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## HIGHLIGHTS

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## I Overview

**Pakistan:** By a 3-2 split verdict the Pakistan Supreme Court has set up a Joint Investigation Team on the Panamagate case regarding Prime Minister Nawaz Sharif's foreign assets. The JIT is required to submit its report in two months. By not squarely indicting the Prime Minister this is a reprieve for his government but only seemingly so. The pressure to resign on moral grounds plus the brief window of two months means that the Panamagate saga will continue to dominate Pakistan politics over the summer.

On the India Pakistan bilateral front the death penalty following a court martial awarded to Kulbhushan Jadhav on the grounds of being an Indian spy has led to a further deterioration in relations and atmospherics.

**Afghanistan:** The deteriorating security situation has continued to overshadow all other issues. The use of a so called 'Mother of All Bombs' in Nangarhar province in eastern Afghanistan on 13th April apparently targeting concentrations of the 'Islamic State' illustrated the futility of conventional military options in Afghanistan rather than any specific intent of the United States. A terrorist attack on a major Afghan Army base in Balkh Province in Northern Afghanistan on 21st April led to at least 135 soldiers being killed within the garrison.

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## II Developments in Pakistan

**Kulbhushan Jadhav Case:** The Pakistan Army announced on 10th April that a Field General Court Martial had sentenced Kulbhushan Jadhav to death for espionage and subversive activities against Pakistan. Jadhav was first reported to have been taken into custody in Baluchistan in March 2016 and accused of being a RAW agent. From time to time news about him was released in Pakistan including a 'confession' that he was a serving Indian navy officer acting under instructions of the Research and Intelligence Wing (RAW) of India to gather intelligence and conduct subversive activities in Pakistan. The Government of India had acknowledged that Jadhav was a former naval officer but that it had otherwise

no connection with him. Requests for consular access were not acceded to. The Government of Pakistan had played up Jadhav's custody to the hilt as an illustration of Indian terrorist activities in Baluchistan. The profile it attached to this case is illustrated by the fact that media in Pakistan was briefed that a dossier on Jadhav was also shared with the United Nations.

The announcement of the death penalty inevitably therefore led first to a media storm in both countries followed by statements and counter statements of the respective Governments. External Affairs Minister Sushma Swaraj speaking in the Lok Sabha said that given the circumstances of the case 'India will have no choice but to regard the sentence, if carried out, as an act of premeditated murder' and "I would caution the Pakistan government to consider the consequences for our bilateral relationship if they proceed on this matter." Pakistan statements had responded that due process of the law was being carried out and Jadhav would have the option of appealing the sentence before a military tribunal and therefore seek clemency from the President of Pakistan.

Jadhav was tried under the Pakistan Army Act through Court Martial. Following the terrorist attack on the Army Public School in Peshawar in December 2014, Military Courts to try terrorists were set up through Parliamentary amendments to the Army Act. These were to lapse in February 2017 under a sunset clause but were revived following further terrorist attacks in Pakistan in February March 2017. These military courts have awarded over 150 death sentences to date since their inception. What is unusual in the Jadhav case is that a court martial was employed against a foreign national.

Many aspects of this case remain unclear including the circumstances under which Jadhav was arrested in Pakistan. What is clear is that he has been of utility to the Pakistan Army in strengthening the domestic narrative that India has been the principal cause for terrorist acts in Pakistan. What is also not clear is what could have triggered the sudden announcement regarding the award of death penalty. Was it the announcement of a decision in the regular bureaucratic course once he was being tried for espionage? Or did it have to do with the equally mysterious disappearance of a retired Pakistan Army Lt Col from Nepal. From early April, before the death penalty on Jadhav was publically announced, reports had been circulating in the Pakistan media and duly acknowledged by the Foreign Office, that a retired Pakistan army officer had disappeared in Nepal, possibly kidnapped by Indian intelligence agencies. Whether the two cases are somehow connected will possibly become clear only in the future.

**Jammu and Kashmir:** A steady stream of statements of condemnation on the situation in Jammu and Kashmir emerged through the month from the Pakistan Foreign Office and other Government spokespersons. A statement by the US Ambassador to the UN of a US role in de-escalating Pakistan India tensions was welcomed by the Pakistan Foreign Office.

**Panamagate Verdict:** The long awaited verdict of the Pakistan Supreme Court was issued on 20th April on the so called Panamagate case. The case pertains to investments allegedly made by Prime Minister Nawaz Sharif and members of his family in Mossack Fonseca, an offshore investment company. The Court ordered that the Prime Minister and his children face further investigation by a specially constituted six-man Joint Investigation Team (JIT). The majority 3-2 judgement stipulated that the JIT will include members from both the Inter-Services Intelligence (ISI) and the Military Intelligence and will investigate whether the Prime Minister and his family members had clandestinely amassed wealth beyond their known sources of income.

As a result of the majority verdict, Nawaz Sharif continues as the Prime Minister but will face the ignominy of having to face an investigation. The JIT is mandated to submit its findings within 60 days.

While the ruling party immediately claimed the verdict as a victory, that the Prime Minister is further weakened politically is not in any doubt. Calls for his resignation from Imran Khan and others in the opposition have inevitably begun and this issue will be further milked in the days ahead adding to the general impression of power and authority being strengthened at the military end of the civil military equation. The inclusion of military (ISI and MI) representatives in the JIT is, even by Pakistan standards, curious. The relations of the previous Army Chief Raheel Sharif with the Prime Minister had deteriorated but there is as yet no such talk with regard to the present incumbent. The most benign explanation for inclusion of military officers in a financial investigation could be to give the JIT,

in Pakistan's context, greater credibility. Nevertheless questions remain on this unusual step and in Pakistan's conspiracy driven circles the role of the Pakistan Army in the ongoing political feuding assumes a central role.

**Pakistan's Growing Trade Deficit:** Trade figures released for the period July 2016-March 2017 show a growing trade deficit with rising imports and falling exports. The trade deficit for March 2017 stood at \$3.208 billion, a rise of 77.34 pc compared to March 2016. If the trend continues, the deficit will reach \$30 billion by the end of June this year, the highest-ever in the country's history. The overall import bill rose by 18.67 pc year-on-year to \$38.504 billion during nine months (July-March) of the current financial year. In March alone, it increased by 41.22 pc to \$5.009 billion.

Under a three-year Strategic Trade Policy 2016-18 announced last year, the government set an annual export target of \$35 billion by 2018. Hitherto exports have failed to cross \$ 25 billion and this year may be much lower. The policy announced in April last year has yet to gain traction as export incentives have failed to attract exporters because of cumbersome procedures.

**Other Developments:** Former Chief of Army Staff General Raheel Sharif left for Saudi Arabia to head what is being described as being a future 42 nation Islamic military force being established at the initiative of Saudi Arabia. The issue of General Sharif heading the proposed force had received considerable play in Pakistan on account of apprehensions that this will suck Pakistan further into the sectarian conflicts in the Gulf and related in particular to Saudi Iranian rivalries. Since the nature of the 'Force' remains unclear and vague these doubts have increased. In 2015 there was a prolonged debate on the issue of Pakistani troops being deployed in Saudi Arabia in the context of the ongoing conflict in Yemen. At that time the Parliament had unanimously adopted a resolution on Yemen calling for "neutrality in the conflict". The Iranians are stated as being unhappy that a former Pakistan COAS has been permitted to go to Saudi Arabia for this purpose.

Pakistan announced that it would not attend an Inter-Parliamentary Union (IPU) meeting in Bangladesh from 1st April on the grounds that the environment was not conducive for the Pakistani parliamentarians to visit Bangladesh at this time. This is yet another instance of the poor bilateral atmospherics between the two countries.

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### III Developments in Afghanistan

**Mother of All Bombs:** The United States announced on 13th April that it had used the GBU-43/B Massive Ordnance Air Blast (MOAB) (termed the "mother of all bombs,") against an ISIS concentration in Afghanistan. The weapon is described as having targeted tunnels and caves used by ISIS in Achin district, Nangarhar province, on the border with Pakistan. Headlines about the use of this massive bomb apart, what this represents in the context of US policy towards Afghanistan remains vague and has not been clarified. If anything, it underlines a strategic confusion about the direction of future events in Afghanistan with the United States seemingly engrossed with developments in the Korean peninsula and Syria and with relations with Russia.

**Balkh Attack:** In one of the deadliest Taliban attacks on the Afghan army, as many as 135 soldiers are believed to have been killed in Balkh province near Mazar-e Sharif on Friday 22nd April. The attack was on an Afghan army base and the suicide attack targeted soldiers leaving the garrison mosque after Friday prayers. Insider complicity is therefore obviously suspected. The larger issue is of course whether this portends a more intense spring campaign by the Taliban given that the attack took place far in the north away from the traditional areas of Taliban strikes in Eastern and Southern Afghanistan or in the vicinity of Kabul. The base at Mazar-e-Sharif is home to the Afghan National Army's 209th Corps, responsible for providing security to most of northern Afghanistan, including Kunduz province - which has seen heavy recent fighting. The Afghan government declared Sunday (23rd April) as a day of national mourning. The mounting casualty rate in the Afghan army is a serious development- according to some reports as compared to about 5000 soldiers killed in 2015, the toll in 2016 was about 35%

higher at about 6700. 2017 figures may add even more to the growing concerns about the Afghan National Army. This latest attack follows similar strikes against army facilities in March adding to the general mood of pessimism in the country. The Afghan chief of army staff and the defense minister have resigned after the Balkh attack.

**Moscow meeting:** The Russian Foreign Ministry organized a meeting on Afghanistan on 14th April attended by Afghanistan, China, India, Iran, Pakistan and the Central Asians- Kazakhstan, Uzbekistan, Tajikistan, Turkmenistan and Kyrgyzstan in support of the Afghan government's peace efforts. The meeting urged the Taliban to stop fighting and engage in a direct dialogue with the government. The notable absentee was the United States which although invited declined to attend reflecting the state of US Russia relations and differences on Syria apart from Afghanistan itself. This is the third meeting in Moscow in the past five months. In December 2016, Moscow hosted a trilateral conference with China, Pakistan and Russia. In February 2017, there was a second meeting in which Afghanistan, India and Iran also joined. This new Russian activism on Afghanistan has been noted and much commented upon as a strengthening of Pakistani attempts to broker a deal for the Taliban to share power in Kabul. On the ground however events such as the attack in Balkh on the day of the meeting in Moscow suggest disconnect between such efforts and Taliban activity in Afghanistan.

**Cricket:** In contrast to the security and terrorism dominated news emanating continuously from Afghanistan was the performance of two Afghan players in the ongoing India Premier League cricket series in India. Rashid Khan and Mohammad Nabi playing for Sun Risers Hyderabad have bought much cheer in an otherwise depressing situation to many cricket lovers in Afghanistan.

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*(The views expressed are personal)*

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