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"Kashmir - A Way Forward"

By Farooq Kathwari, [Kashmir Study Group](#)

The conflict in Kashmir has been a major factor in the differences between the two great nations of India and Pakistan. The conflict has potential implications for peace and security for over two billion people of South Asia, Central Asia, and China. And if not resolved, continues to pose serious implications for world peace.

The Kashmir conflict has resulted in tremendous costs for the region - mounting death toll, impact on economic growth, military buildup, psychological stress (especially in Kashmir itself) and points to the wisdom and necessity of resolving the conflict.

The recently announced de-escalation by India and Pakistan is a positive development. But ending the immediate conflict is not enough - it can all too easily recur. India and Pakistan need to settle the Kashmir dispute for their well being and that of the entire region. In doing so they must both work with the people of Kashmir to secure a peaceful future.

All parties to the dispute have reiterated their positions and repudiated those of their adversaries so often that they find it exceedingly hard to compromise in any way. During the past five decades marathon discussions, debates and conferences have been undertaken to see if the parties can resolve this issue. Wars were fought. I do not want to debate the history of the dispute and the rights and wrongs. I note simply that the logic as articulated today pits India and Pakistan against each other and produces a stalemate. My objective has been and is to discuss options for a solution. All three parties need an exit strategy. An exit strategy to work has to be perceived as honorable by all sides and has to be implementable. Such a solution can be and must be sold by the leadership of the region to their people - which I believe they can.

It was because of the need to find a peaceful, honorable and feasible solution that I helped form the Kashmir Study Group in 1996 with the objective of interacting with the three parties and in consultation with them provide ideas and, in fact, a vision for a solution. While it is very important to work toward and implement confidence-building measures in India, Pakistan and in Kashmir itself, it is critically important that there be a light at the end of the tunnel for all parties concerned, especially the beleaguered people of Kashmir. The main sufferers in this conflict have been the people of Kashmir. Thousands have lost their lives, and the economy, health services, educational institutions have been gravely impacted. There is a sense of hopelessness and despair which will inevitably result in violent acts. I have often reminded my friends in India and Pakistan that during the last twelve years in the Kashmiri-speaking areas over 1 percent of the population has lost their lives and another 1 percent widowed and/or orphaned. In India and Pakistan this percentage would be equivalent to the loss of over eleven million people - mostly young - and the death and destruction continues. There is a great urgency to find a solution.

Kashmir Study Group (KSG) consists of 25 members with diplomatic, academic, and political backgrounds. The members of KSG have conducted many meetings with the parties, conducted studies in the region and published reports of its findings. In 1998 some members of KSG, in consultation with several Indians and Pakistanis, developed the Livingston proposal referred to as "KASHMIR - A Way Forward." This proposal was given to government officials in India and Pakistan and to diverse leadership in Kashmir as well as to many opinion makers in India, Pakistan and Kashmir. The reaction from many persons in South Asia, while guarded, was generally positive and many suggestions to improve and issues to consider were discussed. I have had the opportunity

to meet the leaders of India, Pakistan and the Kashmir region and received their feedback.

The proposal “KASHMIR - A Way Forward” was developed with understanding of the history, geography, and demographics of the Kashmir region. The State of Jammu and Kashmir as it existed in 1947 consisted of several regions put together by annexations, mostly after 1586 when the Kashmiri speaking entity lost its independence to the Mughal rulers. The Mughals added Ladakh and Baltistan, and the Dogra Rule with the help of the British added territories known as the Northern Areas and Jammu - where the Dogras came from. Prior to the Mughal annexation, Kashmir for most of its 3,000 years of recorded history remained an independent entity with distinct cultural and geographic characteristics.

Today the population of the Kashmir region is about 13 million. About 9 million under Indian control and 4 million under Pakistani control. The Kashmir speaking region, all under Indian control, has a population of about 5 million people.

The KSG proposal envisages a reconstituted Kashmir entity possibly straddling the Line of control with its own government, constitution and with special relationships with India and Pakistan. We have also discussed the idea of creating two Kashmiri entities on each side of the Line of Control - each with its own government, constitution and special relationship with India and/or Pakistan and opportunities of interrelations between the two entities. We anticipate that on the Indian side of the Line of Control the areas that choose to join a Kashmiri entity would be imbued with “Kashmiriyat” (the cultural traditions of Kashmir).

The proposal has the following main recommendations:

- ^ Portion of former State of Jammu and Kashmir reconstituted as a sovereign entity without international personality
- ^ Boundaries of this entity determined through internationally-supervised ascertainment of peoples' wishes
- ^ Free access to both India and Pakistan
- ^ Present Line of Control to remain in place until India and Pakistan decide to alter it in their mutual interest
- ^ New Entity to be demilitarized
- ^ Limited Sovereignty guaranteed by India, Pakistan, and international bodies
- ^ New Entity to be secular and democratic, to legislate all matters except defense and foreign affairs.

All parties to this conflict have to get down from their rigid, stated positions. During the last two to three years there has been progress in this area. The leadership of Pakistan has publicly stated that they will accept a solution acceptable to the people of Kashmir, and the Indian leadership is also moving from their rigid positions. The recent elections in Kashmir have also created an opportunity for dialogue. The Manifesto of Peoples Democratic Party which is expected to lead the government in Kashmir was to open dialogue with all concerned, the release of political prisoners, the disbanding of the much-criticized Special Operations group, and overall to have better human rights for the people.

The KSG proposal has given the leadership the opportunity to think of constructive ways to end the stalemate and the high costs of this conflict. There are people in India who believe that if Pakistan were to end its support of the insurgency, conditions would become normal and the Kashmiris would reconcile to their living with India in the manner they did prior to 1990. There are people in Pakistan who believe that without support of the insurgency, India will never negotiate a settlement. The people of Kashmir want peace, to elect their representatives freely who will govern them, to be free of pressures from outside, and to live without the militants or the security forces. They want a

settlement that will be perceived as honorable as too much has been lost in the last twelve years. Similarly, for the peoples of India and Pakistan Kashmir is an emotional issue, and it is important that a solution be such that is perceived as honorable.

For KSG it is important to continue to develop ideas with input from the region. At this stage, we are in the process of developing a more comprehensive outline of issues to be considered between the parties to implement the proposals developed by KSG. We foresee discussing ideas for a series of related agreements that will be necessary for the reconstitution of the former State of Jammu and Kashmir into either one entity or two entities that are sovereign but without an international personality, as described in the Proposal. It is possible that the KSG proposal will lead to other ideas or improvements to these ideas. We would be happy with such an outcome.

I am glad I had the opportunity to share the ideas with this distinguished group.

Thanks to Pugwash for the invitation. We have a unique window of opportunity at this time to move forward. I believe the KSG proposal represents a practical framework that could satisfy the interests of the peoples of Kashmir, India, and Pakistan. It would end civil strife and the tragic destruction of life and property in Kashmir. By resolving the principal issue that could lead to another armed conflict between India and Pakistan, it would go far toward relaxing political tensions in South Asia. It would offer enormous economic benefits not only to Kashmir but also to India, Pakistan, and all of the South Asia region. It is high time the South Asian leadership shows courage and wisdom and moves forward to develop and implement a peaceful, honorable, and feasible solution.