

# Conditionalities in peace talks

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THERE can be no argument with the fact that there can be no meaningful peace between India and Pakistan without a satisfactory resolution of the Kashmir dispute.

It also goes without saying that there is as much stake in the successful conclusion of the composite dialogue, begun earlier this year, for the Kashmiri people as for the people of Pakistan and India. What happens to Kashmir will inevitably be reflected in relations between India and Pakistan. However, even though India appears to be somewhat reluctant to describe Kashmir as the core issue this in effect is what it is in relation to the dialogue.

Of course, nobody at the outset declared Kashmir to be the main issue or that there could be no understanding between India and Pakistan on any of the several aspects of their bilateral relationship without the assent of the Kashmiri people. It would be fair to say that the participation of the representatives of the Kashmiri people was not visualized as a prerequisite of the dialogue. Yet, this appears to be the situation on the ground after about 10 months talks between the interlocutors of the two countries.

India is clearly not prepared to accord Kashmir the priority that Pakistan believes it deserves. Addressing a gathering of the Pakistani community in London the other day, President Pervez Musharraf stated emphatically that "Kashmir is the key issue and we have to move forward."

Pakistan's insistence that without Kashmir there can be no worthwhile progress in the composite dialogue — even though it has not said so in so many words — virtually gives the Kashmiris a veto over the talks. Pakistan has also made it clear that progress since the talks on Kashmir has to be "in tandem" with any discussion of the confidence-building measures (CBMs). It could imply that a measure of understanding on any of the other contentious issues would not mean very much without an understanding

of militants opposed to his contact with the New Delhi government.

It is not easy to determine as to which Kashmiri party would have the credentials to be represented in the composite dialogue. Practically all of them have the reputation of being the proteges of the intelligence services of either India or of Pakistan. There is hardly any party which does not bear the odious reputation. India has traditionally recognized the National Conference headed by Omar Abdullah, a grandson of its founder Shaikh Abdullah, as most representative of the Kashmiri people. Pakistan does not trust the National Conference as Shaikh Abdullah was a close associate of Gandhiji and Pandit Nehru. Mr Jinnah never trusted him.

There is a baffling multiplicity of parties claiming to be the genuine freedom fighters in Kashmir. Even the number of parties which have grouped themselves in the All Parties Hurriyat Conference (APHC) and traditionally trusted by Pakistan is estimated anywhere between 12 and 20. One Kashmiri writer said that it comprised as many as 34 parties. Moreover, the parties in the APHC are in no sense homogeneous.

The Jammu and Kashmir Liberation Front (JKLF) was apparently founded in Pakistan but is now well represented inside the state. A large group of Kashmiri freedom fighters is the Hizbul Mujahideen, which maintains that the struggle for the liberation is in fact a jihad. It is openly supported by the Jamaat-i-Islami, not universally popular in Pakistan. Then, there is the Harkat-ul-Ansar, said to consist largely of Afghan who were active in Afghanistan and came into Kashmir after the Afghan war ended. There are a dozen others, many of them strongly supported by militant orthodox elements.

There are members of the old surviving Plebiscite Front and the Dukhtaran-i-Millat. To complicate matters there are often strong differences among the leaders of the same political party, leading to further factions and divisions. It would therefore

on Kashmir. While the liberation of Kashmir has been one of Pakistan's policy objectives, the larger issue of India-Pakistan relations has hardly ever so categorically been made conditional upon the resolution of Kashmir.

If progress in India-Pakistan relations is made conditional upon the will of the Kashmir people, the composite dialogue could come up against some formidable, even unsurmountable, hurdles. Apart from India's psyche — the belief that Kashmir is an integral part of Indian territory — the militancy which has now become an integral part of the struggle in Kashmir could manifest itself in other aspects of the two countries' bilateral relationship.

It is frequently said that the rise of militancy in the Kashmir people's struggle for self-determination has been a factor in the manifestation of militant Hindu communalism in India generally. It is also generally known that the increasing frequency of the anti-Muslim riots and the criminal indifference showed by the state machinery in meeting its responsibility to save the lives of the Muslims have strengthened the perception that the Kashmiris would not be safe if they continue to be treated as a part of Indian society.

However, a major problem with giving the Kashmiris a veto over the composite dialogue is the absence of a single coherent Kashmir freedom fighters group which can claim to speak on behalf of the state as a whole. There are scores of freedom fighters' parties in Kashmir who all claim to be equally representative of the will of the Kashmiri people.

Some of them are more militant than the others. Some are reputed to be overtly pro-Pakistan and are looked upon with suspicion by the Indian authorities. Others are regarded as enjoying the patronage of the Indian intelligence services. According to a political analyst, the most fundamental division between the Kashmir militant groups is ideological: those who favour independence and those who favour accession to Pakistan.

At times, relations between opposing Kashmiri groups have deteriorated to the extent that they fight more among themselves than against the (Indian) security forces based in the state. On May 21, 1990, the top Kashmiri leader, Mirwaiz Farooq, held in esteem practically by all sections of the Kashmiri people, was shot dead in his home and the killing was widely perceived by a section of Kashmiris as the action of some

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not be easy for Pakistan and India to agree as to who from amongst them should be included in the dialogue.

Militancy in Kashmir has been on the rise and in proportion to the extent of human rights violations inflicted upon the Kashmiri people by the Indian security forces occupying the state. Not all the governments installed by New Delhi in the state rose through transparent means and this too, has led to severe bitterness among the Kashmiri people.

A brutal administrator installed by New Delhi in Srinagar was the retired civil servant Malhotra Jagmohan, who, surprisingly, was given two tenures. He was particularly harsh in his methods of governance and was the one who ordered firing upon the mourners in the funeral procession of Mirwaiz Mohammad Farooq. Some 24 persons were killed. His tenure saw much rise in militancy in the state.

Jihadi foreign nationals also managed to infiltrate into the state in large numbers at the end of Afghanistan's war against the Soviet Russia. They have significantly added to the strength of the militants and could be difficult to handle by Pakistan if given the responsibility of being associated with the composite dialogue.

India does not appear to look upon with favour at all the idea of associating any Kashmiris with the dialogue. However, it would be unfortunate if the composite dialogue were to be stalled on this count. Perhaps, the high-level emissaries of India and Pakistan who are said to be engaged in behind-the-scenes talks would be able to suggest some means of saving the dialogue from being stalled. Perhaps, the international powers such as the US would also lend their support to the dialogue.