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News

Where is the limit?

'We are for United Nations Security Council Resolutions on Kashmir. However, now we have left that aside. If we want to resolve this issue, both sides need to talk to each other with flexibility, coming beyond stated positions, meeting halfway somewhere.' (President Pervez Musharraf's interview given to Reuters on December 17.)

What President Musharraf said about adopting a flexible stance on the UN Security Council resolutions on Kashmir makes a lot of sense because he has gone quite far in offering a stable and peaceful relations with India based on a fair and just resolution of the Kashmir dispute, acceptable to the people of that region, along with India and Pakistan. While the United States has welcomed President Musharraf's bold and imaginative position on the Kashmir issue and some circles have also expressed their positive opinion on that matter, it is yet to be seen about the limit which Pakistan and India have set in reorienting their position on Kashmir. President Musharraf, in his interview was right when he said that the 'present represented a very real opportunity to make peace and if the political dialogue doesn't come about, the moderates would lose and extremists would win.'

For Pakistan, the limit in formulating its options on Kashmir has been the UN Security Council resolutions calling for a plebiscite in that area, while rejecting other solutions. Whereas, for India, the limit has been maintaining a territorial status quo in Jammu and Kashmir and considering that area as its integral part.

What President Musharraf has suggested by adopting a 'bold, flexible and

Imaginative' stance on the Kashmir dispute must be reciprocated by India. This is what the former Indian Foreign Secretary, J. N. Dixit has said while reacting to Musharraf's offer. He asked the Indian government to give a matching response to Pakistan's flexible position on Kashmir, so that a conducive environment is created in resolving that intricate conflict. This would require giving concessions by New Delhi to alleviate the plight of the people of Jammu and Kashmir living under the occupation of the Indian army since the last so many years and reaching a settlement with Islamabad on the basis of justice and fairness.

It would also require India to stop laying fence along the LoC.

In a situation when the SAARC summit is scheduled to be held in Islamabad on

January 4, it is the right, if not ripe, moment for India and Pakistan to mend fences on issues which tend to cause tension, instability, insecurity and arms race in South Asia.

But, if Pakistan has reset the limit in dealing with the Kashmir issue, it must get an adequate response from India because what President Musharraf has offered to New Delhi is not something small. Even on the occasion of the Agra summit held in July 2001, he offered that Pakistan was willing to revise its position on the UN Security Council resolutions on Jammu and Kashmir, provided India also reacts in a flexible manner. Moreover, Musharraf's announcement of a unilateral ceasefire along the line of control (LoC) from Eid day (November 26) and lifting the ban on Indian Airlines to use Pak airspace were not



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small concessions. Now, he has talked about adopting a flexible position on the UN Security Council resolutions on Kashmir and has outlined a four-point proposal to resolve the Kashmir conflict on realistic and pragmatic lines.

There has also been a marked decrease in cross border infiltration in the last six months and Pakistan has tried to rein in so-called 'jihad' elements who were responsible for violence in the Indian controlled Jammu and Kashmir. But the question is what India has offered to Pakistan in response to the concessions given by Islamabad? If Mr. Vajpayee is coming to Pakistan to attend the SAARC summit and is now willing to meet President Musharraf on that occasion, can one call it a concession?

So far, one has to see flexibility and adequate response from the Indian side.

If New Delhi continues with its hard line position and tries to take advantage of the ceasefire along the LoC by laying fence along that line, such a policy will only strengthen the position of hard liners in Pakistan and vitiate the atmosphere of goodwill which has primarily been created because of Islamabad's unilateral measures for normalizing relations with India.

Three important aspects of President Musharraf's offer about the UN Security

Council resolutions prove the sensitivity and timing of such initiatives. First, the SAARC summit, which will be held in Islamabad from January 4-6 next year will give a unique opportunity to both India and Pakistan to diffuse tension and resume the process of negotiations for the peaceful resolution of their conflicts. While, the SAARC summit will not focus on bilateral issues, the presence of the heads of state and government of South Asia in Islamabad can greatly help bring India and Pakistan closer and create a conducive atmosphere.

The back-to-back official and unofficial interaction between India and Pakistan after Vajpayee's extension of hand of friendship to Pakistan on April 18 is a case in point. Delegations after delegations are visiting each other's countries and a number of steps have been taken by New Delhi and Islamabad to stabilize their relations, particularly in the areas of travel and trade. The recent is the resumption of train service between the two countries from January 15 next year. If President Musharraf's offer is taken seriously by India, the history of South Asia can change for the better because steps may be taken for a gradual and realistic resolution of the Kashmir conflict resulting into the substantial reduction of tension and confrontation in South Asia on the one hand, and also marked decrease in defence expenditures of India and Pakistan. Second, the international community has responded positively to recent breakthroughs in Indo-Pak relations and is ready to play a role which can help the two warring countries move in the direction of reconciliation. Although, both countries are not under a great pressure from the United States or any other power to hold talks on the normal-

ization process, external factors do influence the decision-making carried out by the policy-makers of the two countries. The situation emanating after September 11, 2001 particularly what has happened in Afghanistan and Iraq is surely a lesson for India and Pakistan. Both countries have now realized the fact they should settle their outstanding issues bilaterally, so that outside powers are not encouraged to exploit the situation for their own interests. As long as India and Pakistan failed to resume the process of dialogue, the outside world only exploited cleavages of the two countries for their own agendas. Now, the feeling of goodwill which prevails in

India and Pakistan for each other is a welcome sign for the extra-regional powers and they are not tempted to interference in regional issues.

Finally, the ruling BJP in India also feels that by adopting a moderate stance with Pakistan, it can gain political mileage at the domestic level. Although, the extremist lobby within the BJP has tried to use the 'Pakistan card' in its election campaign, the Indian Prime Minister Vajpayee has made it clear to his party leaders that peace with Pakistan will yield more election dividends than continuing hostility with Pakistan. The electoral triumph of BJP in three state elections has taken place at a time when New Delhi has embarked on the policy of rapprochement with Pakistan. But, it will not be appropriate to argue that a sharp departure from the established Indian position will be acceptable to the majority of Indian people. It has already been made clear by all the Indian political parties that there cannot be any compromise on the question of their country's territorial relationship with Jammu and Kashmir. For India, the limit is its sovereignty over Kashmir and its flexibility on that issue means accepting the LoC as the international border and accepting Azad Kashmir and Northern Areas within the domain of Pakistan. Options like the 'Chenab formula' and other territorial adjustments in the Indian controlled parts of Jammu and Kashmir cannot be acceptable to New Delhi if it is at the expense of Indian sovereignty.

Therefore, what President Musharraf has offered to India about flexibility on the UN Security Council resolutions may not get a matching response from New Delhi at this stage because for India relinquishing the sovereignty over Jammu and Kashmir would mean an end to the Indian Union. What India can offer maximum to Pakistan, is the full implementation of article 370 of the Indian constitution (which relates to Jammu and Kashmir) subject to the cessation of cross border infiltration from Pakistan. Soft borders between the Indian and Pakistan controlled parts of Jammu and Kashmir may be another concession given by New Delhi provided it doesn't lead to a new influx of infiltrators from Pakistan.

The limit for India and Pakistan on the respected stance on Kashmir must not be rigid because a policy based on irrationality can only result into more instability and insecurity for the parties involved. Given the complicated nature of the Kashmir conflict, it is better if this issue is taken up coolly and seriously with a basic purpose of alleviating the sufferings of the people of Jammu and Kashmir and de-linking the vested interests of the two countries from the genuine process of confidence-building.