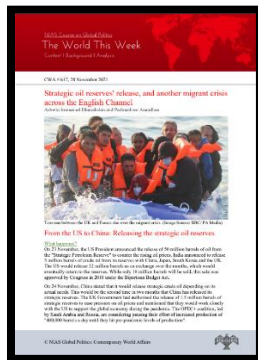


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## **SOUTH ASIA THIS YEAR**

### **Afghanistan: The G20's "Extraordinary Summit"**

*Joeana Cera Matthews, 17 October 2021*

#### What happened?

On 12 October, the G20 leaders met via video conference in a special meeting scheduled to discuss the Afghanistan crisis. The meeting was presided by the current G20 chair and Italian Prime Minister Mario Draghi. He commented: "(we) must acknowledge that they'll be judged for their actions and not their words."

Outgoing German Chancellor Angela Merkel said: "... to look on as 40 million people descend into chaos because there's no electricity supply or financial system – that cannot and must not be the goal of the international community," while the European Commission President Ursula von der Leyen stated: "... the Afghan people should not pay the price of the Taliban's actions." UN Secretary-General Antonio Guterres in a statement appealed to the Taliban to "keep their promises to women and girls and fulfil their obligations under international human rights and humanitarian law."

On 11 October, the Taliban's acting Foreign Minister Amir Khan Muttaqi said: "We want positive relationships with the whole world... such a balanced relationship can save Afghanistan from instability."

#### What is the background?

First, the Afghanistan crisis. The Taliban takeover of Afghanistan has severely hit the country's already weak economic system; primarily because the group was unable to seize the previous government's funds. This led them to plead poverty and thus, deepen the humanitarian crisis with broken banks, unpaid officials, inability to obtain food, and skyrocketing inflation. The deteriorating situation of women in the country, and their increasing repression, has also raised global concerns.

Second, the virtual G20 meeting. This is the first time the G20 members gathered to discuss the aftermath of the US withdrawal from Afghanistan. Their primary goal was to provide aid to prevent Afghanistan from an impending 'economic catastrophe'. The EU stepped up its previous EUR 300 million aid by another 700 million, accounting for a total of EUR one billion. This would be given both to Afghanistan and those countries harboring Afghan refugees. Germany, separately, pledged EUR 600 million. The IMF and World Bank, present at the meeting, agreed in principle to support the aid. The UN and its agencies are expected to distribute the aid; however, they do not have a choice but to involve the Taliban. Turkey's President Recep Tayyip Erdogan also proposed to establish a G20 special working group to address Afghanistan-related issues. Despite inviting countries like Qatar, which has been accepting Afghan refugees since the crisis began; the Taliban was not invited to the meeting.

Third, the refusal to recognize the Taliban. The virtual conference took place while the Taliban held its first face-to-face talks in Qatar with the US-EU emissaries. Despite the inevitable involvement of the Taliban in the aid distribution, the G20 leaders firmly refused to politically recognize the militant group's government. It has been nearly 45 days since the Taliban takeover and the government is yet to be recognized by a country. Methods to prevent Afghanistan from becoming a haven for militant groups like al-Qaeda and the IS group were also discussed.

Fourth, the absentees. Russian President Vladimir Putin and Chinese President Xi Jinping skipped the meeting; instead, their respective foreign ministers attended. Prior to the meeting, China had called for the removal of economic sanctions imposed on Afghanistan along with the unfreezing of their overseas international assets. Reflecting diplomatic tensions, Russia scheduled a rival conference on Afghanistan for 20 October. The invitees for this meeting include the Taliban, Pakistan, India, and Iran. Commenting on their absence, Draghi said that there "weren't specific reasons for absence," and

that they were wholly involved in the process ahead of the meeting. The UK Prime Minister Boris Johnson was also absent since he is on holiday.

#### What does this mean?

There is quite an effort being put to aid Afghanistan despite the world's differences with the Taliban. As previous development aids remain frozen overseas, the global leaders are in a fix on how to aid the people of Afghanistan without recognizing the Taliban government. The ability to realize this aid and make it reach those in need, in time, will determine the economic and humanitarian future of Afghanistan.

### **The New Afghanistan, with an Old Taliban**

*D Suba Chandran, 5 September 2021*

#### What happened?

On 4 September, Kabul airport became functional, and news reports mention the first domestic flight taking off.

On 4 September, Mullah Abdul Ghani Baradar told Al Jazeera, "I assure the people that we strive to improve their living conditions and that the government will be responsible to everyone and will provide security because it is necessary for economic development, not just in Afghanistan but in the whole world... If we are able to provide security, we will overcome other problems, and from here the wheel of progress and advancement will begin."

On 4 September, Amrullah Saleh, former Vice-President, released a video informing that he is staying in the Panjshir valley and organizing a resistance against the Taliban. There have been contradicting reports from the Taliban and the National Resistance Front, about the capture of the Panjshir Valley by the former.

On 4 September, a group of women marched in Kabul. According to an Al Jazeera report, "dozens of women took to the streets of the capital on Saturday to demand their right to

work, a role in any future government, and a seat at the table in discussions with the Taliban."

On 31 August, President Biden made a lengthy statement after completing what he considered as the "biggest airlifts in history, with more than 120,000 people evacuated to safety." And he said: "This is a new world. The terror threat has metastasized across the world, well beyond Afghanistan. We face threats from al-Shabaab in Somalia; al Qaeda affiliates in Syria and the Arabian Peninsula; and ISIS attempting to create a caliphate in Syria and Iraq, and establishing affiliates across Africa and Asia. The fundamental obligation of a President, in my opinion, is to defend and protect America — not against threats of 2001, but against the threats of 2021 and tomorrow. That is the guiding principle behind my decisions about Afghanistan. I simply do not believe that the safety and security of America is enhanced by continuing to deploy thousands of American troops and spending billions of dollars a year in Afghanistan."

On 30 August, the UN Security Council adopted a resolution on Afghanistan. According to the press release from the UNSC, the resolution was "adopted by a vote of 13 in favour with two abstentions (Russian Federation and China), the 15-member organ demanded that Afghan territory not be used to threaten or attack any country and reiterated the importance of combating terrorism in Afghanistan."

#### What is the background?

First the new normal in Afghanistan. While the Taliban is trying to form a government, the people are getting ready to live with the new government. With the frantic evacuation by the international community over by 31 August and the windows of escaping the Taliban over, people are getting ready to face their future with the Taliban. The primary emphasis for them is the daily economy; with the banks closed and no work, how to manage their lives and provide for the family has become an important question than the form of the Afghan government. The rest of the world is also getting ready to face the new reality in Afghanistan.

Second, the delay in the Taliban announcing the formation of a new government and the reasons behind it. The Taliban occupied Kabul and took over the Presidential Palace on 16 August. Three weeks later, it is yet to announce the government. While it is easier for the Taliban to wage guerrilla warfare and run down provinces and cities until 15 August, governing Afghanistan would be a more significant challenge. The delay in announcing the government underlines the background discussion within the Taliban and with other leaders like Hamid Karzai and Abdullah Abdullah. Who would lead the Taliban government, and who all will become its public face, seem to be the focus of an internal debate. The Taliban would need to showcase a façade of an inclusive government to attract international aid. While their supporters outside the borders would have supported the Taliban war machine, helping them to run Afghanistan would need larger global assistance.

Third, the global confusion on what to do with the Taliban Afghanistan. While for the first two weeks after 16 August, the international community was busy witnessing the evacuation and the return of the Taliban, now the question is – should they recognize the new government or not. How to respond to humanitarian aid to the Afghan people and how to channel it without supporting the Taliban are two primary questions.

Fourth, the resistance against the Taliban. Though there were a few oppositions in the eastern provinces, including a group of women in Kabul marching with a set of demands, the Taliban is yet to witness a serious resistance against it. The only exception is whether the National Resistance Front in the Panjshir Valley. While the Taliban is trying to recapture the valley and crush the NRF, the latter is trying to find space and keep floating. Their first priority would be survival before any counterattack. For any meaningful resistance against the Taliban, it is a long road to Kabul.

#### What does it mean?

The Taliban is back in Afghanistan. Though they are yet to announce the new government,

the people are adjusting to the new normal in Afghanistan. Until 31 August, those countries that were engaged in Afghanistan, including the US, were preoccupied with the evacuation. Now the exit is complete, the international community is assessing their likely interests in Afghanistan, and exploring options to deal with the Taliban.

The UN Security Council stands divided, with Russia and China backing the Taliban; will the rest of the UNSC members leave the fate of Afghanistan to these two countries, along with Iran and Pakistan, or will they continue to invest?

Biden's recent statement is vital in the above context: "I respectfully suggest you ask yourself this question: If we had been attacked on 11 September 2001, from Yemen instead of Afghanistan, would we have ever gone to war in Afghanistan — even though the Taliban controlled Afghanistan in 2001? I believe the honest answer is "no." That's because we had no vital national interest in Afghanistan other than to prevent an attack on America's homeland and their our friends. And that's true today." Emphasis added.

### **Afghanistan: With the Taliban back, Pakistan feels victorious in Kabul**

*Harsimran Singh Sondhi, 22 August 2021*

#### What happened?

On 17 August, Pakistan's Prime Minister Imran Khan declared that the Afghans had "broken the shackles of slavery" in a war-torn country. He believes that the withdrawal was a "logical solution." Roofi Hasan, who is the Prime Minister's special assistant, took to Twitter to state that Ashraf Ghani's "corrupt" government rule was a "virtually smooth shift" to the Taliban. Many retired and serving generals are thrilled that Pakistan will finally have "friends" in the driving seat in Kabul, and have expressed admiration openly for the Taliban.

On 20 August, Pakistan's army and the Taliban held a "meet and greet" at the border areas. One of the Pakistani soldiers was also seen taking a

selfie with one of the Taliban. The friendly act came after Islamabad released terrorist Mullah Mohammad Rasool, the leader of a splinter faction of the Taliban. He spent around five years in Pakistan prison and was freed days after the collapse of the Ashraf Ghani administration. On the same day, Imran Khan urged his ministers to refrain from commenting on the Taliban takeover as it is a "sensitive matter."

On 21 August, reports suggested, Pakistan's Foreign Minister Shah Mahmood Qureshi is likely to visit Kabul on 22 August 2021. Pakistan is determined to play a "positive role" and their envoy in Afghanistan said in a statement, that he is also in touch with different Afghan personalities.

#### What is the background?

First, Pakistan's Taliban history. The Taliban emerged as an armed group in Pakistan. Many of its members had studied in the religious schools in Pakistan. Islamabad was also one of the three capitals, alongside Saudi Arabia and the UAE to formally recognize the Taliban in the 1990s. During the last two decades, successive American military leadership fighting the war in Afghanistan complained about Pakistan playing a double role with the latter continuing to support the Taliban.

Second, Pakistan's recent engagements. Pakistan was a part of the Doha dialogue, the 'extended Troika for Afghan peace' to discuss the Taliban takeover and its implications, and the Afghan Quadrilateral dialogue, along with China, Russia and the US. The US was dependent on Pakistan to get the Taliban on board, and its Afghan envoy Zalmay Khalilzad made multiple visits to Islamabad. Pakistan used its Taliban linkages, to present itself as a vital cog in the Doha dialogue process. Islamabad has been providing the Taliban shelter and a resource base in its territory even as the world expected it to put pressure on the Taliban to arrive at a negotiated political power-sharing deal with Ghani's government.

Third, Pakistan's friction and lukewarm relations with Ashraf Ghani's government. Ever since the fall of the Taliban government in 2001,

administrations in Afghanistan have publicly chastised Pakistan for backing the Taliban. In the present context, the Taliban government in Kabul will undoubtedly act in Pakistan's interest; Pakistan could return the favour by utilizing its soft power to invoke international acceptance of a Taliban regime in Afghanistan.

Fourth, Pakistan's economic interests in Afghanistan. Pakistan hosts millions of Afghan refugees on its soil at a huge economic cost. In recent years, Islamabad has also developed new economic and energy interests in Afghanistan with the construction work on the Central Asia - South Asia Regional Trade and Transmission Project (CASA-1000). The CASA-1000 project is a 1,270km power transmission line that is expected to export excess hydropower generated in Kyrgyzstan and Tajikistan to Pakistan through Afghanistan.

#### What does it mean?

The return of the Taliban can have both good and bad implications on Pakistan. Pakistan may feel better with the exit of the US and the likely decline in the Indian presence in Afghanistan. Pakistan may also feel better with a friendly regime in Kabul, which has been one of its primary interests in Afghanistan. However, there are dangers as well for Pakistan. What lessons will the Tehreek-e-Taliban (TTP) and other extremist groups in Pakistan learn from the success of the Taliban?

### **Afghanistan: The international failure fastens the downfall**

*Harsimran Singh Sondhi, 15 August 2021*

#### What happened?

On 11 August, the 'extended' Troika Plus meeting on discussions of Afghan settlement between Russia, China, the United States and Pakistan was held in Doha, Qatar. According to the Qatari Foreign Ministry, the meeting took place behind closed doors. The meeting's agenda was to examine the present situation in Kabul and curb rampant Taliban offences.

On 14 August, the Taliban took control of the strategic Mazar-e-Sharif in the north. On 13 August, Herat and Ghazni fell. On 12 August, Herat fell; so did Kandahar. On 14 August, President Ashraf Ghani spoke for the first time and said that the remobilization of the Afghan forces was of top priority. Also, on 14 August, President Biden announced that he would send 5000 American troops to evacuate the US and allied personnel. According to a Wall Street Journal report, these new steps by Biden "don't represent a major course correction in his decision to withdraw American forces from Afghanistan and largely consist of adjustments to moves already underway as he seeks to disengage from America's longest war."

On 13 August, NATO allies met in the North Atlantic Council to discuss the present situation in Afghanistan. The alliance condemned the Taliban's growing attacks "on Afghan civilians" and said: "We continue to assess the developments on the ground, and we are in constant contact with the Afghan authorities and the rest of the international community." NATO chief Jens Stoltenberg said: "Our aim remains to support the Afghan government and security forces. We maintain our diplomatic presence in Kabul and the security of our personnel is paramount."

#### What is the background?

First, the finality of the US withdrawal. The US has set 31 August 2021 as the deadline to withdraw from Afghanistan completely and has decided to end their longest ongoing war. President Biden said earlier: "The Afghans must decide their own future, and it is an unwinnable war." Despite media pressure and statements by senior military leaders who have fought in Afghanistan, Biden's decision to withdraw seems to be final. This means Afghanistan would have to handle the fighting on its own. While the American troops have slowly reduced their role in the fighting, they have been providing crucial air, cyber and intelligence support to the Afghan forces.

Second, the weakness of the Afghan Security Forces. The pace at which the provinces and the capitals have fallen over the last two weeks

highlight the capabilities and willingness to fight the Taliban. From the available reports, it appears, it was more of a walkover for the Taliban than a takeover following a tough fight.

Third, the international response to the Taliban offensive. Despite the Troika meeting, statements from the UN, and a NATO meeting in Brussels, there has been no action taken so far. The statement by the UN Secretary-General that Afghanistan is "spinning out of control" is not backed by any action at the UN Security Council.

#### What does it mean?

Afghanistan is on the verge of being taken over by the Taliban. Though there is a discussion on "power-sharing", the Taliban would want otherwise. Rather, they would press for complete control. Why would they want to share power, if they can take control?

### **Afghanistan: The US and NATO decides to withdraw; Ghani accepts it**

*Abigail Miriam Fernandez, 18 April 2021*

#### What happened?

On 14 April, President Joe Biden announced: "It is time to end the forever war." He also added that he would withdraw the remaining US troops from Afghanistan by 11 September 2021, as it has accomplished its primary mission of denying terrorists a haven in Afghanistan. He said: "So, in keeping with that agreement and with our national interests, the United States will begin final withdrawal – begin it on 1 May of this year." He stated that the withdrawal would be made responsibly and in full coordination with the US allies, assuring that their diplomatic and humanitarian work continues. In response, President Ashraf Ghani, after holding a telephone call with Biden, said he respects the US decision to withdraw forces from Afghanistan.

On 15 April, US Secretary of State Antony Blinken met with the Afghan leaders in Kabul to discuss the troop withdrawal. He said: "We never intended to have a permanent military presence here. Threat from Al Qaeda in

Afghanistan is significantly degraded." He added: "The United States will honor its commitments to the government and people of Afghanistan." In response, Chairman of the High Council for National Reconciliation Abdullah Abdullah said: "Thank you...you have been with us-in the past 20 years especially-you have made tremendous contributions and sacrifices alongside our own people and we are grateful and thank you for your support of peace."

After Biden's announcement, North Atlantic Treaty Organization Chief Jens Stoltenberg stated, the alliance has agreed to withdraw its nearly 7,000 troops from Afghanistan to match the US president's decision of withdrawal.

#### What is the background?

First, the US debate over withdrawal. Over the past few years, successive administrations have contemplated and worked towards withdrawing the forces from Afghanistan. Finally, the US-Taliban Agreement in 2020 set conditions aimed at withdrawing troops by 1 May 2021. Within the US, the decision to withdraw is divided; some favour the decision. Others argue it would create further instability as the withdrawal plan rejects the "conditions-based" approach that previous administrations had taken.

Second, a complete withdrawal of all foreign troops. It is not just the US that will withdraw its troops; NATO had also announced its withdrawal. They went into Afghanistan together and will now leave also together.

Third, the defeat of al-Qaeda. An assessment that the Biden administration considered pivotal while deciding to pull out forces is their belief that al Qaeda or other terrorist groups do not pose an immediate threat to strike the US from Afghanistan.

Fourth, the upcoming Turkey conference. To revive the negotiations, the Biden administration has pushed for a new round of talks in Turkey. It is tentatively scheduled for 24 April. However, the Taliban has maintained that they would not take part in any summit until the foreign forces leave Afghanistan.

#### What does it mean?

First, the withdrawal is too early. With the negotiations being in the nascent stage, there is much at stake; the complete withdrawal of all troops will only create a big vacuum. Although the threat from international terrorist groups operating from Afghanistan has reduced, it may not stay the same. With an already weak Afghan government facing pressure from the Taliban, al Qaeda to resurface.

Second, the impact of the withdrawal on the negotiations. The only positive side of the withdrawal might be the Taliban's change of mind in participating proactively in the negotiations.

### **Afghanistan: The Moscow Summit**

*Abigail Miriam Fernandez, 21 March 2021*

#### What happened?

On 18 March, Russia hosted the first of the three international conferences to revive the stalled Afghanistan negotiations. The Moscow conference endorsed the 2020 UNSC resolution 2513 that opposed the restoration of the Taliban regime in Afghanistan. The conference was attended by representatives of the Afghan government (Abdullah Abdullah), Taliban (Mullah Baradar), Special Representative for Afghanistan Reconciliation (Zalmay Khalilzad), and several other countries, including China, Pakistan, Iran, India.

At the opening of the conference, Russian Foreign Minister Sergei Lavrov said, "We hope that today's conversation will help create conditions for achieving progressive inter-Afghan negotiations." Four countries - Russia, China, the US and Pakistan issued a joint statement. It stated that they would not support the return of the Islamic emirate system in Afghanistan, recognized the will of the Afghan people for peace, called for a reduction in violence from all sides and the Taliban to not launch a Spring offensive.



### What is the background?

First, the inability of the Doha negotiations to achieve a substantial outcome. Since the start of the negotiations in Doha in 2020, the sense of urgency to find common ground, reduce violence and move forward to substantive issues has not been possible. Instead, the negotiating parties continued to remain divided, both on procedural issues and on the validity of the US–Taliban agreement.

Second, the entry of other regional players. Before the Moscow Conference, regional players did not have a direct role in the Afghan negotiations. A meeting in Turkey of regional players next month will follow the Moscow Conference.

Third, the United Nation's entry into the negotiations. Over recent months, the UN has expressed its readiness to assist in the Afghan talks. The spokesperson for the UN secretary-general said, "We stand ready to assist the parties as requested. Our role must and will always be in support of the Afghan people and must be agreeable to the parties in the conflict."

Fourth, renewed efforts by the US in reviving the stalled negotiations. The Moscow conference comes amid new developments in efforts to reach a political settlement in Afghanistan, including the US Secretary of State Antony Blinken's letter to President Ghani and Abdullah Abdullah and the US-proposed draft for Afghan peace.

### What does it mean?

The Moscow conference is seen as a critical first step in restarting the negotiations. However, the conference is merely an exit strategy constructed by the US-based on unrealistic timelines and agendas that do not solely bring a solution for Afghanistan.

With the UN entering the negotiation, it will move from the side-lines to a more central role. However, the UN has to go beyond the rhetoric and implement practical confidence-building measures between the two groups. Peace in Afghanistan needs to be 'Afghan-led' and 'Afghan-owned,' which is still missing. However, regional and external assistance is

crucial for Afghanistan; left on their own would have repercussions. Thus, the negotiations would have to find a balance between the two.

## **Afghanistan: Talks in Doha resume after weeks of delay**

*Abigail Miriam Fernandez, 28 February 2021*

### What happened?

On 22 February, Taliban spokesman Mohammad Naeem via Twitter stated "This evening, a meeting was held in a cordial atmosphere between the leaders and some members of the two delegations for the inter-Afghan talks. The meeting emphasized the need to continue negotiations. And assigned groups to set the agenda, to continue their meetings on the subject." The resumption of talks comes after weeks of delays, escalating violence and a change in US diplomatic leadership as the Biden administration took office. On 25 February, the Afghan Republic and the Taliban negotiators held their third meeting with the main focus of the talks being on the agenda of the negotiations.

On 21 February, Abdullah Abdullah, head of the High Council for National Reconciliation stated that the Taliban violence remains high and that the Afghan people are bearing the sacrifice, calling on the Taliban to return to the negotiating table.

### What is the background?

First, the stalled negotiations. The first round of the intra-Afghan negotiations ended on 14 December 2020 after three months of talks. During that round, the teams barely managed to agree on the rules of procedure for the talks themselves and exchange preliminary lists of issues they wanted on the agenda. The second round of intra-Afghan negotiations was scheduled to begin on 5 January 2021, in Doha. However, the negotiations in Doha were stalled as both sides did not meet to discuss the agenda mainly because of the Taliban's missing presence in Doha. Since the resumption of talks, the Taliban has been on a diplomatic spree with multiple visits to Iran and Russia, Turkmenistan and Turkey seeking support for the US-Taliban

Agreement. As a result, the Afghan government's negotiating team warned that if the Taliban failed to resume the talks, the government would recall its team from Doha.

Second, the shift in the US administration and one year of the US-Taliban deal. The reason for a lack of urgency in the continuing talks has been attributed to the change in the US administration led by President Joe Biden and their policy on Afghanistan. As the Biden administration is reviewing the US-Taliban agreement signed in February 2020, the Taliban sent an open letter calling on the US to adhere to its part of the agreement by fully withdrawing its troops.

Third, the continuing surge in violence amid the stalled talks. According to reports released by the UNAMA in 2020, violence has surged across Afghanistan, with ground fighting causing the most casualties followed by suicide and roadside bomb attacks, targeted killings by the Taliban and air raids by Afghan troops. The reports cited that nearly 6,000 Afghan civilians were killed or wounded in the first nine months of the year as heavy fighting between government forces and Taliban fighters rages on, despite efforts to find peace.

#### What does it mean?

Although both the Taliban and government leaders have said that these talks are a "unique, historic opportunity" for Afghans to solve their differences. The sense of urgency from either side to find common ground, reduce violence and move forward seems to be missing in the current round of negotiations. Rather, the resumption of talks seems to be personally motivated from each side. With intra-Afghan negotiations having barely scraped the surface of substantial talks, any significant breakthrough remains highly unlikely.

As the United States reviews its Afghanistan policy which has so far yielded few concrete results, the agreement still has its leverage to help stop attacks and encourage a ceasefire. However, what the reviewed agreement will look like and if the Taliban accepts it, remains in question.

## **India and China: The 13th round of bilateral military dialogue**

*Teshu Singh, 17 October 2021*

#### What happened?

On 10 October, the 13th round of the India-China Corps Commander Level Meeting was held at the Chushul-Moldo point. The delegation from the Indian side was led by 14 corp commander Lt-General PGK Menon and South Xinjiang Military District chief of staff Major General Zhao Zhidan. During the meeting, the discussion focused on resolving the friction points relating to Depsang Bulge and Charding Nullah Junction.

On 11 October, the Ministry of External Affairs said that the Indian side making "constructive suggestions" for settling the remaining areas. The statement said: the Chinese side "was not agreeable and also could not provide any forward-looking proposals. The meeting thus did not result in resolution of the remaining areas." Further, the Indian side pointed out that the situation along the LAC had been caused by "unilateral attempts of Chinese side to alter the status quo and in violation of the bilateral agreements. Hence it is necessary that "the Chinese side take appropriate steps in the remaining areas so as to restore peace and tranquility along the LAC in the Western Sector."

#### What is the background?

First, the lack of consensus. Contrary to the 12th round of Corps commander-level talks held in August 2021, there was no joint press release after the conclusion of the 13th round of meeting. After the 13th round of meeting, China was the first to release a statement about the meeting. China accused India of "persisting unreasonable and unrealistic demands which added difficulties to the negotiations." In addition, the spokesperson for the Western Theater Command of the People's Liberation Army (PLA) said "instead of misjudging the situation, the Indian side should cherish the hard-won situation in China-India border areas". In an editorial in the Global Times, titled "India's unreasonable demands in 13th military

talks' risk new conflict'", the authors blame India for the deadlock in the talks. The Indian side released the statement only on 11 October 2021.

Second, the factors for the disagreement. The deadlock in the talks can also be attributed to the two recent face-offs; one near Yangtse in the Tawang sector of Arunachal Pradesh and the second, on 30 August 2021, around 100 Chinese troops transgressed the LAC in the Barahoti sector in Uttarakhand.

Third, aggravating bilateral relations post-meeting. China has objected to the recent visit of the Indian Vice-President to Arunachal Pradesh, the spokesperson of the Chinese Ministry of Foreign Affairs said: "so-called Arunachal Pradesh established unilaterally and illegally by the Indian side and is firmly opposed to the Indian leader's visit to the area concerned".

#### What does this mean?

The response from China indicates that they are unwilling to go beyond the disengagement achieved in the Pangong Tso-Kailash region in February and at PP-17A near the Gogra post in early August. However, this does not mean that there is a deadlock. The two sides have agreed to maintain communications as well as stability along the LAC.

The recent developments at the border have given an indication that the progress at the border level talks is not positive. It also means that the Indian soldiers will have to be stationed in those disputed places in adverse conditions for the second successive year due to the stalemate. Thus, unlike the previous round of talks, the difference of opinion vis-à-vis the resolution of LAC has become perceptible.

### **India: The second wave drives an unprepared country into a humanitarian disaster**

*Lokendra Sharma, 25 April 2021*

#### What happened?

On 22 April, India recorded over 3.14 lakh COVID-19 infections, the highest daily infection

recorded anywhere in the world. On 23 April, even this grim milestone was surpassed as the country reported over 3.22 lakh infections and 2,247 deaths, taking the total reported cases to 1,62,57,337 cases and deaths to 1,86,919.

On 23 April, New Delhi's Sir Ganga Ram Hospital said that 25 patients had died due to a shortage of oxygen. In another incident, 20 patients died at Delhi's Jaipur Golden Hospital due to oxygen shortage.

On 23 April, PM Modi chaired a review meeting with chief ministers of 11 high burden states. Chief ministers flagged issues of oxygen supply and vaccine pricing. PM Modi asked states to ensure uninterrupted movement of medical oxygen and assured that the Railways and the Indian Air Force had been pressed into service.

On 22 April, the Supreme Court (SC) took cognizance of the rising cases. But, on 23 April, the SC adjourned the case till 27 April. Earlier, on 19 April, the central government announced that everyone above the age of 18 would be eligible for vaccine shots from May 2021.

#### What is the background?

First, an extremely overstretched healthcare system. With demand for beds, oxygen and drugs outstripping supply by a huge margin, Indian cities (Delhi, Mumbai, Lucknow, Ahmedabad and Bengaluru) have witnessed people dying in search of beds/oxygen and round-the-clock working crematoriums with waiting lists. The situation is so grim that the healthcare workers themselves cannot get beds in their own or other hospitals.

Second, the failure of the political class. Many political leaders, cutting across Indian geography and party lines, have either held political rallies or organized religious congregations. PM Modi and Home Minister Amit Shah held massive rallies in West Bengal even as the cases spiralled this month, flouting all safety protocols. Some leaders even downplayed the pandemic.

Third, the carelessness and culpability of people. After seeing a trend of declining cases for four

months (November 2020 - February 2021), people assumed that the pandemic had waned away. With a false sense of security, they violated safety protocols like social distancing and wearing masking. A narrative about the innate immunity of Indian people also surfaced and was readily bought by them; this happened even when the epidemiologists have been continuously warning about the imminent second wave.

Fourth, failure of the three pillars of democracy. The SC and mainstream TV media and Election Commission of India (ECI) could have also played a better role. Taking a very delayed cognizance of the matter, and only after various High Courts passed very critical orders and observations, the SC adjourned the matter to 27 April, despite the urgency of the oxygen crisis. The ECI failed to rein in political parties and leaders as they campaigned in the polling states. Mainstream TV media also failed to highlight people's sufferings and, like the SC and the ECI, failed to hold the central and state governments accountable.

#### What does it mean?

The ongoing second wave has exposed the lack of administrative preparation at both federal and state levels. It has also highlighted the inadequacies of healthcare infrastructure to cope with any major crisis. Despite the experience of the first wave, and despite more than a year to build healthcare capacity, India did little on this front. And, that some states are even disrupting the movement of oxygen tankers highlights the failure of cooperative federalism in this moment of crisis. Finally, people would have to strictly adhere to safety protocols to beat the second wave as vaccination will take many months, if not years, to reach a significant proportion of the population.

The only positive story so far, notwithstanding the delayed approval to the Sputnik V vaccine, is India's vaccination programme. According to the Health Ministry, India became the fastest nation to administer 13 crore doses in 95 days. Rolling out vaccines for all aged above 18 is a welcome development.

## **India: Acute shortage of vaccines amidst a raging second wave**

*Akriti Sharma, 18 April 2021*

### What happened?

On 17 April, Coronavirus Resource Center, John Hopkins University, reported 14,291,917 confirmed COVID-19 cases in India. It has successfully administered 117,223,509 doses of the COVID-19 vaccine. As of 17 April, India had fully vaccinated 14,847,254 people.

On 16 April, according to the data from an independent data aggregator of daily COVID-19 figures, India recorded 2,33,728 cases and 1,338 deaths marking the highest single-day spike so far.

### What is the background?

First, rise in cases in India. The country ranks second after the US, which accounts for most of the confirmed cases globally. As of 17 April, Brazil reported 13,832,455 confirmed cases, becoming the third country with the most COVID-19 caseload, followed by France and Russia. India being a densely populated country, has performed relatively better than most of the developed countries.

Second, the inoculation drive. In terms of vaccination, India remains at the top. According to the Indian Ministry of Health and Family Welfare, India is administering 40,556,055 doses on an average per day. However, due to the huge population, the percentage of people fully vaccinated remains low. India is slowly ramping up the production of the vaccines by allowing the production of other vaccines such as the Sputnik V. On 15 April, the Indian government allowed Haffkine Bio-Pharmaceutical Corporation Limited to produce COVAX on a technology transfer basis for one year.

Third, the internal and external crisis due to the second wave. The states and Union Territories have reported a sudden spike in the cases. Maharashtra, Kerala, Tamil Nadu, Uttar Pradesh, Andhra Pradesh, and Delhi account for

most of the total cases. This has resulted in high demands for COVID-19 vaccines and health equipment such as oxygen cylinders, ventilators, hospital beds, and scarcity of burial space. The domestic crisis has resulted in a larger global impact. The increase in the COVID-19 cases domestically has adversely affected India's vaccine diplomacy. The country has drastically reduced the export of COVAX and Covishield as it is internally grappled with the second wave of COVID-19.

Fourth, the uncertainty around the double mutant Indian variant of the virus. On 25 March, The Indian SARS-CoV-2 Consortium on Genomics discovered an Indian variant with two mutations in the same virus. However, it is uncertain that the Indian variant is responsible for a sudden spike in the cases.

#### What does it mean?

First, the unpreparedness for the second wave. Although India performs relatively better than most developed countries, it was not entirely prepared for a virulent second wave. The ongoing domestic and external health crisis reflects India's inability to foresee the emergence of the second wave.

Second, the urgent need to ramp up vaccine production. Keeping in mind the huge population, the Indian government needs to involve more pharmaceutical companies to produce COVID-19 vaccines on a technology transfer basis. The country also needs to import vaccines to curb the shortage, if required. India needs to increase the number of doses administered per day. This will help in curbing the shortage domestically and internationally.

Third, increased healthcare investment. Taking lessons from the pandemic, India must increase the investment in the healthcare sector. It needs to rethink its inadequate investment in the healthcare sector.

## **India-Bangladesh: Modi visits Dhaka, to reboot 50 years of bilateral relations**

*Sourina Bej, 28 March 2021*

### What happened?

On 26 March, Indian Prime Minister Narendra Modi, in his first bilateral visit since the pandemic, met his Bangladeshi counterpart Sheikh Hasina in Dhaka. The visit was to mark the 50th anniversary of the bilateral relationship between the two countries, which coincides with the 100th year birthday celebration of 'Bangabandhu' Sheikh Mujibur Rahman. Five MoU's were signed in connectivity, energy, trade, health, and developmental cooperation. As a humanitarian gesture, Modi gave Hasina a representational key of 109 ambulances and a representational box of India's 1.2 million COVID vaccine doses to Bangladesh. In return, Hasina presented to Modi a gold and a silver coin released on the occasion of the birth centenary of her father. She also presented a silver coin released on the occasion of the 50th anniversary of Bangladesh's independence. Modi also visited Bangabandhu's grave and became the only leader to do so.

### What is the background?

First, India's neighbourhood first policy with Bangladesh as its 'pillar.' In the past 50 years, the relationship with Bangladesh has been a steady core for India's neighbourhood first policy. In 2020, India had sought to reset its neighbourhood policy through vaccine diplomacy, and Bangladesh became the largest recipient of India's coronavirus vaccine (about 9 million vials). Connectivity serves the second area of cooperation between the two, including the inauguration of the Tripura-Chittagong Maitri Setu over river Feni this month and the restoration of the five pre-1965 war rail lines such as the trans-boundary line from Haldibari to Chilahati. The building of ports on Mongla to an intra-riverine network channelizing the Bengal Sunderban delta is also futuristic progress in the bilateral relationship.

Second, India's relation with the Awami league as continuity in partnership. Bangladesh is the biggest trading partner with over three lines of

credit totalling 8 billion dollars from India. The relationship has been cemented through several high-level visits, such as in the past year where both the Indian foreign secretary and foreign minister visited Dhaka. In her every visit, Hasina had paid personal trips to late Pranab Mukherjee with Padma hilsa and Rajshahi silk saree for late Indian foreign minister Sushma Swaraj.

Third, deep irritants irrespective of the bonhomie. In Bangladesh, anti-Modi protests have gained ground over India's passing of citizenship law that could deregister millions who lived in India post-1971 on religious grounds. Provocative comments from Indian ministers and the stranding of the Bangladeshis of Tablighi Jamaat sect during the pandemic in India have cost the trust where many Bangladeshi ministers, including the foreign minister, have ostensibly cancelled visits to India. 2020 also had high border killings, including the lynching of infiltrators or cattle smugglers. India has consistently raised the issue of attacks on the Hindu minorities with Bangladesh. And currently, Modi's prayers at the Jeshoreshwari temple, amid anti-Hindu violence in Sylhet, have added to the constraints giving the relation a religious fervour. Lastly, the failure to sign the Teesta water agreement remains another area of mistrust.

#### What does it mean?

The 50 years provide the scope for both countries to observe past precedents and set a futuristic tone in the relation. However, the relation has challenges to be wary of. First, treading the intersection of domestic politics in bilateral relation. Modi's current visit to the birthplace of the Hindu Dalit mystic figure of the Matua community could be construed as an unnecessary politicization of a domestic electoral emotive issue while undertaking a diplomatic visit. Setting a dangerous precedent of adding a religious narrative to foreign policy could beget backlash where people-to-people ethnoreligious ties run deep. Second, a spillover in border tension and future deals such as on water, which has been a long-standing dispute between India and Bangladesh.

## **India and Pakistan: Both countries agree to revive the 2003 ceasefire**

*D Suba Chandran, 28 February 2021*

### What happened?

On 25 February 2021, a joint statement published by respective ministries/departments in India and Pakistan mentioned the discussions between the Director Generals of Military Operations of the two countries. Through the hotline, after reviewing the situation “along the Line of Control and all other sectors in a free, frank and cordial atmosphere” both sides agreed to revive the ceasefire.

According to the statement, “In the interest of achieving mutually beneficial and sustainable peace along the borders, the two DGsMO agreed to address each other's core issues and concerns which have propensity to disturb peace and lead to violence. Both sides agreed for strict observance of all agreements, understandings and cease firing along the Line of Control and all other sectors with effect from midnight 24/25 Feb 2021.” The statement also reiterated to make use of existing mechanisms of hotline contact and border flag meetings “to resolve any unforeseen situation or misunderstanding.”

### What is the background?

First, the comprehensive ceasefire agreement signed between India and Pakistan in November 2003. Signed after the 2001-02 military standoff between the two countries, the agreement was comprehensive in its focus and also in its adherence. It included three areas: the International Border (IB), the Line of Control (LoC) and the Actual Ground Position Line (AGPL) in Jammu and Kashmir. Thus it covers the region from Siachen in the north to the creeks of Gujarat-Sindh between India and Pakistan. Signed between President Musharraf and PM Vajpayee, the agreement held for the next ten years. The ceasefire period saw the easing of LoC, as both started bus and truck services between two parts of J&K. The easing brought normalcy to regular life along the LoC, and also reduced violence inside J&K.

Second, the violation of ceasefire during the recent years, undermining the decade long achievements across the LoC. During recent years, there have been a series of ceasefire violations as the LoC became violent, with cross-firing from both sides. India and Pakistan have provided a long list of ceasefire violations holding the other side responsible. The ceasefire violations affected the normal life along the LoC, slowed down the bus and truck services, and also witnessed increased violence within J&K. One could see a direct correlation between the instability in LoC and the achievements during the first decade of the ceasefire agreement.

Third, the cause and effect relationship between the increasing political divide between India and Pakistan, and the ceasefire violations along the LoC. Whether the ceasefire violations resulted in the political divide between the two countries, or the lack of political dialogue that made the LoC violent would depend on whom one is talking to. There is a linkage between the two.

#### What does it mean?

First, a word of caution. Between India and Pakistan, following a season of instability, there has always been a ceasefire, as a starting point. One does not have to look into whether the India-China border understanding or the Biden administration has affected the change. On J&K, no external factors can make India and Pakistan to toe a particular line; the internal politics and institutional interests are too strong to listen to outside actors. The return to the ceasefire is bound to happen; two nuclear neighbours cannot be in a perineal military standoff. The militaries cannot afford to stand against the other on a long standoff without a political endgame.

Second, since both countries have agreed to return to the 2003 ceasefire, they should ensure it is observed in letter and spirit. Whatever may be the actual reasons for the two militaries to agree to make use of the hotline and return to the ceasefire, they should ensure that the institutions of the DGMOs are made better use of at the local level.

Third, both countries should now build on – across the LoC and across Wagah. They may, or they may not. But, they should.

### **India and China: Disengagement confirmed along the Line of Actual Control in Ladakh sector**

*D Suba Chandran, 14 February 2021*

#### What happened?

On 10 February, the Hindu referred to a China's Foreign Ministry spokesperson Wang Wenbin making the following statement: "According to the consensus reached at the Chinese and Indian Foreign Ministers' meeting in Moscow and the ninth round of commander-level talks between the two sides, the front-line troops of the Chinese and Indian militaries began to conduct simultaneous and planned disengagement in the Pangong Lake area on February 10. We hope the Indian side will work with China to meet each other halfway, strictly implement the consensus reached between the two sides and ensure the smooth implementation of the disengagement process." The Global Times on the same day referring to a spokesperson at China's Ministry of National Defense reported: "Frontline troops of the Chinese and Indian armies stationed at the southern and northern banks of the Pangong Tso began simultaneous, scheduled disengagement on Wednesday, in accordance to a consensus reached during the ninth round of corps commander-level meeting."

On 11 February, the Indian defence minister made a statement in the Parliament; according to him, "The Chinese side will keep its troop presence in the North Bank area to east of Finger 8. Reciprocally, the Indian troops will be based at their permanent base at Dhan Singh Thapa Post near Finger 3. A similar action would be taken in the South Bank area by both sides... These are mutual and reciprocal steps and any structures that had been built by both sides since April 2020 in both North and South Bank areas will be removed and the landforms restored." The defence minister also stated in the Parliament: "I want to assure this House that in these talks we have not conceded anything... It

is, therefore, our expectation that the Chinese side will work with us in full sincerity to resolve these remaining issues.”

On 13 February, the Global Times referring to sources wrote again: “China and India are about to implement a disengagement plan under reciprocal principle with the premise that India should firstly withdraw staff who illegally crossed lines on the southern side of the Pangong Tso Lake.”

#### What is the background?

First, the long military standoff along the Line of Actual Control between India and China. The recent standoff started in May 2020 in Pangong Tso and expanded to other areas of the region in Ladakh. In June 2020, in one of the worst clashes in recent decades, 20 Indian soldiers and an unknown number of Chinese soldiers died in the Galwan valley. There were a few more “provocative military movements to change the status quo” by China in August 2020 in the Pangong Tso region, and “Indian troops pre-empted this PLA activity on the southern bank of Pangong Tso,” according to an Indian military statement. This was one of the longest military standoffs in recent years.

Second, the tough military and political negotiations since May 2020. There were nine rounds of meetings at the military levels, and two political meetings at the highest level (at the defence and foreign ministers level) before reaching the agreement. The present agreement on disengagement seems to have been finally reached at the ninth round held in January 2021.

Third the complex disengagement process and its verification. The negotiations between the two sides had to work hard in agreeing on disengagement to return to pre-standoff period. Who would disengage first, return to where and to which position—seemed to be the crucial questions.

#### What does it mean?

First carrying out the disengagement, verifying the process, and trust the other side. Given the nine rounds, and the limited information available on the disengagement process, the

process would be phased and drawn to the minute level in terms of time and place.

Second, implementing the plan on the ground, of what is finalised in the meeting would be another challenge. Given the technology available, verification is possible. But the challenge would be to build trust. Both sides will have to work at the political and military levels; what happens along the border affects the political relations. Beijing and New Delhi should avoid this from repeating.

### **India: New Delhi's re-engagement with neighbours through vaccine diplomacy**

*Akriti Sharma, 23 January 2021*

#### What happened?

On 19 January, the Ministry of External Affairs announced that India would begin delivering the Indian-manufactured vaccine to six nations — Bhutan, Maldives, Bangladesh, Nepal, in response to neighbouring countries' requests Myanmar, and Seychelles. On the same day, Bhutan received its first batch of 1.5 lakh doses of Covishield developed by the Serum Institute of India (SII) followed by the Maldives which received one lakh doses.

On 21 January, Nepal received one million doses, and Bangladesh received two million doses of Covishield. Nepali PM KP Sharma Oli tweeted: "I thank Prime Minister Shri @narendramodi ji as well as the Government and people of India for the generous grant of one million doses of Covid vaccine to Nepal at this critical time when India is rolling out vaccination for it's own people".

On 22 January, Myanmar received 1.5 million doses of Covishield. Mauritius and Seychelles also received vaccines.

#### What is the background?

First, India fulfilling its commitment to supply vaccines. Last year, the Indian Foreign Secretary and Minister of External Affairs visited Nepal, Sri Lanka, Bangladesh and the Maldives to review the bilateral relations. These visits aimed to assist the countries facing pandemic induced



challenges. India had also promised to provide the COVID-19 vaccines once they were developed and approved in the country.

Second, neighbourhood pandemic challenges and India's helping hand. As of 22 January 2021, according to the data by the Johns Hopkins University, Nepal had 2,69,000 COVID-19 cases; Bangladesh had 5,30,000 cases; Myanmar had 1,36,000 cases. Inadequate healthcare facilities further worsened the situation. Sri Lanka, Mauritius, Seychelles, the Maldives, Bhutan, and Nepal faced an economic crisis because of their heavy dependence on the tourism sector suffered due to lockdowns and closing of international borders. New Delhi used this as an opportunity to demonstrate itself as a responsible regional player when the relations with neighbours were going through testing times. India utilized it to mend ties with the neighbourhood.

Third, the key role of the SII in manufacturing the jabs. World's largest vaccine manufacturer by volume, it played an important role in mass production of the vaccine based on Astrazeneca-Oxford candidate to meet domestic and international requirements. This enabled India to start the rollout and shipping of vaccines to the neighbourhood simultaneously.

#### What does it mean?

First, India has yet again proved to be the pharmaceutical powerhouse of the region. It has increased the reliability of India's healthcare sector on which its neighbours are heavily dependent. This will further bolster medical tourism in India.

Second, with an efficient mass production capacity, India will export vaccines to the other poor and middle-income countries as part of an arrangement with GAVI, the vaccine alliance. India will export vaccines to other regions like Africa, Latin America, and Southeast Asia. This will boost India's international standing, goodwill, and soft-power.

## **Pakistan: A "new era" with Russia**

*Abigail Miriam Fernandez, 11 April 2021*

### What happened?

On 7 April, the Foreign Minister of Russia Sergey Lavrov arrived in Pakistan for a two-day visit, the first in nine years. On his arrival, he met with the Foreign Minister of Pakistan, who termed the meeting as the beginning of 'a new era' with Russia. The two held wide-ranging talks during which they reviewed their bilateral cooperation in energy, security, including counter-terrorism and defence, besides having an in-depth discussion on the situation in Afghanistan. Lavrov said Russia was ready to build further counter-terrorism potential by providing military equipment to Pakistan. He said: "This is in the interest of all states of the region," adding that both sides also agreed on joint military exercises and drills.

FM Lavrov also met Imran Khan and General Bajwa. Khan reiterated the importance Pakistan attaches to Russia's relations as a key foreign policy priority and reaffirmed Pakistan's resolve to expeditiously conclude the requisite legal process for the "Pakistan Stream" (North-South) Gas Pipeline project and commence the work soon.

### What is the background?

First, the warming up of Russia-Pakistan relations. FM Lavrov's visit to Pakistan is the first by a Russian foreign minister in nine years, marking the recent shift of ties between them. Over the last few years, both have made a substantial effort to improve ties by building a stronger and mutually beneficial relationship through engagement at bilateral and multilateral arenas.

Second, the multifaceted expansion in the relations. The deepening relation between Pakistan and Russia is not restricted to a single domain. The relation between the two is moving into more significant economic engagement, defence cooperation, and a strategic component. For example, in 2020, trade between the countries stood at almost USD 350 million, a 45 per cent increase from the year before. Further,

the two have also been involved in significant infrastructure projects, with Russia constructing a major gas pipeline along the length of Pakistan.

Third, the Russian and Pakistani interests in each other. Both Russia and Pakistan have their reasons for cooperating and strengthening ties with each other. Pakistan seeks to enhance defence cooperation and align itself with Russia, given the recent developments in Pak-US relations. Conversely, Russia is trying to make new allies in South Asia. Its multi-frontal engagement with Pakistan could be seen as efforts to secure its backyard in Afghanistan and Central Asia. Further, their interest in Pakistan lies in its strategic location, the CPEC project, the future of Afghanistan, markets for defence, and strategic sales, including space cooperation.

#### What does it mean?

First, a paradigm shift in Pak-Russia relations when compared to the 1980s. Although Pakistan and Russia have no history of a substantial relationship, their strategic realities have caused the current shift, which is a positive development for both Islamabad and Moscow.

Second, the Afghan factor is the start of something new. Their mutual interest in Afghanistan has brought the countries together. However, this factor can be seen as the start of bringing Russia and Pakistan towards further engagements.

### **Pakistan: Supreme Court orders the release of the accused in Daniel Pearl's murder case; the US says**

*D Suba Chandran, 30 January 2021*

#### What happened?

On 28 January, the Supreme Court of Pakistan ordered Ahmed Omar Saeed Sheikh's release in Daniel Pearl's murder case. Omar Sheikh is one of the primary accused in the kidnapping and beheading of Daniel Pearl, a journalist working with the Wall Street Journal in 2002.

On 29 January, the Sindh government has filed a review petition in the Supreme Court, asking for a reconsideration of the decision.

On 29 January, the US Secretary of State Antony Blinken came down heavily on the release. The Department of State released a statement expressing the US's deep concerns over "the Pakistani Supreme Court's decision to acquit those involved in Daniel Pearl's kidnapping and murder and any proposed action to release them." The statement also read, "Ahmad Omar Saeed Sheikh was indicted in the United States in 2002 for hostage-taking and conspiracy to commit hostage-taking, resulting in the murder of Pearl, the South Asia Bureau Chief for the Wall Street Journal, as well as the 1994 kidnapping of another United States citizen in India. The court's decision is an affront to terrorism victims everywhere, including in Pakistan." More importantly, the statement read: "We take note of the Attorney General's statement that he intends to seek review and recall of the decision. We are also prepared to prosecute Sheikh in the United States for his horrific crimes against an American citizen. We are committed to securing justice for Daniel Pearl's family and holding terrorists accountable."

#### What is the background?

First, the 19-year-old case relating to the kidnapping and brutal beheading of Daniel Pearl. At the time of the kidnapping and the beheading, Daniel Pearl was working with the Wall Street Journal and was pursuing a story relating to militancy in Pakistan. This was a period in which many journalists from the rest of the world have been pursuing multiple angles over any lead relating to the 9/11 attacks in the US. Daniel Pearl was doing one and was abducted in Karachi in January 2002. Subsequently, he was beheaded on 1 February 2002 in front of a video that demanded prisoners' release in Guantanamo Bay.

Second, the Sindh High Court's judgment in April 2020, and the refusal of the Sindh government to release the four accused, including Omar Sheikh. A two-member bench of the Sindh High Court acquitted Omar Sheikh

and three others on the murder charge. The Court found the accused guilty of only kidnapping, for which it ordered a seven-year prison sentence. Since the accused were already in jail for more than 17 years at that time, the Sindh High Court ordered the government to release them.

Third, the case in the Supreme Court, following the Sindh government's refusal to release the accused. And a new petition by Daniel Pearl's parents; in May 2020, they appealed to the Supreme Court against the Sindh High Court's decision and made a plea for a common cause demanding justice: "We are standing up for justice not only for our son, but for all our dear friends in Pakistan so they can live in a society free of violence and terror and raise their children in peace and harmony."

Fourth, the new US administration and the latest demand by the US Secretary of State. While respecting the ruling of Pakistan Supreme Court, a statement from the US Department of State has stated that the US is ready to "prosecute Sheikh in the United States for his horrific crimes against an American citizen." Though the US may not have an extradition treaty with Pakistan, in the past, many prisoners who were caught in Pakistan have been transferred to the US and spending time in Guantanamo Bay, including the al Qaeda terrorists.

#### What does it mean?

First, the media freedom and the journalists' challenge – local and foreign in Pakistan to do their job, without fear and consequences. Worse, the legal system's ability in Pakistan to provide justice, in case anything goes against them while performing their duties, as Daniel Pearl did. During the last two decades, there has been a systematic campaign against the journalists and media houses, not only by the non-State actors but also the State actors.

Second, the problem of investigation and legal conviction on cases relating to terrorism. Daniel Pearl's murder case was a high profile one. So was Benazir Bhutto's. There is a serious problem with the investigation process in terror-related cases. Not only the friends and families of the

victims demand it, but also international actors, including the FATF.

Third, the larger questions. If Omar Sheikh and the three other accused are innocents of the crime, who killed Daniel Pearl? What was Omar Sheikh, a British national, with a long list of kidnapping and terrorism cases – from Bosnia to India, doing in Karachi? Will Pakistan allow the other countries to prosecute Omar Sheikh?

### **Nepal: Ending constitutional crisis, Supreme Court appoints a new Prime Minister**

*Sourina Bej, 18 July 2021*

#### What happened?

On 12 July, the Supreme Court of Nepal overturned K P Sharma Oli's decision to dissolve the House of the Representative and issued a judicial writ to appoint the Nepali Congress leader Sher Bahadur Deuba as the Prime Minister under Article 76(5) of the constitution. The apex court order was based on the 30 writ petitions, including one from Deuba himself and 146 parliament members, demanding the appointment of Deuba as the prime minister. Upon reinstating the legislature, the court also said the lawmakers must meet within seven days.

#### What is the background?

First, Nepal's recurring political instability. Since the Nepal Communist Party (NCP) won the 2017 election after the new constitution was promulgated in 2015, the NCP has split, the legislature has been dissolved twice, and the country has a new Prime Minister. Twenty different governments have been in power in Nepal since 2000. While the immediate cause of the current crisis is an intra-party feud but weak democratic institutions, corruption, and politics of exclusion are primary reasons for protracted political instability. Deuba's oath-taking ceremony also witnessed tension between the leaders when President Bidya Devi Bhandari refused to explicitly appoint Deuba under Article 76(5).

Second, an end to Oli's tenure as Prime Minister. The tensions emerged after Oli refused to hand over power to his NCP's coalition leader 'Prachanda' after half his term leading to splits and weakening of Oli's power in the legislature. On 20 December 2020, Oli dissolved the House and called for snap polls to secure his prime ministerial position amid pressure from his coalition partners to resign. The office of the President played second fiddle, and as the opposition failed to lay claim to the government, Oli was reinstated as the Prime Minister despite losing his trust vote on 10 May 2021. Subsequently, Oli dissolved the parliament again and announced an election to stymie existing calls for his resignation and weave new political alliances.

Third, proactive Judiciary. From one dissolution to another, the Supreme Court has validated the lawmakers' writ petitions and reinstated the House. The bench has become the vanguard of the constitution in actively criticizing the legislative power struggle and the President's inactions to the effect that it has directed and upheld a new leadership this time. Furthermore, on 7 March, the Supreme Court has also invalidated the NCP in a separate hearing which subsequently brought the fractures within the coalition partners: CPN(UML) headed by Oli, and CPN (Maoist Centre) headed by 'Prachanda' to the fore.

Fourth, emergence of regional parties as important players. The dissolution has paved the way for Terai regional parties to play an active role in the new political alliance formation. On 23 May, the Mahantha Thakur-Rajendra Mahato faction of the Janata Samajbadi Party had already been in talks with Oli for a potential power-sharing deal. With Deuba in power, an opportunity arises when the support of the Terai political parties will be crucial for the floor test. This has also brought the Terai demands for constitutional amendment and release of jailed comrades at par for dialogue with parties in the Valley, more so that President passed the Nepal Citizenship (First Amendment) Ordinance on 23 May 2021.

#### What does it mean?

The constitutional crises end, but political uncertainties continue with challenges before Deuba. He will have to prove in a vote that he has the support of more than half the House members to continue in office. The Nepali Congress currently holds only 63 seats out of 275 and would need to put together an alliance with the Maoist faction of CPN and in all likelihood with the Upendra Yadav-led faction of the Janata Samajbadi Party to reach majority. A balance between the ethnonational demands of the Terai parties and a power-sharing deal with ideologically opposite coalition partner 'Prachanda' would be something to watch for during Deuba's tenure.