

## ***Part II: WATER***

### **Chapter 6: The Secret**

In 1990, a bright and ambitious Pakistani brigadier at the Royal College of Defence Studies in London was asked to prepare a dissertation as part of his one-year training programme. In September of that year, he presented his dissertation with the rather lengthy title: *The Arms Race in the Indo-Pakistan Subcontinent, Conflicts with the Pressing Requirements of Socio-economic Development. What are its Causes and Implications? Is there a Remedy?* The paper provided a new analytical framework to define the security paradigm in South Asia. Despite its rather lengthy and cumbersome title, the paper was clear in its diagnosis of the South Asian security situation. The brigadier argued that the basic problem in the region was the divide between the Hindu and Muslim mindset. Since it was a psychological problem, nothing much could be done about it. He reasoned that there were two other core problems and since they were of practical nature it should be possible to resolve them. One of them was the issue of Jammu & Kashmir, which was known to the international community. The other was about the distribution of the Indus Rivers between India and Pakistan. According to the brigadier, the two issues were interdependent if one were resolved the other would not exist. In fact, he contended that it was essential to craft a lasting arrangement, ensuring fair distribution of river waters from the Pakistani perspective, if there were to be any solution to the Jammu & Kashmir conflict.

The argument differed from the public stance taken by the Pakistani government in the last fifty years. Successive Pakistani governments still insist that Jammu & Kashmir is the unfinished business of partition. As a Muslim majority state, it should belong to Pakistan. India has argued that it belongs to India on the basis of instrument of accession signed by Maharaja Hari Singh, then ruler of the state, and the wish expressed by Shaikh Abdullah, leader of the people's movement. The public debate has always focussed on issues of terrorism, human rights and the legality of accession. It has never linked the conflict to the rivers of Jammu & Kashmir. The brigadier was suggesting that the rivers hold the key to the solution. His theory implied that the Kashmiri people's aspirations were secondary.

The brigadier returned to Pakistan to briskly climb the ladder of the army ranks. In 1998, he replaced General Jehangir Karamat as Chief of Army Staff.

Soon after General Pervez Musharraf's elevation, Prime Minister Nawaz Sharief opened a track-two channel with the Government of India. The main thrust of the Pakistani proposal, mooted in early 1999, was that rivers should be used as the basis for resolving conflicts between India and Pakistan, including the issue of Jammu & Kashmir. It advocated using Chenab River as the border. The special envoy of Pakistani Prime Minister, made this proposal to his Indian interlocutor on March 29, 1999 in New Delhi.

His visit to New Delhi was a secret known only to the Prime Minister of Pakistan. By a curious coincidence, on the same day when the envoy was in New Delhi, General Musharraf summoned Prime Minister Nawaz Sharief for a discussion at General Head Quarters. The General concluded that the only solution acceptable to Pakistan, to settle its conflicts with India, was the Chenab Formula. The envoy returned to Islamabad on April 1, 1999, oblivious of the meeting that had taken place between the army chief and the Prime Minister.

On the following day, the envoy was taken to the General Head Quarters for consultations with General Musharraf. This meeting was meant to last for 30 minutes. It went on for 3 hours, from 8 pm to 11 pm. Besides General Musharraf and the envoy, only the head of ISI was present in the room. The meeting concluded that the Chenab Formula should be the basis of discussion with India to resolve the Kashmir conflict.

In October 1999, General Pervez Musharraf staged a coup against the elected government. He declared himself the Chief Executive. Western donors, especially the US, suspended cash flows to Pakistan.

In November 1999, on a cool afternoon in New York, a Pakistani head of an international political organisation, with very strong network in the Pakistani army and political parties, met a senior ICPI functionary. The meeting took place at the Manhattan office of the political organisation, a few blocks away from the UN office. The eminent Pakistani cited that finding a permanent solution to the India-Pakistan conflict would depend on ensuring Pakistan's water

security beyond the Indus Waters Treaty of 1960. Perhaps, Chenab River could be the border. Perhaps, some other formula could be worked out but the fundamental determinant should be water. There was no mention of self-determination of the Kashmiri people.

The following week, the ICPI functionary was invited by a top Pakistani lobbyist, known for his strong network in the General Head Quarters in Rawalpindi, to dinner in a suburb of Washington DC. Once the formalities of the welcome drinks were over and before the dinner was served, the Pakistani lobbyist said that he had an idea for resolving the India-Pakistan conflict for good. A detailed proposal would need to be worked out by experts but its basis must be face-saving for both the countries, while the substance must ensure water security for Pakistan from the rivers of Kashmir.

In December 2001, when terrorists attacked the Indian Parliament, India blamed Pakistan and withdrew her High Commissioner, in protest. On the very next day, a high profile seminar was organised in Lahore on how to respond to the possibility of India using water as a weapon against Pakistan. New Delhi had not even alluded to water. It had snapped rail, road and air links but there was no reference to water. In Rawalpindi, Lahore and Karachi, there was little regret about the breaking down of rail, road and air links the greatest apprehension was water. At a seminar in Karachi in the last week of December 2001, attended by ICPI, the only occasion when tensions rose, was when someone alleged that the Indian government had plans to use the water weapon. A participant warned that any conflict over water would lead to Pakistan using nuclear weapons on a first strike basis against India.

A month and half later, on February 8, 2002, the editorial of *Jang*, a moderate Urdu daily, said that Pakistan's water scarcity could threaten relations between provinces and lead to a nuclear war against India. Since then, a lively debate has ensued in the Pakistani press, which continues till date with the President, Prime Minister, senior army officers and leaders of various Kashmiri groups offering their views underlining the centrality of water in India-Pakistan relations.

For instance, in June 2002, Syed Salahuddin, chairman of the United Jihad Council, entered the debate. UJC is an umbrella organisation responsible for coordinating the activities known as liberation movements in Pakistan of all *jihadi* groups. This organisation has been placed on the US State Department's list of groups involved in terrorism. Syed Salahuddin is also the leader of Hizbul Mujahideen a member of UJC that has claimed responsibility for many acts of violence in Jammu & Kashmir. Salahuddin was quoted in *Ausaf* on June 18, 2002: "Kashmir is the source from where all of Pakistan's water resources originate. If Pakistan loses its battle against India, it will become a desert." Since then in most public meetings that Salahuddin has addressed, he has emphasised that Kashmiri freedom fighters were actually fighting for Pakistan to enable it to gain control over Kashmir's rivers.

A few months later, Sardar Mohammad Anwar Khan, President of Kashmir under Pakistani control, known as Azad Kashmir in Pakistan and Pakistan Occupied Kashmir in India, joined the debate. He was quoted in most Urdu newspapers of October 21, 2002, saying: "Pakistanis who believe that they can survive without Kashmir are wrong. The Pakistani economy is dependent on agriculture and hence on water, and therefore on Kashmir." Two weeks later, he explained in a public forum: "Kashmiris are fighting for the security, strength and prosperity of Pakistan. Building dams in Kashmir can irrigate Punjab and Sindh. Kashmir is important as Pakistan's water resources originate in Kashmir. Even peace between Punjab and Sindh depends on water, and therefore on Kashmir."

Sardar Sikandar Hayat, Prime Minister of Kashmir under Pakistani control, said in a seminar on March 6, 2003: "Without the rivers of Kashmir, Pakistan will become a desert. The freedom fighters of Kashmir are in reality fighting for Pakistan's water security and have prevented India from constructing a dam on the Wular barrage."

Finally, on March 27, 2003, a senior officer of the Pakistan army, Lt General Zarar Azim, the then Corps Commander of Lahore, was quoted in *Khabrain*, a newspaper known for its proximity to ISI, saying: "Kashmir is our lifeline and its importance increases in view of our water security."

Immediately after the announcement of peace initiatives by India and Pakistan in mid-2003, Sardar Sikander Hayat began advocating the Chenab Formula for resolving the Kashmir dispute. He argued that an autonomous Kashmir was not acceptable as it would be difficult to safeguard the freedom acquired. However, this suggestion evoked very strong criticism from all political and *jihadi* leaders of Pakistan as it meant bifurcation of

Kashmir. Most leaders wanted him to quit as Prime Minister for having advocated such a formula. The *jihadi* leaders were clear they wanted a united Kashmir.

Little known is the fact that as per the Kashmir (Pakistan) charter, a person who does not uphold the vision of accession to Pakistan cannot stand for elections or even aspire for a job in the government. While applying for a post in the government of Kashmir (Pakistan), the applicant has to sign an affidavit affirming their belief in the ideology of "*Kashmir banega Pakistan*" (Kashmir will become Pakistan). Sikander Hayat ostensibly has some powerful backing, for despite his differences with the President of Kashmir (Pakistan), he seems unrelenting. He definitely has some powerful backing in a country where the General Head Quarters has the monopoly of power.

In the summer of 2003, Maulana Fazlur Rehman, the head of Jamiat-e-Ulema Islami (JUI (F)), visited India. On his return, he suggested in his press briefings that he had proposed a resolution to the Kashmir conflict on geographical basis. This was interpreted as subtle advocacy of the Chenab Formula. It is important to note that Maulana Fazlur Rehman was then reportedly engaged in quiet negotiations with General Musharraf on power sharing and a role for himself in Islamabad.

In November 2003, Prime Minister Mir Zafarullah Khan Jamali announced a ceasefire in preparation for the SAARC summit to be held in Islamabad in January 2004. Suddenly, since this announcement, the debate in Pakistan on the linkages between water and the Kashmir conflict almost disappeared. As frozen relations between India and Pakistan thawed, General Musharraf announced on December 18, 2003 that he was prepared to give up Pakistan's traditional insistence on the UN resolutions to address the Kashmir conflict. This provoked strong reactions from the leader of Jamaat-e-Islami AJK wing, Abdul Rashid Turabi, who stated: "If LoC is accepted as a permanent border, then the provinces of Punjab, Sindh and NWFP would be deprived of water resources which is irrigating their land and flowing from the other side of Kashmir."

On the eve of the SAARC summit in Islamabad beginning on January 3, 2004, General Musharraf was quoted saying that he was aware of a dozen options to resolve the Kashmir conflict. While he did not indicate preference for any particular formula, the media quoted so-called sources close to the General as advocating the Chenab Formula. It is difficult to state whether the media was indulging in speculation or whether it was indeed, given some serious indications.

The peace process initiated at Islamabad in January 2004 proved to be most sustainable. It continued despite the change of government in India when Dr. Manmohan Singh of the Congress Party replaced Atal Bihari Vajpayee of the Bhartiya Janata Party as the Prime Minister, in May 2004. This period saw new heights in people-to-people contacts such as a warm reception for the Indian cricket team, numerous political leaders visiting Pakistan, unprecedented sojourns of Pakistani journalists and pilgrims to Kashmir in India.

Amidst this new bonhomie between the two countries, General Pervez Musharraf announced on several different occasions in September-October 2004 that he had a new formula to resolve the Kashmir conflict. It was akin to the old Dixon plan rejected by India fifty years ago! The most striking element in the Musharraf/Dixon plan is to treat Jammu-Kashmir-Ladakh in the Indian side as a set of five, instead of three, regions. This would entail dividing Jammu into sub regions roughly along the Chenab River. The President of Pakistan did not refer to the river waters in his formula but the implications of the division of Jammu were obvious.

General Musharraf's proposal in the autumn of 2004 was the first time that a Pakistani leader came close to mentioning rivers in public, and even then he did not cross the line of convention. Otherwise, the reference to the role of rivers in India-Pakistan relations has been confined to secret talks and internal debate in Pakistan. Even academic seminars involving scholars from the two countries rarely debate on the issue.

A clause in the Indus Waters Treaty of 1960, signed between Pakistan and India, explicitly prohibits linkage between the water issue and the general position of both parties on the Kashmir issue. Also, it is much more convenient to support the Kashmiris for their cause than openly admit the truth that Kashmiri youth are being sacrificed to safeguard Pakistan's lifeline.

In the Hindu-dominated Jammu, districts such as Rajouri and Poonch have Muslim-dominated population. Within Rajouri and Poonch, there are Hindu-dominated tehsils and villages. The part of Jammu & Kashmir on the Pakistani side is dominated by Sunni Muslims. Within this part, Shi'as and Ismailis dominate Gilgit-Baltistan. Within the Shi'a-dominated Gilgit-Baltistan, there are Sunni-dominated tehsils and villages. Thus, if religion or ethnicity is to be used as the basis of state formation in Jammu & Kashmir, the process of division will go on for a hundred years or more, until every tehsil becomes an independent republic. This would not be in harmony with the Kashmiriyat that advocates plurality and peaceful coexistence.

The theory of power-sharing as the basis for division of societies, stands on the flawed assumption that the countries, which are presently facing ethnic or other sectarian conflicts, are unbridgeably divided on religious or sectarian lines. The truth is that each of the strife-torn societies in the world has had periods of harmony of hundreds of years and it is only in the last few decades that they have been engaged in deadly conflicts. The subcontinent was divided into kingdoms until the British arrived. There were several wars between emperors and princes of the same religious pursuits, but they never extended to violence between segments of the society. The conflicts between Hindus and Muslims, Punjabis and Sindhis, Sindhis and Mohajirs, Assamese and Bengalis, Sinhalese and Tamils, Bamas and Karens, Nagas and Manipuris for power over structures of state are all a twentieth century phenomena.

Since identity is transient and can be manipulated, it cannot be the ideological basis of a durable state. Rather it can be the basis of a perpetual conflict. At the same time, redefining of identity can be the basis of harmony and progress. The question before India and Pakistan is whether they want the identity to be based on partitions and divisions or on unity in diversity. It is healthy to organise administrative units on a linguistic basis to preserve cultural independence within a federal unit. It is destructive to use religion, ethnicity and language as the ideology for independent countries. For a thousand years, Europeans fought with each other on the basis of religion and ideology. At the end of the second millennium, they realised the value of a model that provides cultural autonomy but political unity. The sectarian conflicts in South Asia are less than a hundred years old. It is to be hoped that we do not experience massive bloodshed and death to reach similar conclusions.

The final settlement between India and Pakistan must therefore be a settlement between the principles of cultural identity and political unity. It must be a settlement that allows expression and cohabitation of ethos creating a larger ethos of peace in the region. Robert Cooper says in *The Breaking of Nations* very aptly: "To find permanent solutions, we may need to think in terms of redefining identity. Only if a wider identity can be developed, will there be a chance of constructing the kind of community that may enable us to be with each other without a war."

For more than forty years the two countries have avoided conflict over water despite three wars over issues pertaining to land. It would be difficult to continue with this legacy of tolerance and co-operation for the next decade in the times of conflict as well as peace. If there were a war between the two countries ostensibly on any other issue, Pakistan would finally aim to control the river catchment areas. On the other hand, if the peace process initiated in January 2004 gathers momentum, it will reach its final roadblocks when the implications for water security are considered. This is an unfortunate reality, which must be carefully addressed from technical and political perspectives. Otherwise, the concerns expressed by Brigadier Pervez Musharraf at the Royal College of Defence Studies in London in 1990 may prove to be too overwhelming for the optimism expressed by the President of Pakistan on various occasions throughout 2004.