

Terrorism in South Asia and its Implications for Regional Peace & Security

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The launching of South Asian Association for Regional Cooperation or SAARC in December 1985 was an epoch-making event. During the last two decades of its existence, SAARC has already moved into a new phase of cooperation, from symbolic to substantive, as it has achieved significant progress in identifying core areas of cooperation and laying the groundwork in important areas such as trade, investment and poverty alleviation. It has, however, not been smooth sailing for the Association which came into being after more than five years of intensive preparatory work. While the SAARC process has suffered setbacks in the past, there was a gap of nearly three years and a half between the Tenth and Eleventh SAARC Summits as the latter, which was to have been hosted by Nepal in November 1999, had been postponed indefinitely at the request of a member state because of political developments in Pakistan.¹

The postponement had led some habitual cynics to forecast a bleak future for regional cooperation in South Asia. Aware of widespread criticism and disappointment among the member states the South Asian leaders, who met at the Eleventh Summit meeting in Kathmandu in January 2002, had underscored the importance of annual Summit meetings in 'charting common strategies for the realization of the objectives and principles set out in the Charter of the Association.'² The letter and spirit of the Declaration was violated when the 13th SAARC Summit scheduled to take place at Dhaka in Bangladesh in early February this year was postponed again at the request of a member state because of security situation in Bangladesh and political developments in Nepal.

Foreign Minister Ramesh Nath Pandey addressing the 59th anniversary of the Nepal Council of World Affairs on 10 March this year rightly observed: 'The postponement of the SAARC Summit in Dhaka is a major setback to provide much needed momentum to the SAARC process. We strongly hold the view that the SAARC process should move forward unobstructed and we should be able to leave

¹ M.P. Lohani, "Assessment of the Eleventh SAARC Summit Declaration; Need for Effective Implementation" in Report of the Seminar on Follow-up of the Eleventh SAARC Summit, IFA, Kathmandu, March 2003, pp. 13-26.

² Declaration of the Eleventh SAARC Summit, The SAARC Secretariat, Kathmandu, 2002.

behind the past wherein undeserving issues are allowed to impinge on the SAARC process.' The Foreign Minister's statement not only reflects the official position but also represents a broad spectrum of public opinion in Nepal. The SAARC member states have reportedly agreed to meet in Dhaka in November this year for the 13th Summit. The forthcoming Summit, let us hope, will no longer be postponed for political reasons, mostly of a bilateral nature.

International Terrorism

Despite several attempts, over the years, to define terrorism, a precise definition of the term still eludes us. An ordinary citizen is confused when acts of terrorism are variously interpreted. People who have fought for independence, freedom and democracy and against oppression, domination and exploitation have been, simultaneously, described as freedom fighters and terrorists. Until recently, the Palestine Liberation Organization (PLO) was dubbed a terrorist organization by Israel. Both Israel and the PLO recognized each other after the famous Oslo accord and agreed in Washington in 1994 in the presence of then American President Bill Clinton to promote the peace process through dialogue and negotiations. It is a pity that no progress has been made so far in the Middle East peace process. Likewise, the racist minority regime in South Africa persecuted and outlawed for long the African National Congress (ANC) as a terrorist organization. Following the abolition of apartheid in South Africa more than a decade ago, Nelson Mandela, leader of the once outlawed ANC and imprisoned for 27 years by the racist regime, became President of a democratically elected national government in a multiracial society. Both Yasser Arafat, the Late PLO Chairman, and former President Nelson Mandela have been widely respected as heroes of the National Liberation Movement. It is argued that freedom fighters resort to violence and armed struggle when peaceful means such as non-violence do not yield positive results. Debate continues even today over the means to achieve the end. Violence as a means to an end, howsoever noble it might be, cannot be condoned. It becomes self-defeating when the entire social fabric is torn asunder giving place to chaos, disorder and perpetual unrest. Terrorists, on the other hand, believe and make others believe that the use of violence is morally and politically justifiable.³

Terrorism today transcends national boundaries and has become an issue of serious concern to the international community. Acts of violence generate fear as well as a sense of insecurity, and violence assumes various forms such as killing of innocent citizens, kidnapping and assassination of prominent political leaders and army officers, bomb blasts and bank robbery including extortion, sabotage and

³ Panna Kaji Amatya, 'International Terrorism: Threat to Global Security' in the Seminar on International Terrorism, Kathmandu, 28-30 January, 1997.

subversion, hijacking of planes and hostage taking.⁴ Instances of such terrorist acts are too many to cite in this paper.

Terrorism, no doubt, defies all the commonly accepted values and norms of social behaviour. It is a crime against humanity and poses a threat to the civilized way of life and the enjoyment of human rights. Availability of highly sophisticated weapons or free access to them by the terrorist groups has made terrorism more formidable than ever before. Equipped with weapons, wealth and training facilities in developed cities or centres terrorist groups operate in a more organized way with a network of international connections. Such groups, when they are financed, trained and armed by a state, can destabilize any society or wreak havoc with impunity. This is known as state-sponsored terrorism which further makes a mockery of the UN Charter and the Universal Declaration of Human Rights.⁵

The root causes of terrorism must be identified. Conditions that are conducive to violence do exist in society. The ever widening gap between rich and poor nations of the world, growing income disparities within national boundaries, injustice, exploitation and discrimination on grounds of race, ethnicity, colour, sex, creed or religion become the breeding ground for acts of violence or terrorist activities.⁶ In this context, it is pertinent to refer to the following excerpt from King Gyanendra's recent address to the Second South-South Summit in Doha, Qatar: "My own country is a sad witness and a microcosm of how inequality, social and economic exclusion, poor governance, rampant corruption and non-delivery by various governments in the last decade and a half have been exploited by terrorists to fulfil their own agenda-an agenda already discarded and rejected by the world at large."⁷

Genuine grievances cannot be glossed over. Struggle against oppression, exploitation, discrimination and injustice deserves sympathy and support. The question arises: should such persons or groups known as a 'deprived category' be allowed to kill the innocent people in their hundreds or thousands in the name of a cause, an ideology or a new social, economic and political order? Human rights and terrorism are contradictory terms. No state can allow one individual or a group to deprive another individual or group of its right to live a decent, civilized and meaningful life. The state has a legitimate right to punish criminals who blow up houses, bridges and roads with explosives and shower bombs and bullets on buses and trains carrying innocent passengers.

⁴ M.P. Lohani, 'International Security Environment' in *South Asian Security: Futures*, ed. Dipankar Banerjee, RCSS, Colombo, 2002, pp.27-35.

⁵ M.P. Lohani, 'Terrorism in South Asia and its Impact on Nepal' in the Seminar on International Terrorism, Kathmandu, 28-30 January, 1997.

⁶ Ibid.

⁷ *The Rising Nepal*, June 16, 2005.

There is a nexus between terrorism and a host of contributory factors such as political and communal violence, religious intolerance and bigotry, racial strife and ethnic conflicts and, above all, the mushrooming of domestic or trans-national criminal and terrorist organizations. Exactly a decade ago, the massacre of nearly half a million Tutsi population, a minority tribe, by a majority tribe of Hutus in Rwanda was a mockery of human civilization and a major setback to the establishment of a new world order based on harmony, tolerance, and peaceful co-existence. Likewise, ethnic cleansing in Darfur, Sudan has already resulted in the killings of more than two hundred thousand people. It is a terrible tragedy defying international norms and practices. The UN has been a helpless onlooker both in Rwanda and Darfur. Islamic militants or fundamentalists, be they in Afghanistan, Algeria, Egypt or Iran and Iraq, continue to be actively engaged in radicalizing entire social milieu through acts of terror and violence. Fundamentalists, in their desperation to impose views born of bigotry and fanaticism, resort to terrorism or use physical violence to achieve their goals.⁸

With the dawn of the third millennium, international terrorism has assumed menacing proportions. Terrorism struck the US with catastrophic loss of life and property on September 11, 2001. The world community condemned the terrorist attack upon the US as a crime against humanity and the civilized world.⁹ Osama Bin Laden, a Saudi-born billionaire whose whereabouts are still unknown, was identified by the American intelligence as the direct perpetrator of this horrendous crime. The UN Security Council lost no time in adopting Resolution 1373 which approves a global coalition against international terrorism. The international community, including Nepal has expressed full support and commitment to extending necessary cooperation to the government and people of the United States in their initiative against terrorism in the context of the growing world opinion in favour of uprooting terrorism in all forms for all time to come. Only a few days after the tragic event, Nepal issued an official statement to the effect that the incident had created an opportunity for larger unity, understanding and cooperation among civilized societies and governments, which believe in peace, freedom, human rights and democracy.¹⁰ The Bush administration is determined to continue the fight against terrorism till it is defeated and bring the criminal to justice. The Taliban were ousted from Afghanistan four years ago and Saddam Hussein was deposed two years ago, but escalating violence and insurgency in Iraq and Afghanistan, resulting in deaths and casualties on a regular basis has overshadowed the global coalition against terrorism.

⁸ M.P. Lohani, 'Fundamentalism: A Force for Instability' *Annual Journal*, Nepal Council of World Affairs, 1995.

⁹ M.P. Lohani, 'US Policy in South Asia with special reference to Nepal' in the Regional Workshop on American Studies, Kathmandu, September 24-26, 2001.

¹⁰ HMG's Statement on Terrorism, *The Rising Nepal*, September 18, 2001.

It is indeed ironic that terrorism is on the rise when the world has become small with the spectacular advancement of science and technology. Each country has its own cultural tradition, political system and level of social and economic development. There are, nonetheless, contradictions, dissensions and tensions inherent in each society. Some disgruntled elements or disenchanting youths seek to cash in on these anomalies and contradictions through recourse to violence or such other disruptive devices as are inimical to social harmony, peace and stability. Terrorism is used today even as an instrument of state policy. This is bound to produce disastrous consequences. The world has witnessed, in recent years, changes of momentous significance. Colonialism has been virtually eliminated as the UN membership has now reached 191. The cold war resulting from super power rivalry and lasting nearly 4 decades has come to an end. Most countries of the world have opted for liberal democracy and free market economy. There is a growing recognition that human rights are universal and indivisible. These are positive developments outweighed by the growing incidence of terrorism which breeds in its wake death, destruction and disaster.

Terrorism in South Asia

South Asia inhabited by more than one billion people accounts for one-fifth of humanity. The region consists of seven countries some of which are large and some extremely small. While India is the largest country in terms of size, population and resources, the Maldives is just a cluster of tiny islands with a population of a little over two hundred thousand inhabitants. With a civilization regarded as one of the most ancient, the region, over the past several decades, has become a mosaic of crises, including insurgencies, ethnic and sectarian conflicts, terrorism, irredentism, and civil and conventional war.¹¹ The continuity of violence in the region is interpreted as a classic example of the nation state projects falling to pieces or the erosion of sovereignty and inviolability of the state system.¹²

South Asia, indeed, has developed a culture of violence in recent years. In most South Asian countries, insurgency and counter-insurgency movements and operations have become the order of the day. Relations between India and Pakistan have never been cordial and tension-free. They have already fought two wars over Kashmir which remains the bone of contention between these two major countries in the region. The Indian allegation that Pakistan has used terrorism as the instrument of state policy to intervene in Kashmir by aiding, abetting and training the terrorist groups within its territory is denied by Pakistan. Pakistan, however, does not deny that the Muslim militants fighting against alleged Indian occupation enjoy political and moral support from the government and people of Pakistan.

¹¹ Dhruva Kumar, 'Security in South Asia: A Nepali Perspective' in *Security in South Asia*, Policy Study Series 2, ed. Mohan P. Lohani, IFA, Kathmandu, 2001, pp. 109-131.

¹² Ibid.

While charges and counter charges on both sides have become a routine affair, the problem remains as it is. The death toll, over the last decade and a half, from acts of terrorism and counter terrorism has been quite heavy. Both India and Pakistan, in recent months, having realized the futility of a military solution to the problem of Kashmir have agreed on confidence- building measures, including agreement to resume the composite dialogue process for a peaceful settlement of all outstanding issues including the Kashmir dispute. For durable peace and stability in South Asia, it is essential to resolve the Kashmir dispute to the satisfaction of all concerned. In the absence of a solution acceptable to both sides, bombs will continue to be exploded in the market place killing children and thousands of innocent civilians.

There are other parts of India where terrorist violence has become a routine affair. In North-East India, several insurgent groups have been fighting for secession or for greater autonomy. While the Bodos have sneaked into Bhutan and used it as a sanctuary for attacks against India, Bangladesh has been accused by India of harbouring the terrorist groups from its North-Eastern States. Ethnic minorities have their grievances in both Bangladesh and Pakistan. The Mohajir Quami Movement (MQM) of the Muslim community that came from India to settle in the Sind province of Pakistan is not fully integrated in the Pakistani society and is engaged in violent clashes with the authorities from time to time. Political violence is a common sight in Pakistan and Bangladesh. The Chakmas of Chittagong Hill in Bangladesh, who felt discriminated against at the hands of majority Muslims of Bangladesh, had found sanctuary in the Indian province of Tripura for their acts of insurgency against the country they came from. A political settlement seems to have been reached, and both India and Bangladesh have agreed to counter cross border terrorist activities.

Sri Lanka, a Buddhist country, has been in a state of civil war since 1983 owing to continuing violent clashes between the two communities- the Singhla majority and the Tamil minority. The latter has been clamouring for a separate state called Tamil Eelam on grounds of discriminatory treatment meted out to this group by the Singhalese who constitute more than 80 percent of Sri Lanka's population. The Tamil Liberation Movement is spearheaded by the militant group called the Liberation Tigers of Tamil Eelam (LTTE). The Tamil terrorists have assassinated important public figures like former President Prema Dasa, other political leaders, civil servants, army officers and thousands of innocent civilians. These separatists are equipped with modern sophisticate weapons and receive funds from abroad. Although the February 2002 ceasefire ended Sri Lanka's brutal two-decade civil war, ethnic conflict has not been finally resolved. The government of Sri Lanka headed by President Kumaratunga is prepared for devolution of more authority to the provincial government of minority Tamils. Both sides must accept a political solution to put an end to the continuing spiral of violence and bloodshed.

The existence of multi-lingual, multi-religious and multi-ethnic groups in South Asia can not be wished away. Discord or disunity among the various communities is rooted in conflict situations arising from race, religion, language, caste and ethnicity. Besides, the region has common problems such as poverty, unemployment and population explosion. Some countries, victims of an unsavoury legacy of the past, continue to have strained relations aggravated at times by mutual distrust, suspicion and misunderstanding. Acts of terrorism in the region can not be explained without taking all these variables into consideration.

Insurgency in Nepal: Threat to Regional Peace and Stability

It is distressing to note that Nepal, situated between two Asian giants, India and China and which is consistently opposed to terrorism in all its forms and manifestations, has become a victim of Maoist insurgency in recent years. The Maoist rebellion that broke out in 1996 has become, to borrow Nischal Pandey's phrase, 'a never ending nightmare for the state'.¹³ Maoist insurgents who launched the so-called people's war for the seizure of state power have unleashed the reign of terror in different parts of the country, in particular far western districts which are woefully backward, neglected and deprived of the minimum infrastructure of development. The Royal address of February 1 this year enumerates a list of crimes committed by the insurgents, such as 'terrorising the innocent population, extorting money, brutally murdering those who dissent, kidnapping students and perpetrating atrocities against teachers, making false promises to people and destroying development projects aimed at the people's welfare'. Nevertheless, the Royal address calls upon all those who have gone astray, taking up arms against the nation and people, and those who are engaged in criminal activities to return to the mainstream of national politics peacefully. Will the rebels jump at this olive branch?

Unfortunately, the insurgents twice walked out of the negotiations, despite several rounds of peace talks, and have intensified their indiscriminate acts of violence, terror and insurgency, including forcible recruitment of children and youths in their militia.¹⁴ Their senseless and cold-blooded murder or assassination of innocent civilians has been widely condemned by international and national human rights groups and others. To quote a Royal Nepal Army (RNA) spokesperson, 'Maoists killed the civilians for reasons ranging from not willing to cough up cash to not acting as per their demands'.¹⁵

¹³ Nischal N. Pandey, *Nepal's Maoist Movement and Implications for India and China*, RCSS, Colombo, 2005.

¹⁴ M.P. Lohani, 'Comprehensive Security in South Asia: Problems and Prospects' in the *Seminar on Comprehensive Security in South Asia*, Kathmandu, September 5-6, 2004.

¹⁵ *The Himalayans Times*, Kathmandu, July 2, 2005.

Maoist insurgents have been dubbed terrorists by the State. The close connection between Nepali Maoists and their counterparts in India from Andhra Pradesh, Jharkhand, Bihar and Uttar Pradesh is no longer an open secret. They have received arms supplies from across the border, albeit clandestinely. The Indian Ambassador Shiv Shanker Mukharjee has described the Maoist insurgency as a common threat to Nepal and India.¹⁶ While admitting that arms smuggling has happened, former Indian Ambassador Shyam Saran, currently India's foreign secretary, stressed the need for vigilance and extended India's cooperation to resolve the problem politically. He categorically stated: 'The problem of Maoist insurgency Nepal is facing does not respect our national boundaries'.¹⁷ In this context, it may be noted that India has recently taken steps to deploy the Special Security Bureau (SSB) on the border to control cross-border arms and explosive smuggling. Over 17 battalions of SSB guard the 1751-km long Nepal-India border.¹⁸

A unique feature of the Nepal-India relationship is the open border which has been misused for large scale migration as well as for undesirable activities such as terrorism, subversion, drug-smuggling and trafficking in women.¹⁹ Such activities are bound to give rise to occasional irritants, tensions and misunderstanding in bilateral relations. The cross-border movement of terrorist and criminal elements who sneak into each other's territory to carry out their sinister designs is a matter of serious concern to both Nepal and India. The need for regulating the open border through joint endeavours, vigilance, patrolling and strict record keeping of the movement of goods and people has been realized and highlighted by experts and policy makers on both sides.²⁰

Combating terrorism in South Asia: A challenge for South Asian Leadership

It is generally admitted that South Asia is facing the problem of terrorism on a much larger scale with ominous implications for regional peace and stability. South Asian leaders recognized the gravity of the issue and the necessity of addressing and overcoming it in 1985 when the South Asian Association for Regional Cooperation (SAARC) was launched. The first SAARC Summit had on its agenda the problem of terrorism as a prominent item and set up a study group to examine the problem in depth and come up with recommendations. After nearly two years' deliberations, a SAARC Convention on Prevention and Suppression of Terrorism was adopted and signed in Kathmandu at the third Summit in 1987. The Convention condemns all acts, methods and practices of terrorism as criminal and deplors their

¹⁶ *The Gorkhapatra*, Kathmandu, June 26, 2005.

¹⁷ *The Himalayan Times*, Kathmandu, July 10, 2004.

¹⁸ *The Kathmandu Post*, July 2, 2005.

¹⁹ M.P. Lohani 'Nepal's Security at the Turn of the Century', in Kousar J. Azam (ed.). *Discourse in Trust; US-South Asia Relations*, New Delhi 1999, pp. 275-286.

²⁰ Prakash A. Raj, 'Terrorist Activities in Kathmandu?', *The Kathmandu Post*, January 6, 1997.

impact on life and property, socio-economic development, political stability, regional and international peace and cooperation. The Convention can certainly become an effective mechanism to combat terrorism, provided there is strong political will to implement it. The Convention, even after 18 years of its adoption, has not been effectively enforced owing to lack of enabling legislation in most member states of the region, despite the fact that most of them have been hit hard by insurgency and terrorist violence. The SAARC leaders, while reaffirming their commitment to a collective fight against terrorism and the full implementation of the 1987 Convention at the Eleventh and Twelfth Summits, have reiterated their firm resolve to speed up the enactment of enabling legislation within a definite time-frame. A positive decision was a recognition of the need to update the SAARC Convention on Suppression of Terrorism on account of the obligations devolving on member states in terms of UN Security Council Resolution 1373 and the International Convention for the Suppression of Financing of Terrorism.

A significant achievement of the Twelfth SAARC Summit was the signing of the Additional Protocol to the SAARC Regional Conventional on Combating Terrorism to deal effectively with financing of terrorism. The South Asian leaders have described it as a 'further manifestation of our determination to eliminate all forms and manifestations of terrorism from South Asia.'²¹ In this context, it may not be out of place to recall King Gyanendra's appeal, in his recent address to the Doha Conference as mentioned above, to the international community to 'resolutely come forward with an effective framework in curbing the financing of terrorism.'

Since SAARC is an expression of common will or desire to achieve, promote or maximize regional wellbeing and prosperity through cooperation, sincere efforts should be made to overcome all political differences through dialogue, interaction and periodic meetings and consultations. The SAARC member states should initiate and encourage such consultations to combat terrorism through joint strategy, action plan and cooperative programmes. The South Asian leaders who have supported the UN initiative reflected in Security Council Resolution 1373 have reaffirmed that the fight against terrorism in all its forms and manifestations has to be comprehensive and sustained. This is a South Asian response to a problem of global concern and dimension.

²¹ *Report on Nepal's Foreign Affairs (2002-2003)*, IFA, Kathmandu, March 2004, p. 172.