

# Seeking a timeframe for the Kashmir dispute

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**P**rioritising the resolution of the Kashmir issue would indeed be viewed as a welcome development. In fact a vast majority of the Indians and the Pakistanis earnestly desire for the early advent of its resolution. The incumbent cordial atmosphere tends to generate positives vibes on both sides of the border. Therefore it is imperative that the most complex of Indo-Pak disputes be addressed during this phase primarily because both sides appear to be inclined and have repeatedly expressed their commitments to seek out an acceptable solution amicably.

Acknowledging the right direction of the ongoing Indo-Pak peace process the spokesman of Pakistan Foreign Office stressed the need for the constraints of a clearly devised timeframe. He said that Pakistan and India could not go on for ever as the two countries had been discussing the Kashmir dispute for the last over 50 years. Indeed such an emphasis is in order given the checkered history of Indo-Pak dialogues.

Much has been made out of recent remarks by the President of Pakistan General Musharraf who merely stressed the need to resolve the Kashmir dispute within reasonable 'timeframe'. Given the known fate of past dialogues regarding the ongoing Kashmir dispute, skepticism is bound to overwhelm the eager, desirous people. The cool Indian response that 'such matter cannot be rushed' reflects the unwillingness to recognise the urgency of the matter and generates the impression that the Indians have not fully comprehended the likely adverse significance of the undesired delay. Already 57 years have passed without securing any positive and tangible step that could raise hopes that solution is not too far away. To interpret that attempts to make parties realise the urgency of the matter as something that can retard the process is indeed somewhat unrealistic.

Undoubtedly the Kashmir dispute is a complex one which would require inputs from all concerned parties in order to secure an acceptable solution and this may require time. No body is expecting that the solution is round the corner. Everybody recognises that its complex nature would require the best efforts and deep commitments of all the involved parties. But on the other hand the statement in question ('such matter cannot be rushed') also tends to generate the impression that no accelerated efforts are required and it should be treated at par with other issues and disputes. This is precisely what is needed to be avoided.

While it seems that the both the international community and the non-Indian South Asians have taken full cognizance of Kashmir dispute's adverse potentials, the Indians apparently appear to continue to demonstrate their averse attitude towards its resolution and refuse to recognise the realities of the situation. Efforts should be directed to capitalise on every development that can help in securing the much-desired resolution of the dispute. There has never been a time in the history of Kashmir dispute that so many important members of international community are ready to facilitate the Pak-India peace process. The time for point scoring is over and what is now required is concentrated and focus efforts to remove this major impediment on peace path.

Judged by any yardstick, the Kashmir dispute has damaged not just peace of South Asia but has also been viewed as something endangering the global peace and harmony. The phrases like that road to first nuclear exchanges lies through Srinagar clearly reveal the concerns of the international community. Therefore it is imperative to recognise that talks cannot be allowed to continue indefinitely. The employment of phrase like 'reasonable timeframe' merely reflect both the recognition of the complex nature of

the dispute and urgency attached to its early solution simultaneously.

It is somewhat inevitable that with the passage of time new elements are either deliberately added or they creep into it inadvertently. The result is that you then concentrate on removing the new elements and the original issue is receded into the background. This is precisely what has happened to the Kashmir dispute. Originally it was a simple matter of holding plebiscite in accordance with the UN resolutions. As a matter of fact it should not have even gone to the UN. The two Governor Generals should have resolved it. The Indians should have first approached the Pakistani Governor General before even considering taking the dispute to UN. However, it needs to be stressed here that nations undertake a certain course of action because they deem it as most appropriate in terms of securing their national interest.

While one does not want to go into the details of history, it cannot be denied that sometimes one has to dabble into the historical facts in order to make a convincing point. The second element that effectively delayed the resettlement was the difference in interpretations of demilitarisation of the state as provided in the UN resolutions. From then onwards many elements including crises, border clashes, wars, difference in approaches etc further made the dispute complex and in consequence the resolution was delayed.

Both the Pakistanis and the Indians have made many sincere and meaningful efforts but the dispute so far has successfully managed to skirt all such efforts. Already the issues like Wullar Lake, Siachin and Bghiliar have managed to swell to the extent that sepa-

rate meetings are going to be held in order to settle them. All of these areas are part of Kashmir territory and no such issue surfaced during the earlier decades of the dispute but with the passage of time each one of them acquired added significance.

Two things need to be fully understood. On one hand it needs to be realised the India has a new government that may well be confronted with problems of stabilising itself and in consequence gain sufficient confidence in order to deal with complex disputes like the ongoing Kashmir dispute. Equally important is the realisation by the Indians to avoid all such acts and statements that can generate the impression of foot-dragging. Already many Pakistanis are beginning to entertain notions that Congress regime may not be as forthcoming as one could expect from BJP. Admittedly the current Congress leadership has expressed their determination to resolve the dispute in no uncertain terms. But how does it remove firmly rooted skepticism in minds of many South Asians including the Kashmiris themselves.

**P**erhaps the most attractive way out to dispel the increasing impression that nothing is going to come out of Kashmir talks and India will find one excuse after another to postpone its desired resolution other than one on Indian terms is to initiate the Kashmir track with a bang. Bang stresses that the first three rounds of Kashmir talks should clearly follow a spelled out timetable.

In the first meeting both India and Pakistan should focus on an agreed framework and the principles that may be applied. In fact various officials of incumbent Indian government have repeatedly stated that they are willing to discuss the ongoing Kashmir dispute within the framework of Simla initially and later also added the Lahore declaration and the Joint Statement of January 2004. Bilateral dialogue has

begun though no meeting on the Kashmir dispute is so far held. The alternative approach is to employ the UN framework. Cognizant of well-known Indian allergy to UN framework, it can be safely assumed that bilateral approach would be employed.

The second bilateral meeting could focus on third step of President Musharraf's four-point Kashmir formula. In short the third step of this formula is to shed what is unacceptable to the other side. Both sides could only know formally what is unacceptable to the other side once concrete proposals in this regard are tabled. It is obvious that both sides are likely to opt for the maximalist approach. Once both sides familiarise themselves with each other's tabled proposals, they can then start working on how to secure common grounds on which a solution can be built.

As the situation exists today, it is quite likely that both sides may confront difficulties which may not prove easy to overcome. In the meantime both the Pakistanis and the Indians should keep a close contact with the Kashmiris. This would enable both the Indians and the Pakistanis to keep themselves abreast with Kashmiris views. Perhaps in the third meeting the representatives of the Kashmiris should be invited to participate in the dialogue on the Kashmir dispute.

Two aspects of the above mentioned roadmap must be kept in mind. First the principles of flexibility and reciprocity should be made the cornerstone of the negotiation process. Second all the three meetings must take place within three month. After each meeting the time and date of the next Kashmir track meeting should be announced. Indeed it would be much appreciated by all the peace lovers if this timeframe is even shortened. In the meantime the media on both sides should play its role in highlighting the significance and need for eventual resolution that may turn out to be less than their expectations.