mr. Pandya is a graduate of Oxford and Yale Law School.

Gentlemen, you may proceed. We will start with Mr. Krepon. You may read your full statement into the record, or you may shorten it as you may deem appropriate. Please proceed.

**STATEMENT OF MICHAEL KREPON, FOUNDING PRESIDENT,
THE HENRY L. STIMSON CENTER**

Mr. KREPON. Thank you, Mr. Chairman. I would like to put my statement in the record and just—

Mr. BURTON. Could he pull the mike a little closer, Mr. Chairman? I cannot quite hear him.

Mr. GILMAN. Yes, please, so we can all hear you a little better.

Mr. KREPON. Mr. Chairman, I would like to put my statement in the record and talk to you about the core issues here. It is very rare when the same solution works for everybody in a very complex and longstanding problem, but the solution is out there, and it is the right solution for everybody.

The core issue is, as the government of Pakistan says, Kashmir. The key element in resolving the core issue is, as the government of India says, infiltration—well armed, well trained people, mostly Pakistanis and Afghans, coming from the Pakistani side of this dividing line in Kashmir over to the Indian side where they are creating havoc.

In order to achieve all of our objectives, we have to start with the cessation of infiltration. I will tell you why it is good for everybody. It is good for Kashmiris because right now they are caught between a rock and a hard place. They are caught between these militants and the Indian security forces. You cannot thin out the Indian security forces until you stop the infiltration.

Most Kashmiris—and I was there 2½ weeks ago—most Kashmiris are ready to put down the gun. They are looking for a dignified and honorable exit from militancy, and they cannot get there as long as these folks keep coming across. They cannot get to where they want to be until the infiltration stops.

It is obviously good for India, which does not want to put all these counter-insurgency troops up there. They have a very significant security presence. I do not believe the numbers are as high as you have stated, Mr. Burton, but there are a lot of folks up there who would rather be somewhere else.

It is good for nuclear risk reduction because as long as these folks are coming across, the threat of escalation is there. Escalation control starts at the Line of Control. You do not reduce nuclear dangers as long as infiltration continues.

It is good for the region. You do not get regional stability as long as people are shooting each other in Kashmir. The escalatory spiral is there.

It is good for Pakistan. Pakistan's Kashmir policy is killing Pakistan. It is killing Pakistan. It is creating a Kalishnikov culture in Pakistan. It is creating autonomous regions within Pakistan. This policy has failed Pakistan, and it is the source of many of the problems within Pakistan that have already been noted.

Now, the cessation of infiltration has to be permanent. Our Secretary of State is right because if it is not permanent then we are back in this soup 6 months from now, a year from now, 2 years from now. It has to be permanent. It has to be verifiable.

I agree with Mr. Ackerman, which means that the staging areas and the training camps on the Pakistani side of this dividing line have to be shut down. It is verifiable. It is listenable. We can tell when it happens, and the Indians can tell when it happens.

Now, a lot of other steps have to proceed alongside the cessation of infiltration and the emptying of these training camps. We need demobilization along the fighting corridors in this region, and it has to be phased. We need a resumption of dialogue between India and Pakistan. We need nuclear risk reduction arrangements in the region. We need them very much.

We need India to fulfill its constitutional promise to the people of Jammu and Kashmir to allow them a special status. That was the promise given to them in the Indian constitution. It has not been met. The Indian government has to address the human rights abuses on its side. People know which units are associated with human rights abuses. Why are they still operating?

We have to provide Kashmiris with the dignified and honorable exit that they seek from militancy, and if we can provide Kashmiris that, then it is a dignified and honorable exit for Pakistan, as well.

This is a tough problem, but the beginning of the solution is simple. It is common sense. It is doable. Now, there is choreography involved here, which is hard, and which our State Department is addressing. But this is a resolvable problem. We can start right now.

[The prepared statement of Mr. Krepon follows:]

PREPARED STATEMENT OF MICHAEL KREPON, FOUNDING PRESIDENT, THE HENRY L. STIMSON CENTER

The current crisis is rooted in the creation of independent India and Pakistan in 1947, which was accompanied by a war that led to the division of Kashmir. This division has essentially been reaffirmed by subsequent wars. While the public stances of both governments continue to pay homage to maximalist positions, in private, the Government of India appears willing to accept the transformation of Kashmir's dividing line, which is called the "Line of Control," into an international border. Islamabad is opposed to this outcome, preferring instead to move the border eastward so as to secure control over the fabled "Vale of Kashmir"—a Muslim majority area which has suffered the most from militancy and human rights abuses over the past twelve years.

India is unalterably opposed to this outcome, just as Pakistan is now unreconciled to the loss of the Valley. With the acquisition of nuclear weapons by both countries, the stakes involved in this dispute have risen greatly. An opportunity for Pakistan to change the status quo in Kashmir was presented by poor Indian governance, especially by an egregiously rigged state election in 1987. Initially, the resulting uprising in Kashmir was mostly an indigenous affair, but around 1994–1995, the character of militancy changed appreciably, with non-Kashmiri militants, mostly Pakistanis and Afghans, playing a significant role. They have received funding, training, material, intelligence, and logistical support from Pakistan's Army and Inter-Services Intelligence Directorate. The sponsors of militancy have presumed that Pakistan's possession of nuclear weapons would facilitate unconventional warfare by providing an insurance policy against Indian escalation. The Government of India and its military leaders now seek to change this presumption.

Pakistan cannot wrest the Kashmir Valley from India by force of arms or by diplomacy. Rather than leading to a reconsideration of tactics on the ground, Pakistan's weak position has reinforced the inclination by some to employ unconventional means to make India pay for holding this ground. The disconnect between Pakistan's official position—that it is merely providing moral, political, and diplomatic

support for the Kashmiri “freedom struggle”—and ground realities has been great, and has only increased the international community’s disinclination to support Islamabad’s favored outcome.

Pakistan’s reliance on unconventional means to keep Kashmir “on the boil” raises many serious concerns. It is extremely dangerous to pursue a strategy in which one nuclear-armed state seeks to punish a nuclear neighbor through unconventional warfare. This strategy risks a catastrophe, either through accident, miscalculation, or a break down of command and control. This strategy has also wreaked havoc on the fabric of Pakistani society. While failing to wrest control of Kashmir from India, it has “succeeded” in generating domestic violence and the Kalashnikov culture at home. The future of 140 million Pakistanis has been mortgaged to the fate of five million Kashmiri Muslims who live in the Valley. The requirements for domestic harmony, properly functioning educational and public health services in Pakistan have been badly constrained by policies that place a premium on bleeding India. Pakistanis deserve far better than this. Their quality of life should not be held hostage to failed policies in Kashmir.

Pakistan’s beleaguered President, Pervez Musharraf, is now caught in the excruciatingly awkward space between recognition and extrication of failed policies. He is being called to wage a three front battle against terrorism within his own country. One front, which the Army leadership wholeheartedly supports, is directed at militant groups that wage sectarian (especially Sunni vs. Shia) violence and that target foreigners—including those who assist Pakistan’s armed forces. The second front, which presumably has prompted mixed emotions in the Pakistan Army, is being waged against the remnants of the Taliban in the northwest. The opening of a third front, which is now being pressed upon Musharraf and about which senior Army leaders are likely to have reservations, is called for along Pakistan’s side of the Line of Control, where militants have their training camps and staging areas for the fight against India.

The conduct of a three front war against terrorism imposes extraordinarily heavy burdens on President Musharraf and the Pakistan Army, but the future of Pakistan now depends on its successful execution. Attempts to differentiate between “bad” terrorists and “good” freedom fighters will not be persuasive, since their methods and results are indistinguishable. Similarly, a delicate balancing act in which some militant groups are suppressed while others receive the tacit support of the Army will only lead to more grief, since disaffected groups will surely play the role of spoilers. Half measures will not provide Pakistani leaders an effective exit strategy or provide protection against those who wish to destabilize their country. The only safe passage through this terrible mess is a straight line projection away from militancy and toward the vision of Pakistan’s founding father, Mohammed Ali Jinnah, of a tolerant, progressive, Islamic state.

Pervez Musharraf shares that vision. He has made some hard, but wise decisions, and he will need to make more of them. He and others in Pakistan who share Jinnah’s vision deserve our wholehearted support. But that support has to be predicated on concrete steps. The Pakistan Army cannot expect deal making with either the United States or India in which the extent of Pakistan’s support for militancy becomes a tradable commodity.

President Musharraf has made another essential step away from nuclear brinksmanship by announcing on May 27th that infiltration across the Line of Control dividing Kashmir has ceased. Secretary of State Colin Powell and Indian government officials have acknowledged that this order has been relayed to troops manning militant training camps and border crossings. US Deputy Secretary of State Richard Armitage and Secretary of Defense Donald Rumsfeld have additional time to defuse this crisis, and are expected to counsel restraint in India and to deliver tough messages to Pakistan.

The essential elements of a climb-down from the nuclear precipice are now in plain view. They need to be orchestrated quickly, however, as spoilers are hiding in Kashmir who would like nothing better than to spark a war that destabilizes Pakistan, kills Hindus, and disrupts US military operations against the al Qaeda network.

Musharraf’s pledge is a welcome start, but it is insufficient. Militancy cannot be turned on and off like a spigot in order to gain political leverage. As Secretary of State Powell has stated, the cessation of Pakistani military support for jihadis must be permanent rather than temporary. The permanent cessation of Pakistani support for militancy in Kashmir requires the closing of training camps and the emptying of staging areas for militants on the Pakistani side of the 450 mile-long Kashmir divide. A war triggered by a catalytic act can still be averted if the Pakistan Army is acting purposefully to shut down these facilities. The closure of camps, staging

areas and the communication links associated with infiltration can be monitored by the United States and India, either in parallel or collaboratively.

Pakistan's proposal to add international monitors along the LoC would not make it harder to infiltrate, since much of this terrain is quite rugged and since most of the crossings happen at night. Prior to the current mobilization, the Indian Army maintained more than six divisions—approximately 70,000 troops—along this divide, and was unable to stop infiltration. Nonetheless, a symbolic increase in peacekeepers—there are now a few dozen in place—could usefully signify the international community's support for a permanent end to the crossing of militants.

Why would Pakistan's Army leadership agree to roll up the base camps for militancy in Kashmir? First, because if a war breaks out, it could result in nuclear detonations that would turn centuries of Muslim history and accomplishment into rubble. Second, if the war remains conventional, it could go badly for Pakistan, as have previous wars. Another loss on the battlefield would further destabilize the country. Third, Pakistan's Army would have to fight another war essentially alone, since those who use terrorism as an instrument of state policy now find little sympathy abroad. Fourth, most Kashmiris would prefer to see Pakistan stop supporting infiltration. They now seek an honorable and dignified exit from violence, not the continued influx of Pakistanis and Afghans. Fifth, because Pakistan's Kashmir policy has failed the country.

What would Pakistan gain in return for renouncing support for militancy in Kashmir? To begin with, a new lease on life as the progressive Islamic state that Jinnah, Musharraf, and many other Pakistanis have envisioned. In addition, enduring help from Washington, Japan, and the European Community to help Pakistan get back on its feet. The stakes involved in assisting Pakistan to take corrective measures are very high, and worthy of sustained external economic support by the Bush administration, the Congress, and the American people.

Pakistan also needs positive steps from India to step back from the brink. Alongside the verifiable cessation of infiltration and closure of the Pakistani camps supporting militancy in Kashmir, the Government of India would be expected to pursue a phased demobilization of its current war footing, beginning with the international border and ending with the troop concentrations along the Line of Control, which are likely to stay in place until after the state elections in Kashmir this fall. After the elections, these troops would also be expected to stand down. The Government of India needs to take concrete steps to address the violation of Kashmiri human rights, and work with the state to provide real autonomy, as promised in the Indian constitution. Substantive India-Pakistan dialogue must resume as soon as possible on a peaceful settlement of the Kashmir dispute and other topics, including nuclear risk reduction. The framework for a structured dialogue has been already been agreed to in previous bilateral discussions.

This outcome requires that the United States play a sustained, pro-active role in South Asia, a role that previous administrations have been reluctant to adopt. For a start, Washington needs to offer India assistance in monitoring whether Pakistan is fulfilling its pledges to turn away from terrorism. We also need to help Pakistan recover its balance. At this crucial juncture, the avoidance of a nuclear exchange on the Subcontinent, the successful prosecution of the war against the al Qaeda network, and the achievement of regional stability all demand demonstrable changes in Pakistan's failed Kashmir policy.

Mr. GILMAN. Thank you very much, Mr. Krepon.
We will now turn to Mr. Lieven.

**STATEMENT OF ANATOL LIEVEN, SENIOR ASSOCIATE,
CARNEGIE ENDOWMENT FOR INTERNATIONAL PEACE**

Mr. LIEVEN. As we have heard, the armed dispute over Kashmir between India and Pakistan is literally as old as the existence of these two states, but the present form of the conflict dates back to the late 1980s when an indigenous movement of mass protest erupted in Indian controlled Kashmir among the Muslim majority population there, which is about 64 percent of the total, against what was seen, I think rightly, as some very heavy-handed and dictatorial meddling by the Indian central government in the local affairs of Kashmir and the diminution of Kashmiri autonomy.

In a pattern which I think we know very well from other parts of the world, ruthless repression by the Indian armed forces, of which we have also just heard, then fueled the growth of Kashmiri extremism and militancy and led to a cycle of violence both by the Indian security forces and by the Kashmirian militants.

By the way, one should say that these militants then directed their campaign of violence not just against the Indian armed forces and against the local Hindu and Sikh population in Kashmir, but also against moderate democratic elements in the Kashmiri Muslim population, one of whom was murdered almost certainly by Muslim extremists only a few weeks ago.

This home grown situation was then exploited by two other forces who became linked. One was the government or successive governments of Pakistan in an effort to undermine and, if possible, destroy Indian control over the Indian part of Kashmir, and the other was elements from the international network of Muslim extremists from Pakistan, also as we have heard from Afghanistan and in some cases from the Arab world and in many cases funded by the Arab world.

Their agenda, of course, goes far beyond the Indian subcontinent and is indeed directed at the United States. Pakistani support for these militants, the creation of camps for them in Pakistani controlled Kashmir of which we have heard, has indeed gravely worsened the crisis in that part of the world, and it is indeed extremely necessary, in my view, that the United States should continue to exert very heavy pressure on Pakistan to verifiably close these camps and to end infiltration across the border into India.

As we have also heard, this is very much in Pakistan's own interest because these groups are linked, closely linked, to groups within Pakistan which are aiming at an overthrow of the present Pakistani state and, above all, at the destruction of the Musharraf administration.

From that point of view, however, I think we also need to keep in mind that it would be a dreadful mistake to blame every terrorist act that happens in India or in Indian controlled Kashmir directly on Pakistan because, on the contrary, some of these terrorist groups which are now active there have a very, very strong interest in provoking war between India and Pakistan in part precisely so as to hopefully in their view bring about an overthrow of the Musharraf administration to strengthen their own chances of ultimately seizing power in Pakistan.

We must I think be very careful not to fall into the trap which they are trying to set for us and set for India, and we must do our best to prevent India also from falling into that trap because, of course, the terrorists also hope through conflict between India and Pakistan to enflame opinion across the Muslim world and to strengthen support for Islamic revolution and anti-American and anti-western terrorism.

A second point, of course, to keep in mind is that the behavior of the Musharraf administration and any Pakistani government is inevitably going to be strongly affected by the very deep and indeed universal sympathy of Pakistani public opinion for the Kashmiri Muslim population, for their aspirations for statehood and for their suffering at the hands of the Indian security forces.

It is very important, therefore, I think both as a matter of justice, but also as part of the U.S. struggle against Islamic terrorism more widely and the struggle to positively influence in the Muslim world that the U.S. should be seen to be taking a balanced position over Kashmir. On the one hand, the U.S. should strongly condemn terrorism there and put pressure on Pakistan to end infiltration, but, on the other hand, it should express sympathy for the legitimate grievances and aspirations of the majority population in Kashmir.

In this way, we must also remember that the Pakistani administration is indeed a vital ally in the war against terrorism. Terrorism and extremism in Pakistan can only be controlled by the government of Pakistan. Going into Pakistan, invading and occupying the place is simply not an option. Therefore, clearly we have to display concern for the domestic position of any Pakistani government, and we have to be careful as far as possible not to undermine it.

I should say that in the past I have suggested with regard to Chechnya that the United States' approach should perhaps be closer to our approach over Kashmir, which is to stress concern for Russian territorial integrity, to recognize the very real threats that Russia is facing in Chechnya, but I must also say that I think that U.S. policy toward Kashmir in a sense should also be closer to our policy toward Chechnya, which is to say that we have to balance this with a recognition of the sufferings and grievances of the civilian population.

I would say that both for the sake of balance, but also for the sake of peace, which is, of course, now a vital U.S. national interest. Given the nuclear threat in this part of the world, it is vital that the United States should press very strongly for a political solution to the Kashmir problem.

A possible model in this regard might be in some ways the peace process in Northern Ireland, which on the one hand involved a recognition of existing sovereignties and existing borders, but on the other hand strongly embodied the softening of those borders, the creation of transnational institutions and very serious elements of internal reform in Northern Ireland, including, by the way, reform of the British police force.

Mr. GILMAN. The gentleman's time is expiring. If you would be kind enough to wind up your remarks?

Mr. LIEVEN. Well, in conclusion, on the subject of balance I should also say that this extends beyond the Kashmir because if the Pakistani state has been linked to extremist groups working in Kashmir, unfortunately the BJP party which dominates the Indian coalition is strongly linked to Hindu extremist groups in India. In February and March these were deeply involved in extremely serious massacres of Muslims in the State of Gujarat, which claimed some 2,000 Muslim lives and in which, according to credible national reports, the regional BJP led government of Gujarat was also deeply implicated.

I find that not only Muslim acquaintances of mine, but also secular Indian liberal acquaintances, have been gravely disappointed by the failure of the United States also to speak out more strongly on this issue and in support of Indian secular democracy.

Thank you.

Mr. GILMAN. Thank you, Mr. Lieven.

We will now proceed with Mr. Pandya.

**STATEMENT OF AMIT A. PANDYA, SENIOR FELLOW FOR
SOUTH ASIA, INSTITUTE FOR GLOBAL DEMOCRACY**

Mr. PANDYA. Thank you, Mr. Chairman. I would ask that my written statement be made a part of the record.

Mr. GILMAN. Without objection.

Mr. PANDYA. The trouble with being third is that all the good things have been said, and I address many of the security issues that have been raised in my written statement and would simply point to two observations.

One is that U.S. policy is exactly right at this juncture in being more forceful with the Pakistani government and in emphasizing not only immediate infiltration, but also doing something about the more systemic roots of terrorism and violence in Kashmir in the form of training camps on the Pakistani side.

The other observation I would make is that whatever may have been the roots of the Kashmiri insurgency in the late 1980s and early 1990s that in my opinion at this juncture it is largely, if not exclusively, an instrument of Pakistani policy and the nexus of terrorist organizations spanning Afghanistan, Pakistan and Kashmir and that Pakistani policy has essentially hijacked and marginalized the very legitimate aspirations of the Kashmiri people that we have already heard about.

What I would like to do in my oral summary is to focus a little bit on what solutions, sustainable solutions, might look like because all parties have to believe in the future in order to have an inducement to avoid desperate acts in the present. In that respect, I am heartened to hear about the Kashmir forum that Congressman Pitts referred to.

John Hume, the Nobel Peace Prize-winning lawyer from Ulster, was in the region in February. He described the challenges that they faced in Ireland, the bad blood, the shared history, but widely divergent valuations of it, religious division, division of sovereignty over a naturally integral territory, and he described the keys to success as follows. Respect the difference, create institutions that respect the difference, work together in the common interest, spill sweat rather than blood, have talks involving all sections and interests of the people and end violence.

This can occur in South Asia within a framework of what I call two sovereigns, India and Pakistan, three nations, India, Pakistan and Kashmir, and one Kashmir. What do I mean by this? What I am trying to get at here is a series of incremental steps whose guiding principles should be recognition of the transnational character of the concerns of ordinary Kashmiris, a recognition of the demographic complexity of the state and the need to bring Kashmiri interests to the fore while safeguarding essential Indian and Pakistani interests.

The problem cannot be solved without the active and constructive participation of the people of Kashmir. Between Indian and Pakistani occupation zones, there are at least six different, distinct regions, cultures and ethnicities comprising more than one Muslim

group, more than one Hindu group, Buddhists and Sikhs. Each ultimately cares more about improvement of their quality of every day life.

Kashmir as a whole is not a Hindu-Muslim problem, and any attempt to portray it thus is a disservice to Kashmiris, to peace and to the fight against religiously based terrorism. Even in the majority Muslim vale of Kashmir, there is a distinct national history and culture substantially nurtured by the influential indigenous Hindu Pandit community.

A Kashmir peace package can be assembled which grants each of the parties their essential requirements without prejudice to the others. India must be guaranteed security from armed incursions and attacks from Pakistani held territory. In the face of armed violence, authentic political processes are simply unviable. The recent assassination of Abdul Ghani Lone bears this out rather tragically.

The current status quo relating to sovereignty has to be a given. Kashmiri self-determination will have to focus for now on the practical dimensions of self-government and come about incrementally regardless of who represents what portion of the Kashmiri population in international bodies.

For Pakistan, a settlement must vindicate its role as a champion of the rights of Kashmir's Muslims and legitimate its political presence in Kashmiri affairs as a whole. Kashmir is the source of deep feeling in the Pakistani national psyche, and India must demonstrate to Pakistani public opinion that political and diplomatic tools will yield more than violence.

Both India and Pakistan should foster genuine local self-government, and they are both to be faulted in this, in the area of Kashmir that they control, and create the conditions for free movement between them. Processes to integrate the lives and economies of the two parts of the state could begin soon after a cessation of violence, could be done through incremental mechanisms such as trade and border agreements, joint commissions on economic, environmental and security issues.

Multilateral development banks and bilateral development agencies would have to provide the material resources necessary to carry out these initiatives and others to make peace profitable, such as demobilization and the integration of combatants, collaborative projects on environment, energy, infectious diseases, law enforcement, and this is just an illustrative list.

What would induce the parties to change direction? Ultimately it has to be self-interest, rightly understood, assuming an end to Pakistani supported terrorism, which must happen. Once that violence ends we must forcefully tell the Indians that the conditions then exist for a serious and sustained peace process for Kashmir, and we should tell our Pakistani friends now that this is our intention and our commitment to them.

I would simply add, since my time is up, that Michael Krepon observed how in the long run a cessation of violence is in the national self-interest of Pakistan.

I would also expand just a little bit on what Mr. Lieven said, which is that a less observed phenomenon has been the very corrosive effect of militarism in the subcontinent on Indian democracy as a result of corruption and abuses in security operations not only

in Kashmir, but in other parts of India and in the erosion of the cultural tolerance in India. This is really a case where both sides are really getting very, very sick on this addiction to bringing the other one down.

Thank you, Mr. Chairman.

[The prepared statement of Mr. Pandya follows:]

PREPARED STATEMENT OF AMIT A. PANDYA, SENIOR FELLOW FOR SOUTH ASIA,
INSTITUTE FOR GLOBAL DEMOCRACY

Possibly no conflict on earth presents as lethal a combination of military capacity, bad blood, irreconcilable national myths, and likelihood of conflict as that between India and Pakistan. Events of the past six months have seen them teeter on the brink of potentially their worst conflict ever. In part this is because both nations openly acquired nuclear weapons just four years ago. In equal part it is because the conflict in Indian-occupied Kashmir has become an integral part of a region-wide and global extreme Islamist military campaign, often covert. The close involvement of Pakistani government institutions in that campaign has completed the destabilization of bilateral India-Pakistan relations.

The conventional view is that the two have gone to war three times in their short existence as nation states. Two of those wars (1948 and 1965) were triggered by Kashmir, and the third (1971) included fighting in Kashmir. In fact a fourth Kashmir war was fought in 1999, over the mountainous heights of Kargil. This was a war by any pragmatic definition. It lasted several months, took more than a thousand lives on the Indian side alone, and only came to an end through the personal intervention of the President of the United States.

As the news attests, and the stream of the most senior officials of the most powerful nations in the world to both capitals confirms, the current situation is highly dangerous. Armed conflict and casualties, civilian and military, are already daily reality. Unless something changes, in the short run we may realistically fear at least heavy conventional warfare. In the long run chronic heavily armed confrontation and suspicion will divert scarce resources from basic human needs of all Indians and Pakistanis, and subject the people of Kashmir to escalating misery and horror.

RECENT BACKGROUND

The fundamental difference in the formal positions of the two sides is simply stated. The Indians accuse the Pakistanis of waging a proxy war by means of insurgency across the Line of Control (LOC) that divides their respective portions of Kashmir. The Pakistanis for their part claim that the insurgency in Indian Kashmir is wholly a reflection of indigenous disaffection with Indian rule and that they offer only moral, political and diplomatic support to the insurgents. The Pakistanis further insist that the only solution lies in India's agreeing to deal with Pakistan as an equal interlocutor on the status of Kashmir.

The facts are as follows. The people of Indian occupied Kashmir did indeed become disaffected in the late 1980s with repeated misrule by the Indian central government, and many considered insurrection the preferable option. These looked to Pakistan for support. However, it has been quite clear from the very outset of this dispute in 1948, when Pakistan invaded the territory with no warrant in international law, that Pakistan has had its own interests in Kashmir, and that its support for the indigenous Kashmiri insurgency was an instrument of broader military strategy with respect to India.

It was thus to be expected that Pakistan would gradually seek to control the movement against Indian rule, and it did. Closely paralleling the Pakistani government's marginalization of authentic Kashmiri voices and its cultivation of an irregular military force which consisted of Pakistanis, Afghans and Arabs was the spill-over from the Soviet withdrawal from Afghanistan. The nexus of extremist Islamist groups which spanned Afghanistan, Pakistan and Kashmir came to exert an increasing role in the insurgency in Indian Kashmir, and dealt a deathblow to what had until then been a *national* Kashmiri movement rather than a transnational religious cause.

The Indians stood impotent before this development until the Pakistan Army, under the then Chief of Army Staff General Musharraf, seized the Kargil heights and with them the capacity to bombard the principal supply road from India into Indian Kashmir. Since this came on the heels of a highly publicized and politically risky visit by the Indian Prime Minister to meet his Pakistani counterpart in Lahore, Pakistan, the Indians would henceforth assume Pakistani bad faith, particu-

larly after the same General Musharraf seized power in a military coup several months later. The Pakistani attack in Kargil was ended only by the personal intervention of President Clinton.

CURRENT CRISIS

At the very end of 2001, hundreds of thousands of troops massed on both sides of the India-Pakistan border. Missiles, artillery and aircraft were deployed. Chronic cross-border shelling escalated so much that civilians were evacuated from both sides of the border. India recalled its Ambassador. Diplomatic missions were halved. Each closed its airspace to the other. Rail and road transport was closed. Rhetoric on both sides was belligerent.

The immediate trigger for that confrontation was a suicide attack in December 2001 on India's Parliament. Nine people died in addition to the five attackers. More massive damage was barely averted. Had the attack succeeded it could have significantly depleted India's political leadership. Given the powerful symbolism of parliament in the world's largest democracy, and its significance as a symbol of national unity in a large and varied nation, the national demoralization and anger would almost certainly have been a trigger for war.

The attackers were based in Pakistan and India blamed Pakistani intelligence. Pakistan's government denied responsibility, condemned the attack and began to take modest steps against some of the extremist groups operating from Pakistan. Pakistani leader General Musharraf promised more. Indians, noting that Pakistan's government has long armed, trained, and sheltered terrorist groups attacking India, dismissed the initial measures as insufficient, and suspended judgment on Musharraf's ambiguous further commitments. Less than two months before the attack on Parliament, similar groups attacked the State Legislative Assembly in the portion of Kashmir occupied by India. Thirty-four died in that attack.

The current heating up of the confrontation arises out of an attack on the family quarters of Indian soldiers serving in Kashmir, an attack in which wives and children were the predominant casualties. The Indians insisted that their patience was not limitless, demanded verifiable steps from the Pakistan government to curb the effects of cross-border terrorism, and went to state of heightened readiness and sharpened rhetoric.

Several features deserve note in this story, and provide a clue as to the dimensions of the current crisis and the way to proceed hence. The Indians built up their deployment and readiness to a credible level and then held still. This is the first and most important clue. It suggests that the Indians are willing to show restraint for long periods of time, although it would be a serious mistake to count on this patience indefinitely.

General Musharraf's speech of a week and a half ago in response to this build-up was instructive. He claimed that there was nothing going on across the LOC—a laughable claim; that the problem in Indian Kashmir is all a reflection of internal problems—a disingenuous claim; that India was to blame for the heightened tensions—a very partial truth; and that India moreover treats its own citizens very poorly—true but irrelevant.

Had the international community not piled onto General Musharraf then and made the point that Pakistan must take steps to stop the cross-border terrorism as a first step to deescalation, the Indians would justifiably have assumed that they had no alternative but to take matters into their own hands.

Moreover, other than the bellicose rhetoric with which the Indian Prime Minister responded in the wake of the attack on the military family quarters, most Indian statements, even immediately in the wake of General Musharraf's bellicose speech, have suggested that India still has some patience left. The Defense Minister suggested earlier that he thought an Indian attack to destroy terrorist base-camps was unlikely until after state elections in Kashmir in the Fall, a double symbol of a slow fuse and commitment to a political process in the state. The Foreign Minister, the Prime Minister and other senior officials have recently suggested that they are yet willing to allow General Musharraf some time to demonstrate a meaningful commitment of the Pakistani state to the elimination of terrorism in Kashmir. They have also reiterated India's commitment not to use its nuclear weapons except in retaliation against a first strike by Pakistan.

The Pakistani response has been somewhat more ambiguous. While promising to do what they can to reduce cross-border military operations, the Pakistanis have sought to distract attention or confuse the issues. They have suggested that the true issue is the legitimacy of Indian rule in Kashmir and the Indian refusal to talk about this with Pakistan. They have suggested simultaneously that General Musharraf has curbed cross-border infiltration and that his capacity to do so is lim-

ited. Most dangerously, while recently noting that the use of nuclear weapons would be insane, authoritative Pakistani officials have also reiterated their nuclear doctrine of possible first use of nuclear weapons in the event of a threat to the nation. This threat has in some instances been defined quite broadly to include economic sanctions.

It is of course true that the Indians must eventually talk to the Pakistanis about all issues between them, including Kashmir. However, that can hardly be a precondition for Pakistan ceasing a practice that not only violates international law but also cuts against the security interests of the parties and the international community. Once there is a cessation of conflict, a range of political and diplomatic processes will become possible and indeed will have to take place. In the immediate term however, any attempt by Pakistan to preserve proxy terrorism as leverage for this diplomatic goal would be highly dangerous.

Above all, India cannot, without serious damage to its security interests, reward terrorist blackmail with diplomatic concessions. Nor can the international community afford such a precedent.

Finally, the equally essential movement toward real democracy for the people of Kashmir cannot take place in a climate of armed conflict. Such conflict is a practical obstacle to meaningful political activity, as is suggested by the reluctance of independent Kashmiri voices to talk to the Indian government for fear of reprisal from Islamic extremists, and most tragically by the recent assassination of the moderate Kashmiri leader Abdul Ghani Lone. Continuing conflict also makes it impossible to diplomatically push the Indian government to do the right thing.

Under current conditions, zealous and violent extremism in Afghanistan, Pakistan and Kashmir constitutes a seamless web. The international community simply cannot accomplish the goals articulated by President Bush, and nor can General Musharraf accomplish his vision of freeing Pakistan from the grip of extremism and violence, unless all fora are closed to this terrorist network. In this respect, Pakistan's long-term interest in stability and membership in the community of nations demands the same security outcome in Kashmir as do India's security and the international community's. Pakistan's own interests require breaking the addiction to myopic pursuit of short-term advantage by "bleeding" India.

It is worth noting here the suggestion by Mohamed Ali Jinnah, Pakistan's founding father, that the fledgling nations adopt a common defense and foreign policy. It may again be opportune to take such a strategic framework seriously.

It is of course true that General Musharraf's ability to control the extremists is not limitless, and indeed that he must tread carefully in order to avoid destabilization by them. The Indians understand this, as reflected in much recent Indian commentary. That is partly why they have been as patient as they have in the face of symbolically incendiary terrorist attacks on democratic institutions and military families. What will convince the Indians to begin standing down is simply a reliable indication of a serious and sustained change of direction that demonstrates that the same Pakistani state that engaged in the Kargil provocation is now ready to move away from proxy war toward compliance with the international rule of law.

Once this occurs, and we must firmly insist and assist in its service, we must then equally vigorously insist that the conditions exist for a serious and sustained peace process for Kashmir. We should tell our Pakistani friends now that this is our intention and our commitment. If we fail to follow up thus, we will risk a repeat of the current crisis in the future.

What would a viable peace process look like?

COMMON INTERESTS

The division of Kashmir stands as a symbol of wars and bitter enmity between nations that otherwise share bonds of history, language, culture and religion. Their dispute dates to their separation out of a single British entity, and embodies essential national myths that required British India to be partitioned in the first place. Pakistanis believe that Kashmir's Muslim majority cannot prosper in India, because the majority of Indians are Hindu. Indians find such an assumption an affront to their explicitly secular state, and note that Pakistan's atrocious treatment of religious minorities would bode ill for the state's substantial Hindu and Buddhist minorities.

There is however an alternative vision of international relations in the subcontinent. That larger vision can be an important framework for the specific business of peacemaking in Kashmir.

In the wake of partition, Indian children were taught that Mahatma Gandhi, the larger-than-life hero of Indian nationhood, expressed a desire to go to Pakistan, whose formation he had opposed, to promote peace between Muslims and Hindus.

Indians, the vast majority of whom are Hindus, knew that he was assassinated by a Hindu fanatic who thought him an agent of Muslim interests. Indians knew that Gandhi had begun his political career in India as one of the leaders of the Khilafat movement to defend the Turkish Caliphate against the victorious allies of World War I.

Pakistanis once knew that Mohammed Ali Jinnah, the leader of the Muslim League and the indispensable strategist, champion and negotiator for the creation of Pakistan as a homeland for the subcontinent's Muslims, proposed the creation of a common defense and foreign policy for the two nations. They knew that Jinnah not only formally articulated Pakistan's identity as a plural and religiously tolerant, albeit Muslim, nation, but worked practically to persuade Hindus to remain. They knew that he had begun his political career as an Indian nationalist, and had been described by none other than the legendary nationalist Gopal Krishna Gokhale as "the ambassador of Hindu-Muslim unity."

Rich in culture and resources, and the birthplace of several great civilizations and world religions, the region is marked by poverty and conflict. Despite its recent advances in cyberscience and its mature spiritual traditions, India evokes images of disease and social dysfunction. Pakistan suggests religious intolerance, and a culture of irrational violence.

Until modern times, the region was a model of financial and administrative accomplishment. Its traders were wealthy, its manufacturers highly productive, its craftsmen exquisitely talented. Muslims ruled a predominantly Hindu population and elaborated an Indian civilization that partook of both cultures. Its accomplishments in equitable taxation, local administration and sheer revenues were emulated by the British.

Today, all must also acknowledge the contemporary accomplishments of Pakistanis and Indians: abroad and at home, in education, business, leadership of international financial institutions and UN agencies, academic life, and literature. And though justifiably known for women's oppression, both countries have had women political leaders, activists, journalists, diplomats, novelists, and filmmakers.

As British India moved toward independence in 1947, greatness was expected by all—Britons, secular Indian nationalists, Muslim partisans of a separate Pakistan, and Hindu revivalists. India would inherit British power and wealth, and revive its own ancient cultural greatness.

Greatness was also expected of the relatively small and impoverished new nation of Pakistan, so gifted was its leadership. The first generation of Pakistanis sought to revive the greatness of Indian Muslim civilization. They sought to represent the interests of all Muslims of the subcontinent.

Greatness will continue to elude both societies in the absence of prosperity and security. Neither is possible without peace.

There are as many Muslims in India as there are in Pakistan. A Pakistani who cares about the welfare of Muslims everywhere must surely see that a weak and impoverished India is not in the interests of Indian Muslims. And if the hostility persists, Pakistan's greatness will remain hostage to it. Indian nationalists concerned with India's strength, prosperity, and security (or chauvinists aspiring to revive Hindu greatness) must see that a weak and hostile neighbor is a liability.

The armed tension between them aggravates their poverty. Vast portions of their budgets have been devoured by their relentless search for military security or advantage with respect to the other. Their rush toward nuclear weapons compounds this vicious cycle.

The stakes are enormous. India and Pakistan account for almost one-fifth of the human race. But their common problems also offer the occasion for cooperation. The populations of both are still predominantly rural, and their national economies rely substantially on the prosperity of farmers. River-based irrigation offers one of the few means for scientific agriculture. In a water-scarce and population-intensive environment, rivers are also key to the welfare of urban dwellers.

One positive example of longstanding cooperation so far has been their agreement and consultative mechanism for dealing with the complex Indus River system that crosses their border. This could be expanded and updated to allow more integrated and cooperative planning for mutual benefit.

The two face common, even interrelated, problems of international crime and terrorism and public-health issues such as tuberculosis and polio. Cooperation on those would be of mutual benefit. Both also face similar challenges of ending illiteracy, child labor, and oppression of women. They could share experiences and learn from each other.

The process of dialogue and collaboration on these practical problems would also build understanding between Indians and Pakistanis. We can imagine the peace-

making effects of Indian and Pakistani women discovering in dialogue that what they have in common is greater than what divides them.

The initiation of such a visionary enterprise must come from both the political leaders and the business and cultural leaders of both countries, as well as grass-roots organizations already addressing these problems. Civil society can push politicians to do what is right. Cooperation offers the almost certain prospect of more prosperity for business, a richer culture, poverty reduction, and popular empowerment.

In the process of collaboration, each could become what it aspires to, and what the other would respect rather than fear.

A NEW PARADIGM IN KASHMIR

As things stood in a state of high tension in February this year, John Hume the Nobel Peace Laureate from Ulster visited South Asia. He articulated with eloquent simplicity the elements of success in Ireland, which had once seemed as intractable as Kashmir. The similarity was not found only in the bad blood. There were the shared history but wildly divergent views of that history. There was a mixed population, a division of sovereignty over a territory that nevertheless had at least potentially common economic and ecological, administrative and infrastructural interests.

Hume described the key to success in Ireland as follows:

Respect for difference
 Creation of institutions that respect that difference
In our common interest, work together in the healing process
 Spill sweat rather than blood
 Talks involving all sections and interests of the people
 An end to violence.

Almost all everyday problems that concern ordinary people are transnational in character. Societies cannot effectively address economic, environmental, public health, law enforcement, or terrorism issues within the narrow compass of national boundaries. Of course, the tools for addressing such issues draw on the authority of governments. At best this authority reflects the will of their populations. The international community should not lightly set that authority aside for it remains a source of legitimacy. However, because problems do not stop at borders or shorelines, cooperative “win-win” models between nations are essential; all the more so as antidotes to virulent conflict.

This interdependence is clearly present in Jammu and Kashmir, yet is almost entirely overlooked. Our paradigm of distinct national identities distracts us from the key issues. Whether we think in terms of Indian or Pakistani national aspirations in Kashmir, or of Kashmiri national aspirations, the temptation is to assume internal unity and external division. This “win-lose” model fails to reflect Kashmiri reality, constituting a dialogue of the deaf between the parties.

How can peace develop in Kashmir? Within a framework of “two sovereigns, three nations, one Kashmir”, a series of incremental steps must take place. The guiding principles of these should be sidestepping of the 20th century obsession with national sovereignty, recognition of the transnational character of the principal concerns of ordinary Kashmiris, responsiveness to the demographic complexity of the state, placing of Kashmiri interests at the center of concern, and safeguarding of essential Indian and Pakistani interests.

KASHMIR

The conventional wisdom about Kashmir, like most conventional wisdom in history and politics, hides as much as it reveals. It sees events in Kashmir as extensions of events in the rest of the Subcontinent, and not as reflections of Kashmir's distinctive cultural and national history.

The conventional view goes something like this. At the time of partition, a Hindu Maharajah ruled a majority Muslim population. Since Pakistan was formed as a Muslim homeland and India as a secular polity, these national Ideas immediately clashed over where Kashmir belonged. A Pakistani attempt to force the issue by supporting an invading force pushed the Maharajah reluctantly into the Indian camp. Kashmiris, the majority of them Muslim, have ever since lived in uneasy allegiance to the Indian government. The subtext of this account is a combination of the following elements. Whatever the merits of the Pakistani claim, Indian control sits athwart of Kashmir's predominantly Muslim identity; and whatever the merits of the Indian claim, Pakistani support for terrorism and armed violence unjustifiably threaten India's security.

The consensus of western policy is that the dispute between India and Pakistan over Kashmir is a matter to be solved by bilateral agreement of the parties. Indeed, India and Pakistan themselves agreed almost three decades ago, in the Simla agreement, to such a bilateral approach. Yet Kashmir has remained the principal trigger of tension and conflict between them.

Framing the Kashmir issue bilaterally is supported by precedent. The British offered the territory the option of accession to one or the other of its successor dominions in the subcontinent. The intervention of the United Nations, while acknowledging the claims of self-determination, took place in the context of a problem raised to the Security Council by virtue of a conflict between two member states.

It is of course true that no settlement of Kashmir is possible without the equal concurrence of India and Pakistan. But equally true is it that the problem cannot be solved without the active and constructive participation of the people of Kashmir—all of them.

For too long has the question of Kashmir been discussed as ancillary to the search for peace between India and Pakistan. This is simplistic and two-dimensional. The aspirations of the people of Jammu and Kashmir must be restored to the center of the picture. And with that must come recognition of the complex cultural, religious, historical and geographical demography of the state. Without a resolution that does them justice, the region will remain a source of instability in a strategically complex and vulnerable region. Even were India and Pakistan to officially resolve their bilateral problem over Kashmir, ongoing political instability in Kashmir, along with the demographic complexity, would offer temptations to non-official and covertly official interference and manipulation on both sides, as well as to the many other neighboring aspirants to regional power and influence.

Those seeking a solution based on the aspirations of the Kashmiri people will have to recognize that there are at least six distinct regions, cultures and ethnicities—comprising more than one Muslim group and more than one Hindu group, as well as Buddhists—between Indian and Pakistani occupation zones. What each of these ultimately cares about is improvement of their quality of everyday life. Those aspirations can only be addressed locally. A local approach cannot be intelligently implemented without consideration of the particular characteristics embodied in the complex geographical and cultural composition of Kashmir's population.

The failure to adequately understand this complexity as the basis of any viable settlement of the Kashmir problem is reflected in the terms of discourse. The use of the shorthand "Kashmir" to describe the state of Jammu and Kashmir, while undoubtedly innocent in intent, has the effect of focusing attention on the one part of the state which is most predominantly Muslim in population and the least like other areas of India. Coupled with the reflexive reference to the state's Muslim majority, this has the effect of suggesting that the aspirations of the state's people are encapsulated in religious terms. It further overstates the normative and empirical significance of the grievances articulated by those purporting to speak for the Muslims of the Vale of Kashmir. The tacit assumption that Pakistan represents the "Muslim" party to the dispute further falsifies political reality.

The fact is that the state of Jammu and Kashmir was a 19th century multi-cultural state comprising a portion of the Tibetan plateau (Ladakh), a northern outpost of mainstream north Indian culture consisting of Hindus, Muslims and Sikhs (Jammu), a hilly outpost of Punjabi culture (Pakistan-occupied Azad Kashmir), mountainous tribal areas on the Afghan border (also now occupied by Pakistan), and the Vale of Kashmir. The Vale was the only area with a distinct and integral national history and culture. While it had a Muslim majority it had a national culture and political life that depended substantially on the presence of an influential and integral indigenous Kashmiri Hindu ("Pandit") population. Not surprisingly, the seminal modern work on Kashmir's freedom struggle was written by a Pandit by the name of Prem Nath Bazaz.

The facile equation of Kashmiri national aspirations with the aspirations of Muslim denizens of the Vale of Kashmir, important as those are, simply overlooks socio-logically complex political problems which will arise in the future but have not yet demanded attention through armed violence. In this respect the Indian experience in Northeast India is instructive. Granting autonomy to one group—Assamese—to accommodate their aspirations, has spawned separatist movements by other groups who feel disadvantaged by the resulting realignments of power.

As such, complex regions must address conflict in order to accommodate the divergent aspirations of local sub-groups within a framework of development and consultation, inside the constraints posed by cultural geography. Muslims of the Vale are more closely related to Pakistan than are their Pandit neighbors. They partake of a pan-Islamic identity. That said, they do so as distinctly Kashmiri, and thus

marked by a historical and cultural commonality with non-Muslims that Pakistanis have lost. Pandits, Jammu Hindus, Ladakhi Buddhists and Sikhs throughout the state all represent types of cultural experience found in polyglot India, but are closer to the geographical margins of resurgent Islamic political identity, and must find a future with their Muslim neighbors.

These are the ineluctable parameters of a solution.

SOLUTION—ROLE OF INDIA, PAKISTAN AND KASHMIRIS

Between India and Pakistan, as between Israel and Palestine, or in the conflict in Ireland, the irreconcilable defining political myths of the disputants infect and render impotent all conventional political and diplomatic peacemaking mechanisms. Between India and Pakistan there is a cycle of expectation and disappointment. An embrace at the border between their two Prime Ministers followed by a bloody three month long border conflict 1999. A visit to India in 2001 by the Pakistani military ruler followed in short order by daring attacks on state and national legislatures in India. It is almost as if the brief optimism fuels the retreat of disappointed publics and intellectuals further into the ideology of perpetual antagonism.

Peacemaking must sidestep these atrophied channels, and appeal to people in terms more relevant to their daily welfare. The model of the Irish peace process—not seeking to solve an insoluble conundrum of sovereignty, but rather looking to an emerging practical interdependence and convergence between nominally distinct sovereign entities—may offer a useful model for Kashmir. The best package is a minimal one that lessens violence, promotes self-government of all Kashmiris, and interdependence between the Indian and Pakistani portions of Kashmir.

The aftermath of the events of September 11 have changed the political calculations of the key parties. For all the immediate tension, this may be the historical moment for an unconventional solution. India may better heed the international community's recommendations because they fear that the current crisis in Afghanistan will incline the west to their arch-enemy Pakistan. For its part, Pakistan has now thrown in its lot with the west, and for economic and strategic reasons will be more responsive to the international community. General Musharraf's stated resolve to end armed militancy in Pakistan is revealing. Pakistani governments may have benefited in the past from using terrorist groups as military surrogates against India. Now these groups threaten the peace and stability of Pakistan itself. That they enjoy widespread, thinly-veiled support among senior and influential officers of Pakistan's armed forces, intelligence and bureaucracy only makes this task more urgent.

A Kashmir peace package can be assembled which grants each of the parties their essential requirements without prejudice to the others. India must be guaranteed security from armed incursions and attacks from Pakistani held territory. In the face of armed violence, authentic political processes cannot work. India will not risk any.

Immediately, there can be no questioning of the current *status quo* relating to sovereignty over territory controlled by it. The Indian position, probably correct under international law, is that Jammu and Kashmir is an integral part of the Indian Union. Any attempt to place the legal issue of sovereignty on the agenda at the outset would backfire. Kashmiri self-determination will have to focus for now on the practical dimensions of self-government, and come about incrementally, regardless of who represents what portion of the Kashmiri population in international bodies.

On the other hand, no settlement will be acceptable to Pakistan unless it vindicates its role as a champion of the rights of Kashmir's Muslims, and legitimates its political presence in Kashmiri affairs. A way must be found to secure Indian assent to unconditional talks. For any Pakistani government to simply renounce a role in Kashmir would be political suicide. Kashmir is the source of deep feeling in the Pakistani national psyche. India must demonstrate to Pakistani public opinion that political and diplomatic tools will yield more than violence. It cannot insist on renunciation of terrorism as a precondition for talks. Rather, meaningful unconditional talks are what will make that renunciation possible. The Pakistani interest in Kashmiri Muslims as a whole would also be served by political concessions to self-government, on both sides within separate units under separate sovereigns, and by the process of cross-border cooperation.

Any settlement must also serve the people of Jammu and Kashmir. They have all suffered a dearth of human and democratic rights. To the extent that they also aspire to unity and recognition of special identity on the basis of their shared though varied history, that will require the end of regional chauvinism. The people of the Vale, whether Pakistan-supported insurgents, pro-independence forces or pro-Indian political parties, must stop acting and speaking as if they and they alone

speak for the interests of the state's people. Their majority Muslim State includes extensive and strategically significant areas where Hindus and Buddhists are in the majority.

The briefest description will convey the state's rich cultural variety. On the Pakistani side are the mountain peoples of the Northern Areas already assimilated by Pakistan (despite its formal position in favor of Kashmiri self-determination) and the distinct Mirpuri group of Azad Kashmir. On the Indian side are both Muslims and Hindu Pandits of the Vale, the Buddhists of Ladhak, and the predominantly Dogra Hindus of Jammu. Certainly the optimal solution would be one which allowed them all to share their geographically defined common destiny within a unitary Kashmiri entity. However such a unitary solution is almost inconceivable in the short term. Because Buddhists and Hindus would—justifiably on the historical evidence of Pakistan's poor record with religious minorities—feel insecure in any arrangement that rendered them vulnerable to Pakistani authority or influence, a more creative transitional program must be found.

With due recognition of the issue of Muslim interests in Kashmir, excessive or exclusive focus on their interests would only reward armed insurgency at the expense of peaceful political organization and expression, as still practiced by most Kashmiris, including many Muslims. Such myopia would also be a recipe for future political instability.

Both India and Pakistan should open the door to genuine local self-government in the areas they control, and adopt measures to foster cooperation between these areas. Free movement between them will be important. Because it can only come about if the security threat is manageable, that will have to be the first order of business.

If an improvement in security comes about, India should reduce its security presence to make room for a political settlement. Political repression and the excesses of the Indian security forces have spawned the instability and lawlessness in which terrorist groups have thrived. Kashmiri political leaders are afraid to discuss peace in this climate of mutual terror. If India fails in this, it will remain difficult to separate authentic Kashmiri insurgents from transnational terrorists,

SOLUTION: ROLE OF THE INTERNATIONAL COMMUNITY

When India and Pakistan openly tested nuclear weapons in 1998, followed by an incursion by Pakistani-supported fighters into Indian-held Kashmir in 1999, the stakes rose sharply, as did US willingness to get involved. President Clinton met the Pakistani Prime Minister at the White House to press him to pull back the incursion, which Pakistan did. Still, while the US assumed a more active role in encouraging the parties to take steps to reduce tension and increase confidence, it continued to eschew the role of a mediator. The international community as a whole has shared this reluctance.

Until quite recently this reluctance to mediate was indisputably correct. The prospects of a negotiated settlement were extremely remote, in the face of a conversation of the deaf between India and Pakistan. Indeed, the prospect of a powerful third party pressuring the other acted as a disincentive to contemplate difficult choices. Neither side would even partially concede what was essential for the other.

This much was clear from the longstanding difficulties the United Nations encountered in promoting a settlement. A Security Council resolution dating back half a century called for a settlement with reference to the wishes of the people of Kashmir. India claims it has taken the wishes of Kashmiris into account in its portion of the state, given the legal accession of the state to India and the failure of Pakistan to withdraw. The border between the two remains unresolved under international law, despite the presence there of the oldest extant UN military observer group.

Now, the international community must devote substantial diplomatic, political and material resources to a resolution in Kashmir. While some groups attacking India from Pakistan are disaffected Kashmiris concerned only about their local interests, an increasing number are outsiders whose operations span Afghanistan and Pakistan. They share expertise, personnel, resources and ideology with groups that have been identified by the international community as threats to international peace and the rule of law. The international community now has a direct interest in persuading Pakistan to change course.

However, as long as Pakistan feels that supporting insurgency in Kashmir is its only means of retaining a role there, its commitment to neutralizing these extremist forces will remain ambiguous. If the international community seriously wants Pakistan's wholehearted cooperation with the global struggle against international ter-

rorism, we must encourage the Indians to give Pakistan a better option for a political role in Kashmir.

Whereas the preferred approach in such a situation would ordinarily be United Nations initiative, for historical reasons that is unacceptable to the Indians. It is important that a pragmatic approach be adopted, which sidesteps “theological” disputes about the meaning of UN resolutions and instead relies on collective international efforts under any viable institutions. Given the incremental character of the approach proposed, a collection of private, semi-official, and specialized multilateral institutions should work together.

There can be no progress on interim measures without a cessation of violence. Continued violence both detracts from the confidence and good faith necessary for bilateral negotiations, and keeps the Indians focussed on the security threat and thus unable to reduce their forces or allow an inclusive an uncensored political process.

Only the United States has the standing to convince Pakistan to turn from a Kashmir strategy of covert support for terrorism. The US-Pakistan relationship, including the generous aid already committed, should be made dependent on Pakistani policies that respect Indian security. Only that would confer standing to counsel Indian restraint.

The west has already demonstrated its willingness to stand behind Pakistan in the form of debt rescheduling. Further financial rescue plans and well-crafted bilateral development assistance, through the IMF, World Bank and Asian Development Bank, will encourage the Pakistanis to participate in a serious peace process.

The community of nations should insist that India and Pakistan immediately begin parallel, unilateral confidence building gestures, starting with Pakistani respect for the line of control (“LOC”) and reduced support for violence, and Indian movement toward self-government on its side of the LOC. To be equitable, the latter should be accompanied by increased self-government in Pakistani-occupied Kashmir. Later steps might include cross-border initiatives to help both parts address common issues in an integrated manner across the LOC.

Processes should be initiated to integrate the lives and economies of the two parts of the state. This can be done through incremental mechanisms such as trade and border agreements and joint commissions on economic, environmental and security issues. There might also be consultative mechanisms for issue-specific talks between political and civic institutions on both sides of the boundary (three way national-local, two way local), and mutual commitment to allow free access, consistent with security requirements, to independent and credible human rights monitoring organizations and the press. The multilateral development banks, other international financial institutions, and bilateral development agencies would have to provide the material resources necessary to carry out these initiatives, and to render peace profitable for the parties.

The international community should take a very clear position with the Indian government that its capacity to forcefully push for the cessation of cross border violence depends objectively on the improvement of the Indian government’s record on human and political rights in its part of the state.

The international community could retain a constructive profile by supporting non-governmental initiatives in both Pakistani and Indian Kashmir, material assistance for demobilization and reintegration of combatants, and other development and transition assistance, including partnership with multilateral development banks or UN specialized agencies.

Serious consideration should also be given to supporting and assisting with regional confidence building measures. These could include technical assistance (including monitoring technology and training) for military transparency at the Line of Control or the India Pakistan border, frameworks for dialogue, and collaborative projects on environment, energy, infectious diseases, and law enforcement.

ROADMAP AND CHRONOLOGY

A viable process of confidence building and incremental peacemaking might look something like this:

1. India-Pakistan commission to discuss boundary issues in Jammu and Kashmir, and to engage in joint monitoring of the LOC.
2. Phased demilitarization at the LOC, contingent first on substantial cessation of cross border terrorism.
3. Three-way (Indian, Pakistani, Kashmiri) commission on internal law and order. Kashmiris to be chosen from Pakistan-occupied Azad Kashmir and all Indian-occupied segments—Vale, Jammu and Ladakh.

4. Indian and Pakistani commitment to proceed with a scheme of local government reform and strengthening of local institutions and local autonomy in respective areas of Kashmir.
5. Issue-specific consultative bodies (water, power, tourism, finance) comprising such local units, and Indian Jammu & Kashmir State and Azad Kashmir governments.
6. Regularly scheduled and publicity-free consultative mechanism for Indian government talks with all parties, and with non-party civil society institutions, within Indian Kashmir on political issues.
7. Corresponding mechanism for Azad Kashmir.
8. Consultative mechanism for talks among all parties on ethnic and religious minority protections.
9. Consultative mechanism for dialogue between these processes on the Indian and Pakistani side of the LOC.
10. Indian commitment to allow free access, consistent with security requirements, to independent and credible Indian human rights monitoring organizations, and to Indian, and Pakistani press. Corresponding commitment by Pakistan for Azad Kashmir.

It is to be expected that many of these initiatives will face obstacles, and yield few immediate results. However, the process itself will build confidence. It is through repetition that the habit of dialogue will be established, and underlying objective common interests identified. Even if it fails, we must begin to try.

Mr. GILMAN. Thank you, Mr. Pandya.

We will now proceed with our queries, and I will be turning to my colleagues in just a moment.

What kind of links exist between al-Qaeda and the terrorist resurgence of militants that are now operating in Kashmir? I would turn to all of our panelists. Mr. Krepon?

Mr. KREPON. Mr. Chairman, we are asking Musharraf to wage a three-front war against terrorism. That is asking a lot. The al-Qaeda links are mostly still in the northwestern part of Pakistan. There is a fear that as U.S. military operations proceed, these elements will filter toward Kashmir.

I do not believe this is now the case. It could be the case. These groups have some linkages. The problem for the government of Pakistan is it has sought to differentiate between them. It has sought to differentiate between al-Qaeda on the one hand and the groups that it supports in terms of anti-Indian militancy.

This is not going to work. It is not going to work. The way through this mess is in a straight line, where the government of Pakistan follows a consistent policy that terrorism is bad. It is bad for the country. It is not working. It is not achieving national objectives in Kashmir.

Mr. GILMAN. Do any of our other panelists want to comment?

Mr. PANDYA. Yes, I would, Mr. Chairman.

Mr. GILMAN. Mr. Pandya?

Mr. PANDYA. Opinions differ obviously on the extent of al-Qaeda or other international terrorist influence in Kashmir, but clearly there have been working relationships between these various manifestations of extremism and insurgency, and clearly if you look at the map the northwest part of Pakistan, the part that borders Afghanistan, is really only a hop and a skip away from Azad Kashmir where many of the outfits that are operating in Indian Kashmir are in fact operating from.

Clearly they do have a common interest in opening up a second front for General Musharraf and, more significantly, in taking some of the heat off their cohorts on the Pakistan/Afghanistan bor-

der, so it would stand to reason that we can expect an increase in collaboration between the various parts of this picture.

You know, opinions do differ. I have here an Associated Press story where the Defense Minister of India suggested very clearly that members of Osama bin Laden's al-Qaeda network and Taliban fighters from Afghanistan were now in fact working in concert in Kashmir as well.

Mr. GILMAN. Let me address the panelists. For many years, India's Defense Minister, George Fernandes, said that the major threat to India is not Pakistan, but China, and that Pakistan is just a proxy of China. Mr. Fernandes often expressed concern about China surrounding India by arming nations on India's borders.

Can our panelists express your thoughts with regard to that proposition? Mr. Krepon?

Mr. KREPON. China-India relations have improved since India carried out nuclear tests. They have a joint working group where they discuss ways to deal with their lines of actual control. They also have sections of the border that are not settled.

Mr. GILMAN. Is that a joint working group with another nation?

Mr. KREPON. India and China—

Mr. GILMAN. And China.

Mr. KREPON [continuing]. Have these discussions. They are making progress. They are exchanging maps. They are trying to delineate the border areas, and they have begun joint conversations about terrorism.

I have talked to the Defense Minister about how he feels about China. He has very strongly held views on this subject, but it seems to me that the situation between India and Pakistan has deteriorated greatly while the bilateral relationship with China has improved.

Mr. LIEVEN. Perhaps I could answer that. China, of course, has very serious worries of its own about internal Muslim extremism and terrorism, and I think that, too, is encouraging a closer relationship between China and India and indeed between China and us.

Mr. GILMAN. Thank you. Mr. Pandya?

Mr. PANDYA. I think that a fair dimension that is worth noting here is the extent to which introducing discussion of China really points to the complexity of the Kashmir problem because, of course, portions of the former unified states of Jammu and Kashmir as its boundaries were delineated when the British Empire ruled are now controlled by China partly as a result of conquest from India and partly as a result of cession by Pakistan.

I think that while this territory may seem unimportant to the current discussion because there are very few people there, it is extremely important strategically and deserves recognition as a complicating factor in the strategic—

Mr. GILMAN. Thank you. For my colleagues, we are going to continue with our session. Mr. Burton went over to vote, and he will come back and continue as quickly as we can.

Mr. Ackerman?

Mr. ACKERMAN. Thank you very much. In regard to something that Mr. Krepon said before with regard to terrorism and Pakistan enunciating why the reasons against it, you stated that terrorism

is bad for the country. I think that nobody would dispute that, but it might be very, very good for domestic politics. I think that domestic politics are playing a higher order of priorities than what is good for the country.

That being said, I would like to know if any of the panelists think that General President Musharraf's zeal for Kashmir is diminished any, number one, because all of the public pledges that he has made here and elsewhere against terrorism do not seem to be applicable with regard to Kashmir.

Where do you think he goes with this? Is this just brinkmanship, I mean, because like one slip and you are over the edge of the cliff here?

Mr. KREPON. He has five good reasons, five very persuasive reasons, to make his pledges applicable to Kashmir, as well as to Afghanistan.

Number one, the policy he is pursuing could lead to escalation that could cross the nuclear threshold, in which case centuries of Muslim accomplishments are reduced to rubble. That is one.

Number two, if his policies lead to a conventional war there is a decent chance that the Pakistan army will not do well. It has not done well in previous wars with India, which means the country would be destabilized, further destabilized, much worse, and that is not in his interest.

Number three, Pakistan would have to fight this war essentially alone. China would not support Pakistan. The United States would not support Pakistan. Folks do not support countries that use militancy as an instrument of state policy.

Mr. ACKERMAN. If I can stop you mid-count, one would think that he is aware of all that. There is nothing I think that we can say logically why this is a bad thing that he has not considered already, and yet he is risking it all for the sake of, in my view, domestic politics.

Mr. KREPON. I do not think the United States Government until recently has spoken with one voice to General Musharraf about how we view the situation.

Until fairly recently when we sent Defense Department officials to Pakistan, they were talking about the prosecution of the war against al-Qaeda. They were not talking about Kashmir. When we sent State Department officials to the region, they talked about Kashmir. He may have thought that he could balance one against the other.

Now our government is speaking with one voice. There is no differentiation. I think this will change the calculus in Pakistan.

Mr. ACKERMAN. Let me rephrase the question. Should Musharraf do what we would expect and many in the international community would expect? Should he reject terrorism in Kashmir, not refer to them as freedom fighters, dismantle the terrorist camps and arrest the terrorists? Does he politically survive?

There is one answer that says he does, and one answer says he does not.

Mr. PANDYA. I suppose, you know, he takes a risk either way. The truth of the matter is that his position in Pakistan is very weak regardless of what he does in Kashmir. Benazir Bhutto has called on the officer corps to overthrow him.

The Jamaat-e-Islami at the other end of the political spectrum have pulled together an all parties conference that has asked for a transitional government to be installed right now and for Musharraf to step down. It is very curious that when he made his very belligerent speech about a week and a half ago that the way that he started out was by complaining about the fact that all shades of Pakistani political opinion had not united behind him, had not united behind the leader of the nation in this time of peril.

I am not sure that that is a direct answer to your question, but I think, you know, at the end of the day Musharraf's problems with his hold on power can be affected either way by the position that he takes on Kashmir. In the end, you know, as a factor to calculate it is probably a wash.

Mr. LIEVEN. I would say that Kashmir is only one element in the domestic Pakistani political equation and the threats to Musharraf, but it is certainly an important element given the very strong feelings of the Pakistani people and particularly the Pakistani Army on this subject.

Mr. KREPON. Mr. Ackerman, just two cents worth more. There was a national election in Pakistan before General Musharraf took power, and in the course of that election the victorious candidate did not mention Kashmir. He did not mention Kashmir. Kashmir was not an issue in that national election.

You have asked a really hard question, and I am sure that General Musharraf is struggling with it, but Pakistan does not have a future unless it changes course with respect to militancy. It does not have a future.

Mr. ACKERMAN. My question was really is General Musharraf interested in Pakistan's future or General President Musharraf's future?

Mr. KREPON. I think he is interested in Pakistan's future. I think he is interested in Pakistan's future. He is a patriotic person, and I think he can see wisdom here, but he needs our help.

Mr. PANDYA. May I?

Mr. ACKERMAN. If I just might suggest to the Chairman if we could suspend because they might need our help on the Floor?

Mr. GILMAN. Thank you. The Committee will stand in recess. Mr. Burton is on his way back, and we will continue as soon as he gets back.

The Committee stands in recess.

[Recess.]

Mr. BURTON [presiding]. The panel is back at the table. If we could get everyone back to their seats. Can you take your seats, please? The Members have a lot of different meetings and hearings they have to go to today. We have more votes coming.

Chairman Gilman will return, but he asked me to go ahead and get back to the questioning. I guess it now falls to me to ask a few questions. I will take my time, and then I will yield to the other Members.

One of the things that I noticed from the panelists was that there was not any mention of the U.N. Resolution. Granted, that Resolution took place in 1948 and 1949, but the fact is both India and Pakistan agreed that a plebiscite should be held. Fifty-four years later that has not been done.

I do not really agree with Mr. Krepon that the solution to the problem is to stop the cross-border terrorism. I am sure that that is a part of the equation. We need to have some method to make sure that the borders are as secure as possible, but it is very mountainous, as you know. It is a long border, and it really needs to be policed in a way that is the best way possible.

India does not trust Pakistan. Pakistan does not trust India. If India wanted to preserve that border, they have many more troops in that area than Pakistan does, and they could have been making steps and strides to do that.

I believe personally that the best way to do it is to try to have the U.N., working with both of those countries, create some kind of independent patrolling operation that will do the best they can to seal that border off. If they did that, I think that would be a giant step in the right direction.

The other thing that I think should be considered down the road is that India, whether you say 750,000 troops, 500,000 troops, 400,000 troops, whatever the figure is, there should be some strict requirements by the Indian government that any human rights violations, gang rapes, atrocities, murders and so forth, be dealt with very severely, court martials, whatever it takes to stop that sort of thing, which would be in compliance I think probably with the conventions that have been passed throughout the world.

The third thing is the plebiscite, and Mr. Rohrabacher and I both alluded to this. The plebiscite that was alluded to and promised back in 1948 should be held. Now, granted it could not be held immediately because the situation being as difficult as it is and the possibility of war, but if we can get the border sealed off, if we can stop the cross border problems, if we can stop the gang rapes and the terrorist activities, and I call them terrorist activities by the Indian Army.

When you go into somebody's house and take 50 or 60 men out in the field and have them stand there and freeze while you gang rape their wives all night long, that to me is an act of terrorism just as barbaric as coming across and blowing up military personnel.

When we are talking about terrorism, there is terrorism on both sides. One is under the auspices of the military of India, and the other is from the people who are fighting because they believe that Kashmir ought to have a modicum of freedom and independence which was promised in 1948.

There are people coming in from outside sources who are trying to take advantage of the situation. I think we are all aware of that. The bottom line is the people of Kashmir do want to have a vote on independence, and they have wanted that for 54 years. That is the root cause of the problem.

If there could be some kind of a commitment to a peaceful negotiation right now to stop the war from happening, number one, and a commitment for an orderly withdrawal of Indian troops accompanied by military trials for those who perpetrate atrocities at the same time going after the terrorists who are trying to take advantage of the situation and give the commitment to the Kashmiri people that there will be a plebiscite, I think you defuse the whole thing.

The terrorists who want to take advantage of it coming from outside, and I do not know how many there are. I do not think anybody knows that. I still think the majority of the problem is inside Kashmir. The terrorists who are coming in from the outside would not have the fertile ground that they have today if a plebiscite was in the offing 6 months, a year, 2 years down the road. If they know that there was a hope of getting that plebiscite, I think it would really help defuse the situation.

The bottom line is after listening to you learned gentlemen, and I know you have varying points of view, number one, some kind of an international operation to patrol the border maybe in conjunction with both India and Pakistan, but having that kind of international organization or under the auspices of something like the U.N.

Number two, trials of those who are perpetrating atrocities upon the people of Kashmir from the Indian military. Three, trying to make sure that we stop terrorist infiltration wherever it takes place, and, four, the promise of a plebiscite.

It seems to me all of those are logical steps, but to point fingers at Mr. Musharraf and Pakistan, who have been friends of ours forever and they have almost never turned us down, and to point the finger at them and not point the finger at the atrocities perpetrated by the Indian government and their recalcitrance toward a plebiscite which they promised and their leaders have promised over the years I think begs the issue.

With that, I do not think I am asking you any questions. I just think or I hope you will take that with you as food for thought. You are very learned gentlemen, and you have a lot of knowledge about the issue, but I will not belabor this any more.

Mr. Schiff?

Mr. SCHIFF. Thank you, Mr. Chairman. I would like to ask a question. I apologize if this has been posed to you already. We had a couple votes on the Floor, and none of us were quite sure how quickly they would come in succession so I think we spent longer on the Floor than we needed to.

My primary question to you is I would like to get a sense of the debate over the cross border terrorism and would like your feedback on, number one, whether you think General Musharraf is actively trying to prevent militants from crossing the line of control.

Number two, whether there has been some wavering in that determination with a more vigorous post September 11, a perhaps more relaxed effort or an affirmative allowing of these guerilla camps to reopen in March.

And then third, whether you think as a political matter Musharraf has the political base of support or the ability even if he desired it to crack down on those who would use violence in the cause of Kashmiri separation or independence.

Bear in mind that there was some skepticism about whether he had the base of support to crack down on militancy in the wake of September 11 and a lot of concern about mass rebellions in the streets never materialized, but I understand that the sensitivity of Kashmir is at a wholly higher level even than the September 11 issue, so if you could comment, each of you, on that?

Mr. KREPON. Mr. Schiff, General Musharraf has proven to be successful in shutting down infiltration after he delivered his speech on January 12 promising to do so. Over time, a couple of months, things were back to normal.

He is now proving again after his most recent speech on May 27 that he is shutting it down. I have no doubt that infiltration is now way down. There are some folks that he cannot control, but he can control most of it.

It is going to cause him problems in the senior officer corps, but he has the capability to do it if he has come to the conclusion that it is in his country's best interest to do it. This is a bitter pill to swallow, but the other medicine is even worse.

The other medicine is he loses his country because he cannot differentiate between bad terrorists over here and good freedom fighters that are fighting India with his army's support. It does not work because we cannot be with him if he tries to maintain that differentiation. We cannot.

We are asking a lot of him, and he deserves our support, but he has to be consistent about this. He has to follow through because the future of his country depends on it. It is just that simple.

Mr. SCHIFF. Do you both share that view that he has the capability to significantly crack down on the terrorism in Kashmir?

Mr. PANDYA. Yes.

Mr. LIEVEN. I think he can significantly crack down on it, but, as I said in my talk, we must be very clear he cannot eliminate it. Among the terrorists in Kashmir and in India proper there will be people who will continue attacks in part precisely so as to weaken Musharraf and so as to provoke war between India and Pakistan.

As I said, we must not fall into the trap of allowing them, the terrorists, to create our agenda and to drag India toward war. I think it is also worth emphasizing that although Musharraf can greatly reduce the infiltration and close down the camps, it will cost him very badly at home and in terms of prestige within the Pakistani army.

Of course, that does not mean he should not do it. We must push him to do it, but everything we can do in other areas to help, to help him, to help compensate for that, we should do.

Mr. SCHIFF. Yes. I am sorry. Perhaps you can address both things in the remaining few seconds I have.

Is there evidence that al-Qaeda and the Taliban are deliberately raising the decibel level of violence in Kashmir precisely because they believe it will pull Pakistani troops off the border of Afghanistan and make our life more difficult?

Mr. PANDYA. It is certainly the move I would make if I were in their shoes, and the Indian Defense Minister is on record as suggesting that that is in fact what has happened; that they in fact have intelligence to that effect.

On the question of General Musharraf's capability, I would simply add that quite apart from whether he objectively has the capacity and the will, the Indians appear to believe, and I think this is equally important, the Indians appear to believe that he has the capacity and the will. Did they not believe it, they would not be giving him a little bit more time as they are right now.

Quite frankly, they have been giving him time since the attack on Parliament in December. The Indians have built up certainly their military forces quite substantially, but that said it has been a few months, and they have not actually launched any kind of attack, so clearly they believe that he has the capacity and the will.

At the end of the day, I think that the Indians are smart enough to understand that he will not be able to control all attacks. I highly doubt that even if there were an attack by rogue elements right now within India that the Indians would immediately react to that with military action.

I think what the Indians are looking for is evidence of a serious sustained change of direction by the Pakistani state. I think if they see that, if they see it in the level of infiltration going down and in some kind of policy change that systemically attacks the bases of terrorism in Pakistan, I believe that they will give General Musharraf a little bit more time.

Mr. SCHIFF. Mr. Chairman, I thank you. I yield back the balance of my time.

Mr. GILMAN [presiding]. Thank you.

Mr. Pitts?

Mr. PITTS. Thank you, Mr. Chairman.

A question for the entire panel. How does the issue of extremist Hindu groups with their pan-Hindu designs affect the Kashmir issue? Would it be helpful to the issue if the Indian government took action against these groups for their criminal activity, groups that have committed atrocities against people in Kashmir or in Gujarat, and would this help alleviate pressure on Musharraf from the Pakistani groups as well? I would appreciate any comments.

Mr. LIEVEN. Well, as I said in my address, I believe that it would be extremely helpful if the Indian government did this and if the west and the United States in particular were to push them much more strongly on this and to be seen to do so both because I think this would be right in itself, but also because I think this would create a very good impression in Pakistan and in the Muslim world, it would diminish the impression, which, of course, our enemies are continually trying to cultivate that the United States is one sided in its attitude to Muslims and does not care about atrocities committed against Muslims.

I also think that the existence of both states in South Asia is now a vital interest of America and the world because of their possession of nuclear weapons. In that context we have to do everything we can to strengthen the Pakistani state internally so that it can deal with its extremists, but we also need to do everything possible to help preserve Indian pluralist democracy because I believe that in the end the survival of India as a country depends on its democracy.

Mr. PITTS. Mr. Pandya?

Mr. PANDYA. In the same way that you have heard how General Musharraf has to crack down on extremism in order to save the Pakistani state, a very senior Indian journalist, Kuldip Nayar, who is now a member of the Upper House of the Indian Parliament, recently published a piece where he suggested that not only the attacks in Gujarat, but that the government's response to those at-

tacks, had done more to destabilize India than the activities of the Pakistani intelligence over the 50 years since partition.

Mr. PITTS. Mr. Krepon?

Mr. KREPON. The terrible violence in Gujarat has further alienated Kashmiri Muslims from the center, but the issues for them are Kashmir-centric. They care far less about what is going on in Karnataka or Gujarat or other states. They are very focused on their daily lives.

I have to tell you that in this last trip I interviewed a wide range of disaffected Kashmiri Muslims, folks who were associated with Hizbula Mujahedeen, which is primarily an indigenous group, folks who are separatist leaders, political leaders.

It strikes me that they are ready for reconciliation. They are ready to put down the gun. They are looking for honorable ways of public service. They are not ready to stand for elections. There is a state election coming up in September and October. I do not think they are going to stand for elections in part because one of their leaders—who spoke out quite vocally that the foreigners, the Pakistanis, the Afghans, were not welcome in Kashmir, and that the guns that they were bringing in and the violence they were bringing in were not welcome—was assassinated. He was contemplating having surrogates run in the state elections. It is very hard to have an honest public conversation in Kashmir because if you seek to move away from violence, you will become a target of violence.

The human rights problems of which you speak exist in Gujarat, and they are serious. They are painful to watch. They exist in Kashmir too. The government of Pakistan cannot wrest the Kashmir Valley away from India by diplomacy. It cannot wrest the valley away by conventional arms. It certainly cannot wrest the valley away by escalating to the nuclear level, and so it has relied heavily as an instrument of state craft on unconventional warfare to bleed India, to make India pay.

This has failed. It has failed in every respect. It is doing severe damage to Kashmiris, it is doing severe damage to Pakistan, and it is doing severe damage to the Indian security forces. It has to stop. It is time. This is the core of the matter at this point. If it can stop, every door is open to help people out.

Mr. PITTS. Thank you. The President of Ethan Allen formed a Kashmiri study group a few years ago, and I believe one of our Members was part of that. One of the recommendations, and there were several, for progress toward the restoration of normal life in Kashmir was by demilitarizing civilian inhabited areas since it is the people who are suffering.

What is your view on this recommendation? What steps do you think could be taken toward that?

Mr. KREPON. The fellow you are talking about, Farooq Kathwari, is just an extraordinary fellow. He has taken a very personal interest in the well-being of Kashmiris.

The Indian security presence in Jammu and Kashmir is extremely heavy even when they are not ready to fight a war with Pakistan. This causes real problems. That presence has to be thinned out. It has to be moved to the border and out of the cities, but it is awfully hard to do that when you are facing well armed,

well trained militants who keep coming across with the active assistance of the Pakistan army and the intelligence services.

Mr. PITTS. Thank you.

Mr. GILMAN. The gentleman's time has expired.

Mr. LIEVEN. I would like to second that, but I must say that when it comes to helpful suggestions from outside from the international community about what to do on Kashmir, a very major problem has been that India over the years has categorically and consistently rejected not just the U.N. resolutions of which we have heard, but any international role in resolving this conflict whether by international bodies or by individual states like America.

I must say that I think in view of the dangers which this conflict now poses for humanity as a whole, I do not think that this Indian approach can any longer be regarded as legitimate, and I think that our support for Indian aspirations to play a much stronger role on the world stage, one aspect of which is, of course, India's desire for a seat on the United Nations Security Council, should be very closely linked by us to India's willingness to allow us a role in trying to seek a solution to this conflict.

Mr. GILMAN. The gentleman's time has expired.

Mr. Rohrabacher?

Mr. ROHRABACHER. Yes. Before I get into my questions, let me just note that I am not a fan of General Musharraf. I do not call him President Musharraf. No one has elected him to anything. There is not a democracy in Pakistan. The democratic government was overthrown by the current government. The referendum that they had in Pakistan makes a mockery of the democratic process, and they deserve a real election.

By the way, I think that it is possible had they had a real referendum Musharraf would have been confirmed by the Pakistani people, but he chose instead, along with his clique, to make sure that they had a fake election, and that is very sad.

Any suggestion that elections are then the answer in Kashmir has to be taken with that consciousness, with that, you know, reality. The fact is that if Mr. Burton and I are calling for a plebiscite, it would have to be internationally inspected. It would have to be something that would be guaranteed by the international community to be a just and fair plebiscite in Pakistan.

With that said, let me suggest that people who are trying to tell us that the root cause of the problem in Kashmir is the infiltration of terrorists from Pakistan are on some other planet than I am on. I mean, I do not know. I do not think this was going on for the last 50 years. It has been 50 years since the United Nations demanded some kind of an election, a plebiscite, so the Pakistani people could control their own destiny through the ballot box.

If you do not give people the option of controlling their destiny with ballots, they will turn to bullets, and their sympathizers from elsewhere will help them. The root cause of this problem is the intransigence of India that makes sure that experts like yourself suggest well, it is just off the table. The sovereignty question is off the table.

It is not off the table. It is not off the table at all. If we want peace, pleading for peace and then suggesting that it is just the terrorists infiltrating that are causing the problem, we will not

bring a more peaceful world. We have to be tough with our friends and tough with our adversaries and come up with a solution that will give the Kashmiri people a choice.

That is the only time this is going to end because that is the only time the people on the other side who are supporting them will refrain from supporting the Kashmiris with weapons the way they see it.

Let me be bold and make this suggestion. There should be a plebiscite for the Kashmiri people internationally supervised to make sure that it is absolutely an honest election. We can do that. I believe that is within our capabilities if India will agree and Pakistan will agree, and I believe they will if we step forward with this.

The plebiscite should ask these questions. Do the people of Kashmir want to be part of India? Yes or no? If the answer is no, do the people of Kashmir want to be part of Pakistan? Yes or no? Number three, should they be or do they want to be independent? They should be given those choices.

Again, I do not believe, and one of the panelists suggested that India is looking to Pakistan for a major change of direction, and that is what is going to bring about peace, a major change in direction from Pakistan. No way. This has nothing to do with the policy of Pakistan. It has everything to do with the fact that you have hundreds of thousands of people in the Kashmir who are not being given the right to determine their destiny with a ballot and have been denied that for 50 years.

Again, Mr. Chairman, let me note we have a panel. Mr. Burton and I very clearly talked about the plebiscite, but no one managed the mention that even as an alternative for peace. This has been going on in the United States Government and then Congress and the Executive Branch for 50 years. The United States is going to be a peacemaker if we face that reality.

I would throw that up to the panel and let them go right ahead.

Mr. KREPON. Let me talk about the plebiscite because it is something you care so deeply about. You are right. It deserves to be discussed in this forum.

The original U.N. resolution said Pakistan has to vacate the territory that it gained in the war that divided Kashmir. Pakistan has to vacate that ground. Then India needs to vacate its ground, and then there would be a plebiscite.

The plebiscite as originally conceived by the U.N. resolution only gave Kashmiris two choices. One choice you are with Pakistan, all of you. The other choice was you are with India, all of you.

If we fast forward the situation 50 plus years later, if you gave that choice to Kashmiris the overwhelming vote would be none of the above. We do not want to be with Pakistan. We do not like the way Pakistan—

Mr. ROHRABACHER. Let us give them that choice, too, which is independence. Let them choose if they want to be independent.

Mr. KREPON. Okay. If you change the terms of the plebiscite and you give people a third vote, a third choice of independence, Pakistan would be unreconciled to the outcome. India would be unreconciled to the outcome. You are consigning Kashmiris to endless violence for as far into the future as I can see.

Mr. ROHRABACHER. Let us put that to Pakistan and India and let them go on the record and say no. We are not going to let the Kashmiri people have a choice to vote on a plebiscite that includes independence or includes going to one side or the other. I do not think we have put that officially to the Pakistanis.

Mr. GILMAN. The gentleman's time has expired.

Mrs. Davis?

Mrs. DAVIS. Thank you, Mr. Chairman.

I heard I think it was you, Mr. Lieven, that said something to the effect about the Pakistanis being a vital ally of our war on terrorism, so I guess my question to you is I know that Pakistan has pulled their troops out of Afghanistan. What other effects will this have on our war on terrorism? What do you see this conflict within Pakistan and India doing to us in our war?

Mr. LIEVEN. Well, it very much depends what happens, of course, but certainly inside Pakistan we need the help against the terrorists that are based there, including very many al-Qaeda people who fled from Afghanistan and are now inside Pakistan. Some of these have already been arrested with the help of the Pakistani security forces. The single most senior al-Qaeda figure——

Mrs. DAVIS. Right.

Mr. LIEVEN [continuing]. Who we have got so far was got not in Afghanistan, but in Pakistan and only through the help of the Pakistani government.

Mrs. DAVIS. But are they going to be able to help us now because they are concentrating on their own war?

Mr. LIEVEN. Well, this is a real problem. Yes, their attention has been massively distracted, but another problem is, of course, that Pakistani help in this matter does not just depend on Musharraf, on the top of the administration. Frankly, it also depends on a lot of junior officers, junior policemen. Are they going to report a presence of suspicious Arabs in their neighborhood, or are they going to keep it quiet? Are they going to look the other way?

That is why I stressed the critical importance of trying to keep enough of Pakistani public opinion on our side and retain real support from the Pakistani government, but also more widely in Pakistani society because what we have to recognize in this regard is that Pakistan is not Afghanistan, and it is not Iraq. The option of going in there and destroying the regime, taking over, bringing in a new and better regime simply does not exist both because Pakistan is so big, it has nuclear weapons, but also because Pakistani dictatorship is nothing like the dictatorship of the Taliban or Saddam.

In the end, we have no option but to work through the Pakistani government. That is a very unsatisfactory option, but is the only one we have.

Mrs. DAVIS. And if we work through the Pakistani government and India is also an ally, how does that affect our relationship with India?

Mr. LIEVEN. Well, it is very difficult, but I would say that we have to preserve and to be seen to preserve a certain balance there, which includes denouncing violent extremists in Pakistan, but also in India as strongly as we possibly can.

Mrs. DAVIS. Do you not get in trouble when you ride the line?

Mr. LIEVEN. It is going to be very difficult. I would not pretend that it is anything but that, but I do not think we have any choice in the matter.

Mr. PANDYA. May I add that in rooting out terrorism, India, Pakistan and the United States do have a common interest. The parties may not recognize that we have an equal common interest, but we do indeed have a common interest.

To return to your question, ma'am, about what happens if there is a second front that Pakistan has to deal with, indeed it is a distraction, but that is a second front that Pakistan has chosen to open up and to leave open, and it is in the hands of the Pakistani government not to completely close that front, but at least to close it sufficiently that they can give their primary attention, if not their full attention, to our war in Afghanistan against al-Qaeda and their allies.

This is a policy choice that the Pakistani government makes, and it is one I think that we can prevail on them to make in the right way.

Mrs. DAVIS. When you talk about another front, how do you think India would respond if India went into Pakistani territory so to defend themselves, and the Pakistanis used a low yield nuclear weapon warhead? Then what would happen?

Mr. KREPON. Congresswoman Davis, the Indian and Pakistani leadership are responsible people. They are sane people. They understand fully what a nuclear detonation would mean, and they are going to go to great lengths to avoid going there.

Mrs. DAVIS. I hope so.

Mr. KREPON. To answer your first question, if there is a war, a conventional war, it is way more than a distraction to U.S. efforts against al-Qaeda.

Number one, U.S. forces on the ground in Pakistan——

Mrs. DAVIS. Right.

Mr. KREPON [continuing]. Are at greater risk and have to figure out do we stay here, or do we move? Number two, the prosecution of the war against al-Qaeda in Pakistan itself becomes very problematic for us.

Number three, the loser of the war blames the United States. Many Pakistanis have thought because U.S. forces are in Pakistan they are an insurance policy against a war with India.

Mrs. DAVIS. That is why I see this as a real problem for the United States.

Mr. KREPON. It is a real problem.

Mr. GILMAN. The gentlelady's time has expired.

Mrs. DAVIS. Thank you, Mr. Chairman.

Mr. GILMAN. Mr. Cantor?

Mr. CANTOR. Thank you, Mr. Chairman. I would just like to ask a general question.

Back in January, President Musharraf made a speech in which he promised to crack down on the Islamic terrorist extremists, and I think just recently our National Security Advisor, Dr. Rice, said that India had to give President Musharraf time to dismantle the terrorist network.

You know, it is in the back of my mind as we continue our war against the terrorists, you know, the idea of the Bush doctrine that

we are going to be very uncompromising insofar as our tolerance for any involvement with terrorists.

I want to ask anyone on the panel the specific acts and specific action taken by Musharraf to really crack down on Islamic terrorists, extremists into Kashmir, as well as India itself.

Mr. KREPON. No leader has a harder problem in cracking down than General Musharraf does. There are some terrorists, folks who foment violence, sectarian violence, within the country between Sunni and Shiite Muslims. He is totally against them. He is cracking down hard on them. The army is with him.

These folks also are targeting foreigners in Pakistan, including foreigners who help the armed forces, so everybody is in agreement we have to go after these guys and really sit on them. They are mostly in the southwest of Pakistan.

There are al-Qaeda elements in the northwest of Pakistan where the Pakistani military is giving us some help. That is hard for them to do. There are probably some misgivings.

Now, the folks who are carrying out acts of violence against India in the eastern part of Pakistan, they have had the blessings of the army leadership, and they are now the problem because they are the trigger of a war that could wreck havoc on our war against al-Qaeda.

Musharraf has dealt with this group, this set of groups, like turning a spigot. Sometimes he turns it off. Sometimes he turns it back on. He says give me time, this is a tough problem. It is a tough problem, and he deserves time as long as he continues to turn the spigot in the right direction and does not reverse it.

That is what we just have to focus on like a laser beam right now. We have to stay on top of this problem. We cannot walk away from it a month from now or 2 months from now because then we will be back into the current hair trigger situation.

Mr. LIEVEN. Would you forgive a perhaps slightly undiplomatic comment from a British citizen?

Just to bring out that these issues are complicated, one has to remember that for many years a terrorist movement in Northern Ireland directed against British rule, the rule of a very close American ally, was supported and indeed funded by many Americans who sympathized very strongly on Irish nationalist grounds with the IRA struggle in Northern Ireland.

It was very difficult in many ways for the U.S. Administration and U.S. Courts to get a grip on this, given the feeling of so many Americans, so while I entirely believe in a very tough struggle against Islamic terrorism, I think we do need to recognize the very difficult position that this places many Muslim governments in.

Mr. PANDYA. But I do think that we need to have an accurate reading of history. You know, selective use of history I think is highly dangerous here.

Congressman Rohrabacher earlier talked about what are the root causes of this problem. Well, I think that what we need to understand is that in 1948 the Pakistan army, along with allies who were irregular forces from the tribal areas, invaded the disputed territory of Kashmir and thereby rendered this problem an insoluble and an intractable one.

Had they not done that, I do not think we would be facing the same situation today, so I think we need to understand all of history. If we do understand that, then it becomes clear that the struggle over Kashmir or these wonderful phrases that we hear about the human rights of the Kashmiri people, which is very important, of the Kashmiris' self-determination, which is very important, can also be very cynically manipulated for purposes of state policy.

I think we need to understand this about President Musharraf's relationship to the various forces that are active in Kashmir; that these are indeed deliberate instruments of state policy, and I do not think we should mince any words about that.

Mr. GILMAN. The gentleman's time has expired.

I have another Committee that I have to attend to. I am going to ask Mr. Pitts if he would chair the balance of this hearing.

I want to thank our witnesses for their time and for their expertise. We thank you for being with us today.

Mr. Pitts?

Mr. PITTS [presiding]. Thank you. Just a couple of things to wrap up. Someone said or mentioned that Benazir Bhutto had called for the officer corps and the military in Pakistan to overthrow President Musharraf. Do you have any more details? Can you document that?

Mr. PANDYA. If you will give me a few minutes, I will try to find it for you.

Mr. PITTS. Sure.

Mr. PANDYA. It is quoted in an article in the *Far Eastern Economic Review* by Ahmed Rashid.

Mr. PITTS. If you could supply the Committee with that article?

Mr. PANDYA. Yes. I would be happy to.

[The information referred to is not reprinted here but is available in Committee files.]

Mr. PITTS. We would appreciate that. I noticed, Mr. Pandya, that you wanted to speak, and time ran out, on the issue of the plebiscite for independence that Mr. Rohrabacher was asking about. If you would like to continue on that and give us your thoughts?

Mr. PANDYA. Yes. Thank you. I think that for the most part Mr. Krepon has addressed the complexities of the plebiscite, the extent to which this is really a package deal. The U.N. resolution called for a reference to the wishes of the Kashmiri people, but also withdrawal of forces. It is a chicken and egg problem. How do you get to a withdrawal of forces when each side is afraid that the other one will take advantage?

This is where the observation that I just made about the origin of this problem I think is very apt. The Maharajah of Kashmir did not accede to India until his kingdom was already half overrun by Pakistani and Pakistani supported forces, so I think that it becomes very difficult in the context of military threat to do anything intelligent or rational with reference to the wishes of the people.

I think that the difficulty with the idea of plebiscite is simply that too much water has flowed under the bridge. Pakistan has now incorporated the northern areas, the remote mountainous areas, into Pakistan. Those are no longer administered as part of Azad Kashmir, which Pakistan treats as a nominally independent

or autonomous state, so already we have had that. We have had Chinese occupation of significant portions of the old state of Jammu and Kashmir. Under these circumstances, I think that to talk about any meaningful statewide exercise of self-determination immediately is simply unrealistic quite apart from the security problems.

Certainly I think that the conditions could be created through an incremental process of the kind that I described in my oral remarks where we might one day get to the point where in the same way that the citizens of Scotland and Wales found themselves with home rule and their own Parliament, one day all the people of Kashmir as a unified entity might indeed have self-determination, but I think that that is going to take an awful lot of goodwill, which is not very much in evidence.

Mr. KREPON. Mr. Pitts, can I?

Mr. PITTS. Go ahead, Mr. Krepon.

Mr. KREPON. Can I add a couple of words? An independent Kashmir can work. An independent Kashmir can work only if its neighbors will allow it to be and not seize the opportunity to get the outcome they wanted, which is not independence. Neither Pakistan nor India thinks independence is a real good idea. They think it is a terrible idea.

Number one, an independent Kashmir would become an endless battleground as it is today without independence. Number two, there are elections in the Indian states of Jammu and Kashmir. They happen every 5 years or so. There is another election coming up. Violence and intimidation are part and parcel of these elections.

If the election is over independence, the level of violence and intimidation that would be imposed on Kashmiris on both sides of this divide would be intense, way beyond anything we have seen so far.

Third point. Payback. South Asia is about payback. India-Pakistan relations is about payback. India vivisected Pakistan in 1971, created a new state of Bangladesh. Pakistan is paying India back for that vivisection. Basically it was due to their own mis-rule, but they have blamed it on India and not on themselves.

What is happening in Kashmir today is payback for 1971. If you have an independent Kashmir, there will be more payback. There will be more attempts to unravel the fabric of Pakistan and India through the creation of new independence movements. You are looking at a South Asia of endless violence if you go down this path.

Mr. PITTS. In light of what you have just said, if dialogue begins for peace talks is there a place for Kashmiris in those talks? If so, what? Mr. Lieven?

Mr. LIEVEN. I would say that there has to be a place for Kashmiris. On the other hand, I would follow my colleagues in saying that I do not think that a plebiscite on independence or early moves toward independence are the way to go partly because that is simply unacceptable in the first instance to India and probably in the second instance to Pakistan as well. But I do think that the interests of the Kashmiri people must be very high on any agenda.

As part of that, Mr. Krepon has spoken on elections in Indian controlled Kashmir. Unfortunately, on a number of occasions over the years the government has essentially failed to respect the results of those elections; not elections about independence, but just elections for certain parties which favored stronger autonomy for Kashmir.

The people of Indian-controlled Kashmir will need assurances that in the future the democratic process there within India, even within India, should be respected by the Indian state, and for them to have such assurances I believe once again there has to be a role for the international community.

Now, that does not by any means have to be based strictly on United Nations resolutions any more than the peace process in the Middle East has to be based strictly on United Nations resolutions, but I think a very important first step is that India must move away from this insistence that this is simply a bilateral issue between India and Pakistan in which, frankly, India will set the rules. It has to accept a role for the international community and the United States of America.

Mr. PITTS. Thank you.

Ms. Davis?

Mrs. DAVIS. Well, I had another question, but with what you just said it brought me to something else. Now, India does not want the United States of America or the international community involved at all. Is that what I am hearing you say?

Mr. KREPON. Words are really important in India, and the current words are that India does not want mediation by a third party, but it welcomes facilitation. It welcomes the facilitation of the United States in particular.

This problem is so deep that India cannot solve it bilaterally with Pakistan. They need third parties to help. Our government has to get with it. I mean, we have been so episodic in our interest.

I agree that we need to be very proactive and we need to be focused, and we need to have a policy rather than simply saying we are here to help; we are waiting for the two sides to agree that we can help.

Mrs. DAVIS. What do you think is the reason we do not have the policy? Is it because of the volatility of our war on terror and our depending upon India and Pakistan because of their location?

Mr. KREPON. I think one of the reasons from my point of view is that we have seen this problem as being an intractable one, sort of like the Middle East, so we are not going to get involved because it is a hopeless situation, and they are not ready yet. As we saw in the Middle East, if you lay back until folks are ready all kinds of chaos can happen in between.

Mrs. DAVIS. You are smiling. Do you have something different to say, Mr. Pandya?

Mr. PANDYA. Well, now that I have left the U.S. Government I think I can say this.

Mrs. DAVIS. I would love for you to say it.

Mr. PANDYA. I think that U.S. foreign policy has difficulty walking and chewing gum at the same time.

Mrs. DAVIS. I would say I agree with you.

Mr. PANDYA. I do think that a lot of it has to do with, you know, the squeaky wheel getting the grease. It is tragic and frightening that this is how much South Asia had to squeak before we understood exactly how dire things were there, but I think that that is a good part of it.

I do not believe it is because in a passive kind of way we do not understand that Kashmir is important, in a passive kind of way we do not understand that two nuclear neighbors can get into trouble with each other, particularly if they have gone to war three times in 50 years.

In a passive kind of way we do, but I think that what it is going to take here is active and sustained diplomacy, and I do not only mean, you know, that we get assurances from General Musharraf or even that he does something significant on terrorism for now. I think that what it is going to take is active, sustained diplomacy where we continue talking to the parties as if this were of common interest.

The one thing I will say about the Indian view of the U.S. role that I think is important is that whereas traditionally the Indians have been very leery of any kind of outside "help," I think that in this instance there are a couple of new considerations, one of which I think is the very significant warming of relations between India and the United States, including the very significant enhancement of our military to military relations, special forces training, equipment, co-production of defense equipment.

I think that all of that not only gives us leverage, but I think encourages the Indians to see that what we are up to here is not an outside big brother coming in and wagging a finger, but rather a friend and partner working together with them on issues of common interest and sometimes seeing things differently.

Mrs. DAVIS. Is it possible to bring all parties together, and would it be better to bring them together without preset conditions, or would it be better to bring them together with some present conditions so there is no misunderstanding?

My main question is is it possible to sit down at the table and bring them together and come to a solution? Even if you did with the government, would the people on both sides stand for it?

Mr. LIEVEN. I do not know that one needs preset conditions, but I think that if the United States is to be involved here it should start out with a pretty clear idea of what it is aiming at as a solution in the end. Because if one looks at the history of international negotiations and peace processes of this kind you are much more likely to get results if instead of simply saying oh, well, you know, we will try to bring the sides together and see what happens, America itself formulates an idea of what it thinks a just and stable settlement in Kashmir would look like and then works consistently and steadily toward that end.

Mrs. DAVIS. And do you think it is possible?

Mr. LIEVEN. Well, I think it is possible for the United States to formulate its own goals.

Mrs. DAVIS. But is it possible to bring the two parties together?

Mr. LIEVEN. Well, we have to try, you know. There are so many of these desperately intractable problems around the world, but I think, as Mr. Krepon has said, there are some issues like the Mid-

dle East, or like Kashmir because of the nuclear dimension, which are simply so dangerous for humanity, for the region and for the interests of the United States that standing aside is simply not an option.

Mrs. DAVIS. And when we try and we have the preset plan or what we think should be——

Mr. LIEVEN. I would think so, yes.

Mrs. DAVIS [continuing]. The answer, do we shoot ourselves in the foot with our coalition on the war on terrorism?

Mr. LIEVEN. Well, we would certainly make ourselves quite unpopular with important sections of Indian public opinion and the Indian government, but then I have to say I think it is an open question just how much of an asset India is in the war against terrorism. On one hand it is clearly some kind of an ally, but, on the other hand, some of what India has been doing has actually greatly diminished our influence and our prestige in Pakistan and, indeed, more widely in the Muslim world.

I would say that not for reasons of sympathy, but simply for reasons of reality, in terms of controlling and cracking down on terrorism having the Pakistani government on our side is, frankly, more important because it is there that the terrorists are based, and India is going to work against Islamic terrorists, frankly, whatever we do. Pakistan is not. Not necessarily.

Mr. PANDYA. The immediate challenges are important—the war on terrorism, what impact this has on that, you know, the tension between the two countries being bad for regional stability. All that is important. My opinion, though, is that the United States, if it is to have meaningful influence in the region, cannot simply be coming in as a fireman to address specific conflagrations.

I think that what it is going to take is a sustained process of engagement with the region of a kind that we have not had with either country or with the region as a whole. What it is going to take is a real indication that we are there because we consider the region and the welfare of its people important.

We recognize that they have more than the capacity to make trouble, and unless we are willing to be present in that way I think it will be a little bit harder for us to get the kind of traction with either or both sides that it would really take to address any one of these specific problems.

Mrs. DAVIS. I tend to agree with you.

Mr. KREPON. Mrs. Davis, it is a bit of an overstatement, but not much, to say that the war on terrorism is going to be won or lost in Pakistan.

Mrs. DAVIS. That is why this is such a hot-bed and a tricky——

Mr. KREPON. Yes. What happens from here on out is key. I think Secretary Powell totally understands this, and he has a game plan. We are sending some heavy hitters into the region. I think there is reason for optimism here, but please do not use the template of the U.S. role in the Middle East and then pick it up and transpose it onto South Asia.

We are going to have to operate differently in South Asia. There are reasons for it. We have a very positive role to play, and my colleagues are exactly right. We have to ride this problem for the du-

ration. We cannot come and go. I think we can get out of this mess. I really do.

Mrs. DAVIS. Thank you, Mr. Chairman.

Mr. PITTS. The Chair thanks the lady.

I do not think anyone on the panel has spoken to evaluate the current diplomacy. It might be crisis diplomacy that is going on there, but would you give your opinions as to the impact and what is happening with the current U.S. effort to try to de-escalate the tension there in South Asia?

Mr. KREPON. It is really hard for any administration to work two severe crises at the same time, in part because the severity of the crises demands the attention of the very most senior people.

The last time something like this happened was back in 1956 when the Soviets invaded Hungary and the Egyptians were attacked by the Israelis and the British and the French. It happened at about the same time, and the Eisenhower Administration had to move in two directions at once.

I think the Bush Administration is now very focused on South Asia, as well as on the Middle East. I think it is pretty clear what the exit strategy is, and it begins with the cessation of infiltration, and it does begin with the closure of these camps and the staging areas. It has to be permanent, as the Secretary of State says.

We have the means to monitor this. India has the means to monitor it, maybe not as good as us, and maybe we can help India to monitor it because there is no trust between India and Pakistan. It has to be through technical means. Once we are moving in the right direction, there is going to be a resumption of dialogue on all the important issues.

The government of India has got to improve its performance in Kashmir. Lots of things have to happen. The choreography is not easy, but there is a path now in view to move away from the brink.

There are folks on the ground who are spoilers, and they are going to want to destabilize Pakistan. They want to kill Hindus, and they want to disrupt U.S. military operations. It is a "three-fer," and they are going to try to do it.

The only insurance policy the region has against a war when this next act of violence occurs is if Musharraf is consistently acting to stop infiltration and to close the camps. If he is not, then the tolerance of the Indian government in the face of another huge provocation is going to be slight.

Mr. PITTS. Mr. Pandya?

Mr. PANDYA. As I said, I think that U.S. policy is exactly right at this juncture, and I would also note that had we not had an interest in the region in December and in the months since then because of our interest in Afghanistan largely, I think that things could have been significantly more dire.

I think that it is possible that after an attack on the Kashmir State Assembly and on the Indian Parliament in the space of less than 3 months that the Indians would have had a serious, serious provocation to actually engage in a military attack on Pakistani territory or on Pakistani-held Kashmir, so I think that it is quite clear that the sheer interest of the United States is a restraining factor and, moreover, the way that we have conducted our diplomacy in the last 2 weeks has been exactly right.

Mr. PITTS. Thank you.

Mr. LIEVEN. I would second that, but I would have to add that I think the relative silence of the United States on the subject of the massacres in Gujarat was extremely bad and has made an extremely bad impression on many people around the world.

Mr. PITTS. Thank you. Thank you for extending your time here to answer the questions. I know we have more and we could go on, but this has been very informative, very helpful. The Committee thanks the panel very much for this hearing.

The hearing is now adjourned.

[Whereupon, at 12:40 p.m. the Subcommittee was adjourned.]

