

The decision to start the Srinagar-Muzaffarabad bus service with effect from 7 April has made its mark as the most tangible outcome of the Indo-Pak dialogue process that started in Islamabad in January 2004. The opening of the route that was blocked 57 years ago when the Indians landed their forces at Srinagar and forcibly occupied the State in October 1947, comes as great solace to the local populace across the LoC where a large number of divided Kashmiri families eagerly anticipate the prospects of meeting their long separated dear ones. The opening up of the 184 KM route will cut the duration of weeks, required to take circuitous routes through India and Pakistan, to only a day's journey through the scenic Jhelum Valley.

The recent visit of Indian Foreign Minister to Pakistan in mid February - first such visit to take place in 15 years - resulted in announcement of many CBMs that include opening up of additional communication routes between the two countries: a bus service will be initiated between Lahore and Amritsar, and also to Nankana Sahib, besides opening up of the Khokhrapar-Munabao rail link by October 2005. There has been an agreement on discussion over a gas pipeline that will provide energy-starved India with the Iranian gas besides CBMs to reduce nuclear related risks in the Subcontinent. Yet the CBM that has stolen the show and fired the imaginations within the Subcontinent and elsewhere is the initiation of the bus service linking the separated parts of the J&K. Indians have projected the CBM as a major development in making a movement towards resolution of the Kashmir issue in the context of the composite dialogue that was initiated fifteen months ago. "India views the agreement on Srinagar-Muzaffarabad bus service as the "Mother

Mother of all CBMs

BY MOMIN IFTIKHAR

of all CBMs", the Indian Ministry of External Affairs spokesman Navtej Sarna, was quoted as saying. The perception has been hailed abroad as well. The statement of the US spokesman embodies such expectations: "It is a significant and historic breakthrough. It offers an opportunity for more extensive people-to-people contact, improving daily life and promoting broad cooperation. The agreement, once implemented, would bring immediate benefit to ordinary Kashmiris."

These small steps have to be backed with political will and sincerity and can't become an end in themselves. For instance the accord on the bus service doesn't address the nature of the LoC (Ceasefire Line) that lies at the heart of the Kashmir issue or any other contentious dimension of the festering problem. CBMs can play substantive role in removing entrenched mistrust between the two governments but in order to serve their true purpose need to be interwoven into an overall strategy in finding a solution to the Kashmir issue. Confidence building process unless matched by sound action on ground, is a cosmetic makeover and the experience of last one year shows that behind the cover of CBMs, nothing has changed in Kashmir.

Ever since the current cycle of engagement over Kashmir commenced fifteen months ago, Indian Armed forces have taken advantage of the ensuing ceasefire across the LoC to erect a 600 KM long formidable fence along the entire length. The venture had earlier failed to materialise because being a gross violation of the earlier UN sponsored ceasefire in

1949 and later Simla Agreement, Pakistani firing had foiled all Indian efforts to change the nature of the line separating the two forces. This obstacle now facilitate Indian stance to seek a division of Kashmir along the LoC by proffering a divisive solution based on status quo in violation of the Pakistani stance based on UN resolutions.

Similarly the much heralded Indian announcement concerning reduction in occupational forces in Kashmir had raised hopes that the step would translate into some relaxation in living conditions in Kashmir saturated by presence of over 7 lac Indian troops conducting anti insurgency operations. Even the expectations raised by reducing the force levels by 50,000 troops - an insignificant number considering the level of Indian military presence in Kashmir - failed to materialise. The ground reality is that no evacuation of forces has taken place, barring adjustment of some units within the Kashmir theatre of operations. The human rights violations by the Indian security forces shows no sign of abating either nor is there any attempt to clip the draconian powers enjoyed by the security apparatus under the infamous Indian Forces Special Powers Act (AFSPA). This infamous act grants sweeping powers to the Indian army and paramilitary forces to the extent of killing any person in the notified disturbed areas. Clause 6 of the act bars all legal proceedings against security forces' personnel without central government sanction. Immunity of armed forces personnel from any accountability mechanism has led to a steady rise in incidents of custodial kill-

ings, fake encounters, use of Kashmiris as human shields and incidents of rape over the last one year.

At the political front the Indians have redoubled their efforts to divide the Hurriyat Conference to weaken the grass roots political resistance to Indian occupation. Indian spin-doctors are spreading a malicious perception that Pakistan had scaled down the moral and diplomatic support to Kashmiris in return for good relations with India. In this context the 18 February arrest of Sheikh Abdul Aziz, an APHC leader, on fake charges of possessing one lac rupees in fake Indian currency along with UAE Dirham worth rupees 16 lac is meaningful. Despite a total rejection of Indian accusations by the Foreign Office, Indian media has continued to propagate that the money had been provided by the Pakistani High Commission. Such capers by Indian agencies are meant to put the APHC leadership under pressure in wake of Natwar Singh's successful tour of Pakistan. Sheikh Abdul Aziz had recently joined Syed Ali Gilani in the APHC and his arrest has served as a warning to those who are rallying around hard-line APHC leader demanding separation from India.

The CBMs in the context of current Indo-Pak engagements are meant to facilitate the resolution of the long festering Kashmir Issue. These small yet positive developments constitute means to an end and not the end itself. While cosmetics are important in the world of real politik it is the action on ground that serves to build an atmosphere and the enduring trust that is essential to break the logjam confronting India and Pakistan. President Musharraf summed up well "It is a victory of Kashmiris. The agreement is a stepping stone...but not a substitute to the solution of the core issue of Kashmir."

Time to come clean on Kashmir

BY INAYATULLAH

At a recent meeting of the Kashmir Action Committee held in Lahore, after a dozen or so eloquent speeches, a resolution was passed. The resolution emphasized that there can be no lasting peace and good neighbourly relations between India and Pakistan unless the Kashmir dispute was decided. It also listed a number of demands usually voiced at such meetings in Pakistan such as: India should immediately stop human rights violations in Kashmir; army and security forces should be withdrawn, political prisoners should be released and Kashmiris should be involved in the talks to settle the dispute.

Do such meetings have any value? Does even the government of Pakistan take any notice of such articulations? Will these even remotely influence the Indian government or the public opinion there? Or are such exercises so much hot air, leading nowhere.

A time has come for an honest analysis of where Pakistan stands on Kashmir, how India looks at the issue and for us to review the situation and develop a new strategy.

Unlike Pakistan, India's stance is unambiguous. It has a clear-cut policy and it firmly sticks to it. Atal Behari Vajpayee, L.K. Advani, Jaswant Singh, Yashwant Sinha, Manmohan Singh and Natwar Singh all have repeatedly told Pakistan to stop interfering in the India-held Kashmir (stop "cross-border" terrorism) and accept that Kashmir is an integral part of India, that there shall be no change in the boundaries and according to the 1994 parliamentary resolution the whole of the state including Azad Kashmir and the Northern Areas is Indian territory as reflected in the Indian Constitution. Further that UN resolutions on Kashmir are no longer valid and applicable having been superseded by the provisions of the Simla agreement which requires only a bilateral approach to the settling of differences or issues between the two countries. That no third party is to be involved.

As for Pakistan, despite frequent statements of General Musharraf, the Prime Minister and the foreign minister, our position has become quite ambiguous. In our zeal to show flexibility, we keep unilaterally making concessions and weakening our position. We are prepared to set aside the UN resolutions (little realising that we scrap our locus stand on Kashmir if we move away from the resolutions). Under pressure, we have committed ourselves to do every thing possible to stop the alleged "cross-border" terrorism.

Thus implicitly admitting that we have been guilty of it. Interestingly enough, we remain the accused in the Indian (and world's) eyes. And New Delhi's most convenient weapon to paint us as sponsors of terrorism continues to be used to keep us on the back foot. We no longer talk of freedom fighters in Kashmir as India has successfully won over USA and most of the leading powers of today to its point of view that the

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militants indeed are terrorists. We keep saying that a ruthless state terrorism has been raging in the occupied state resulting in the killing of tens of thousands of Kashmiris, the disappearance of countless young men, frequent gang rapes of Kashmiri women and the deliberate destruction of private property in the towns and villages.

We, however, have failed to arouse concern and even interest in the international community to do something about it. Every year in March at the Human Rights Commission meetings at Geneva we raise hue and cry at the violation of such rights but nobody pays any heed to our anguished appeals. We rashly indulged in the Kargil misadventure and squarely lined up the world opinion against us, dubbed as we were "intruders".

While Kashmir did get highlighted, in the world's eyes, it more or less came to be regarded as Indian territory. When in June, 1998 after a lapse of 30 years or so Kashmir came up in the UN Security Council resolution 1172, we miserably failed to capitalize on this opening even through an excellent opportunity came our way when as a follow-up of this resolution, New Delhi defied the authority of the Security Council when it refused the Secretary General's envoy to enter India.

We have failed to activate the UN Military Observers Group which could verify the Indian claim of across-LoC-infiltration on our part and have been negligent of our duty to impress upon the UNSC that India was not cooperating with the United Nations on this count. We have done little to ensure that the International Red Cross does its chartered duty to provide its services in the occupied state and have complacently accepted India's intransigence in refusing the international agency to enter the "disputed" territory.

We looked the other way and let the electronic fence be completed along the LoC. We have failed to

make a good use of OIC Kashmir contact group. How we slept while India went ahead constructing the Baglihar dam on the Chenab River. And instead of strengthening the Hurriyyat, we let it be divided and weakened.

With such record of tinkering with the Kashmir issue, even after the indigenous uprising in 1989, do we expect that the Indians will listen to our entreaties about a settlement of the issue? We admit that there is no military solution of the dispute. We more or less have conceded that in spite of being a party to the dispute as recognised by the United Nations, we disregard obligations to the Kashmiris even when they are brutally suppressed. And that we will confine ourselves to moral and diplomatic support of some sort.

The time has come to be honest and candid enough to come to a clear enunciation of our stand in the light of the realities of the day.

Should we as an option, for instance, follow the policy proposed by MNA Mr Bhandara that the Kashmiris be advised to switch over to a non-violent political route for the attainment of their right of the self determination?

On the one hand we enthusiastically embrace and honour the Indian peace marchers (the latest is the Meera Mehesh march to Multan) who keep reminding us of our common culture and *dil to aik hai*, entering headlong into CBMs, and on the other hand, keep parroting the mantra that Kashmir remains the core issue.

It is time we stop deluding ourselves and indulging in meaningless rhetoric to impress the people of Pakistan about our resolve to liberate Kashmir. The stark reality is that we are dealing with an ascendant India hailed as a strategic partner by the sole superpower, a resurgent India where soon enough the prime ministers of China and Japan will be forging closer ties with New Delhi.

A none-too-friendly India which hesitates not to stop the supply of arms to us while it is shopping for high-tech state-of-the-art armaments right and left form all over the world. A country whose defence minister is so worked up with the envisaged sale of F-16s to Pakistan that he not only feels like his prime minister, "greatly disappointed" but has the cheek to say that such an acquisition by Islamabad would upset the ongoing dialogue between the two countries. A country which has objected to the setting up of a British consulate in Mirpur on the ground that it is Indian territory. A country that refuses to make the simple gesture of accepting Pakistan's request for the Quaid-i-Azam's Bombay House for use as Pakistani consulate.

Can an increasingly vulnerable Pakistani government of today come clean about its policy on Kashmir if indeed it has one at all, at present!

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