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Jammu and Kashmir and the India-Pakistan Dialogue: The Prospects Ahead 11-14 December 2004, Kathmandu, Nepal

Statement

Presentation by Sardar Attiq Ahmed Khan at Pugwash Conference on
Jammu and Kashmir and India & Pakistan Dialogue”

11 to 14 December, 2004.

Let me please congratulate PUGWASH for holding this seminar wherein primarily the Kashmiris from both sides and representatives from India and Pakistan are invited together. Some other sympathizer, if any, would add further grace to the occasion. Similarly we are equally grateful to all those individuals and institutions who have been contributing in the peace process. It's a tragedy that wherever a moot like this is held it raises high hopes in the hearts and minds of Kashmiri people but these hopes have not come true so far. However the atmosphere today, both at global and domestic levels warrants serious and pragmatic thinking which requires avoiding evasive and time gaining attitude.

As head of the one of the two oldest political parties in the State and the ruling party in Azad Jammu & Kashmir, I owe it to the people of Kashmir, India and Pakistan to emphasize the need to shun any negative approach usually called hard-line and devote ourselves to a positive attitude. As a priority one, we must not ignore the miseries of the people nor the danger which is brewing up in delaying a peaceful resolution of the Kashmir problem.

Therefore let us all, in all sincerity, commit ourselves to finding a peaceful resolution of the problem without any further delay. This invariably will mean toleration, accommodation and a compromise with the ground realities, however unpalatable they might be. At the same time we should not revert to the old high-sounding rhetoric which is mostly responsible for denying the millions on the sub-continent of their present and future. Quest for finding permanent, lasting and durable solution to Kashmir problem has, like bilateralism, miserably failed in the long past. On the other hand it has instead caused untold miseries to human beings besides bringing the two nuclear neighbour countries to the brink of a destructive war. Let me say that, however destructive and unimaginable that event might be but the sufferings of the people, particularly of the Kashmiris put together are no less. We have supported without reservation any gesture made by any side that carried a message of hope for peace. As far back as 1971, the then President of Azad Jammu & Kashmir Sardar Abdul Qayyum Khan officially proposed opening of Srinagar – Muzaffarabad link and resumption of trade between two parts of the State. Then again in 1979, he

floated the idea of Intra-Kashmiri dialogue as a way forward to end the deadlock. We still believe that pending a final solution and as a prelude some interim measures are the absolute necessity. The Cease-fire on the Cease-fire Line should be extended to the entire territory. Other similar measures to reduce the level of tension and creating a conducive and cordial atmosphere can surely pave the way towards a successful effort at a peaceful solution.

Let us not be oblivious to the fact that the leaders of the two neighbouring countries must decide whether or not to co-exist in all walks of life, be it economic, political, or religious. Why do we fail to realize the high cost of our belligerent attitude instead? It might suit some political elements to cash on this antagonism, but the time must come soon when the folly of this negative thought is realized and discarded. I may also point out that a lot of credit goes to former Prime Minister of India Mr. Atal Bihari Vajpayee for initiating a peace process between India and Pakistan. Where this effort remained futile was the impression that Kashmiris were being left out at least for the time being. I am of the considered opinion that had the process been started in the reverse order, that is, from Kashmir, the positive results would have been far more than our imaginations. It would have surprised the world. The same failed effort seems to be repeated even now. The idea of CBM is no doubt, very attractive and pragmatic but it has the same pitfall which should be avoided at all cost. In that case the spirit and essence of composite dialogue will also be defeated. So far the process of people-to-people contact and other CBM's has been well-received, no doubt, in both the countries particularly in Pakistan but the skepticism still remains haunting. How tragic it is that the two governments have still not been able to decide on a minor step like running a Srinagar – Muzaffarabad bus service. If this is the way how things are to move then we should have no doubt about the complete collapse of this exercise and reversion to the former positions which will be a disaster and suicide.

At this juncture where both sides are badly stuck-up with reference to Passport for 'Bus service', the easiest course would be to introduce a SAARC document for Kashmiris. This would meet the prestige point also and will raise no objections. But this inordinate delay not only suggests failure but it brings the very malafide of intentions itself.

What in our opinion could help bringing confidence amongst the people of Kashmir could be spelt out like this.

- (a) Permitting rather arranging Intra-Kashmiri dialogue comprising all sections of opinion in the State of Jammu & Kashmir,
- (b) Measures at reducing the level of tension which may include withdrawal of troop from population centers, repeal of any special laws like TADA and release of all prisoners indiscriminately. We would be failing not to appreciate the repeal of POTA and withdrawal of a small chunk of troops even though it might be symbolic.
- (c) Softening of borders by reverting to the positions before 1956 without imposing any conditions or restrictions whatsoever

(d) Resumption of trade between the two sides &

(e) Free movement of Kashmiris like other citizens of the world

The question of discussing the options, in my opinion, is a bit too premature. It will only confound the confusion and lead to nothing but negative responses. Discussion of options may be alright domestically but if it is meant to be result-oriented then it is placing the cart before the horse. A pragmatic process needs to be placed ahead of the options. That process should invariably be centered around the Kashmiris. Only that would facilitate the understanding which would lead to creating a conducive environment for discussing and adopting any options.

Let not the fact be ignored or under-estimated that President of Pakistan Pervez Musharraf has taken a number of courageous steps to remove irritants and to facilitate a forward move. It goes to his exclusive credit to deal effectively with the militant activity to the dislike of the entire nation. Only he could do it. Then discussing Kashmir without reference to United Nations resolutions has been another daring step. Besides the latest initiative on his part to describe the geographical composition of State is yet another step of his wisdom and courage. Further, accepting almost unilaterally the CBM exercise open-heartedly without reservation to the disappointment of so many people in the country cannot be under-estimated. By any stretch of imagination these measures call for a positive response from the other side which is lacking so far and is creating suspicion and to an extent disappointment. At this juncture I am sure that the interim measures, if resorted to, would be extremely helpful.

I am sure that these interim measures neither conflict with any particular position nor do they jeopardize parties' specific interest. Some sacrifices for a greater cause, which means peace in the region, on all sides, is however essential and needs to be considered pragmatically without resorting to any artificial point of prestige. Let me say at the end that let this opportunity not go waste like many others in the past; let this exercise not be the first and the last; let this be followed-up in order to make it fruitful. No single exercise could be expected to fulfill all requirements in one go. It needs to be oft-repeated. If all agree a committee might be constituted to work towards that end. If any lapses have occurred during this exercise, which is natural to a situation like this, efforts should be made to make up those deficiencies in any next moot.

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