



# Beyond Borders

In Search of a Solution for Kashmir

Centre for Dialogue and Reconciliation

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*Edited by*  
Kalpana Sharma

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# Introduction

## BEYOND BORDERS



The Centre for Dialogue and Reconciliation or (CDR) was launched in December 2000. It is an initiative born from the belief that the South Asian scene of poverty, misgovernance, political manipulation of religion, gender disparities, and caste/ethnic conflicts, which has warped and wounded the daily lives of the region's nearly one and half a billion people, is unacceptable and working together with the people of all regions concerned is possible. CDR hopes to serve as a catalyst for internal and external peace in South Asia through the process of discourse and dialogue – a process that seeks to promote a peaceful approach to the resolution of conflict with justice and equity and the eventual goal of reconciliation and peace.

CDR aims to serve as a platform for those already committed to dialogue and reconciliation in the region and also as an instrument to foster dialogue among the region's influential players. CDR's concern also extends to areas of conflict within a South Asian country. CDR believes that any progress in reconciliation within a country is likely to help create an atmosphere conducive to reconciliation within the region. Equally regional concord would help reduce confrontations within a country.

### **Dialogue versus Debate**

CDR has been set up in the belief that India and her neighbors can only gain from a culture of respecting points of view that differ from their own. A culture of dialogue differs in essence from the culture of debate. Debate can succeed in sharply identifying different points of view. Dialogue goes further: it begins with an underlying goodwill to understand the other points of view. It encourages patient listening, understanding difficulties as seen from the other side, examining and where





necessary acknowledging mistakes or injustices and seeking if possible to remedy these. It encourages an honest yet calm presentation of each other's own point of view; and it aims above all at reconciliation. CDR endeavors to foster and spread a desire for dialogue; to promote dialogue skills that help reduce and consequently, a secure, prosperous and meaningful life for the people of the region.

## **The CDR Approach**

CDR addresses some of conflict situations that divide South Asian societies through individual visits, interviews, research, workshops, seminars, and roundtable dialogues. It – aims to encourage people from different sides of a conflict, internal or external, to sit together, talk – and listen. CDR promotes sensitive listening as a technique of intervention.

## **CDR's Objectives**

- To lead and foster initiatives that genuinely create a need and understanding for honest social, political and economic dialogue
- To assist and facilitate, wherever possible, dialogues between violently torn or divided groups with a view to restoring trust
- To promote a genuine respect for the right to dissent from dominant points of view and a respect for opposing points of view
- To develop the skills of dialogue: patient and compassionate listening, accepting the imperatives of truth, equity and justice and fostering the concept of reparation, not retaliation
- To organize events and meetings and publish and disseminate material to promote those objectives.

CDR's focus on Jammu-Kashmir was prompted by its conviction that violence and war were not the solution to the Kashmir conflict, that a negotiated political settlement was the way to peace. Kashmir remains an unresolved issue between India-Pakistan since 1947. Following the eruption of armed uprising in Kashmir, in 1989, people in the state have experienced tremendous suffering with thousands of deaths and many more widows and orphans.



CDR members have been involved for many years, in peace building and conflict prevention initiatives. In several parts of India – Maharashtra, Gujarat, Delhi, and Northeast India – they have brought together opponents in the conflict situations to sit together to resolve conflicts and plan preventive measures for the future. Given this previous experience, it was felt that they might be able to play a useful role in Jammu-Kashmir even though the situation there is different in many respects.

## **India-Pakistan Peace Process**

In 2004, on the sidelines of Islamabad SAARC summit, leaders of India-Pakistan launched a fresh peace process. A cease-fire was declared that is holding till date. In 2005, as part of the composite dialogue between the two countries, substantial talks on the Kashmir issue have been held. This has led to initiating Kashmir-centric confidence building measures e.g. – opening first the Srinagar-Muzaffarabad route and later Poonch-Rawalakot route for travel. In October 2008, trade across these two LoC routes has started which had been a decade's long demand of the State's people. The trade continues to grow each month.

## **CDR's work in Kashmir**

In the year 2001, CDR began its work in Jammu-Kashmir. The early visits made by the CDR teams were aimed at understanding the ground realities through meeting and listening to Kashmiri people from different – ethnic, political, social backgrounds and geographical areas. The visits shaped ideas and the nature of interventions CDR would make in J&K.

The visits revealed how conflict had inflicted trauma on large numbers, fragmented Kashmiri society as a result of forced migration of the minority Kashmiri Pandit (Hindu) community out of Kashmir Valley, the killings of many Kashmiri political leaders and intellectuals, large number of militant groups, and the harsh measures used by Indian security forces to deal with the militancy. All of these had left people traumatized, weary and confused regarding the freedom movement. "Trust" - at all levels was a major casualty.





In the light of this, CDR launched its initiative for dialogue and reconciliation. The initiative would focus on the issues and needs that the Kashmiris felt were most urgent. To address some of these issues CDR developed the following strategies:

## **Strategies**

- To facilitate dialogue meetings between individuals and groups – on inter-community, intra-region as a strategy for de-escalating violence, reducing distrust, healing hurts – and bringing deeper understanding between stakeholders
- To develop contacts and friendships based on trust with all the political actors across the spectrum—from mainstream parties to separatists groups. There can be no peaceful solution without engaging with the opponent and making them a positive part of the solution
- To encourage voices from different political/ideological streams of the conflict, to sit together, talk and listen to each other. This requires a vision that the peace process will lead to the good of everyone and that people and institutions will in fact change
- To ensure that CDR did not take sides or political positions that would erode confidence of stakeholders and harm CDR's role as dialogue facilitator
- To work till credibility was established.

## **Initiatives**

Over the years, CDR has organized different types of activities in Jammu-Kashmir such as individual visits, interviews, research, workshops, seminars, and dialogue roundtables to achieve its aims and objectives.

Initial visits and interviews with individuals and groups in rural and urban areas gave a better understanding of the ground situation, what people thought and felt was needed to be done on a priority basis. This created space for the next step that was the dialogue with women. Thus each step followed the next programme/activity. This pattern has continued to the present day, ensuring that each activity

was based on the expression of ideas by local people. As a result people began to take CDR seriously.

## **Women's Dialogues**

The suffering of women and children was on the minds of every Kashmiri. During our initial visits and interviews, we realized the need for women to unburden their emotions and pain. Initially, the women's dialogues took place in the private sitting rooms of different women in Srinagar. The first one was held in the home of a retired college principal. As a process, the CDR team decided to focus on each member sharing how violence of the past years had affected her and her family personally rather than express views on the general prevailing situation. Each woman had a chance to share her experience. Everyone was touched by violence.

The meeting achieved many things. For most it was the first instance of talking of events and experiences that were suppressed for long years. They conveyed a sense of the powerlessness they felt. The expression of hurts, fears, humiliation and anger by way of personal sharing in a secure environment helped to unburden the weight of mixed emotions and feelings that had been bottled up. Thus we were learning that sharing of one's own pain and listening to others' pain, were important first steps in the individual and community healing processes. That afternoon after everyone had finished sharing her story, the women realized – how similar were their experiences of pain, and that everyone had suffered in one way or the other. This was the beginning of rebuilding bonds amongst them.

Soon, we began to expand the women's group. A series of similar meetings have been held over the years. Progressively these dialogue meetings turned from private to semi-public and public. Initially, they were held within the state but later in different parts of India. We took small groups on study tours. On these visits women studied best examples of micro-credit projects for destitute women by different women's NGOs. On their return to Kashmir some of the women began small initiatives on similar lines.



In the beginning, the participants to these dialogues that were held in Srinagar were mostly Kashmiri Muslims. But soon we began to invite migrant Kashmiri Pandit (Hindu) women who were forced to migrate out of the valley in early 1990's. These Hindu-Muslim dialogue meetings were not easy. In the past 20 years of armed conflict, both communities have developed separate narratives of recent as well as distant history, rooted in their own experience. Despite the warmth and deep bonds that still exist, the dialogues at times verged on becoming explosive when they shared their experiences of events during the recent past.

Each side felt their suffering was enormous. Who was to blame for the crisis that developed? Who was responsible for their collective suffering? Each side had suffered but differently. They did not agree on the answers to these questions. It appeared as if it was impossible to arrive at a shared view on the reasons behind the armed conflict and the exodus of Pandit community from the valley.

The Chairperson of HELP Foundation, on hearing of the socio-economic conditions of the minority Pandit community – that stayed back in Kashmir instead of migrating, visited several of them in rural and urban areas of the – Kashmir Valley, organized help for some of the sick and distressed among them and provided food supplies and warm clothing for the winter months. The Director of a private engineering college in Kashmir decided to give some admissions to Kashmiri Pandit students. We took some Kashmiri Muslim women on visits to migrant camps in Jammu and brought migrant Kashmiri Pandits to visit Srinagar as part of building a deeper understanding of each other's realities.

The first important lesson CDR learnt from this process was how to better handle these dialogue meetings. Initially we did not lay down any ground rules but encouraged honest sharing amongst the participants. By emphasising sharing and ventilation of feelings, we hoped – there would be healing. But soon we realized that at times free expression of feelings can be used to hurl accusations and blame at the other side, inflicting further wounds rather than help in deepening understanding. This forced us to begin to lay some ground rules for participants in such dialogue meetings.

The second lesson was not to attempt reconciling the different narratives of history



developed by different communities in the course of violent political conflicts. Each community's narrative and the cause of their suffering are based on their experience of that conflict. For instance, the causes behind the exodus of Kashmiri Hindus vary depending on the perspective of each community. Besides, neither have the Kashmiri Pandit migrants been able to return, nor has the fear of gun and violence faced by the Kashmiri Muslims totally disappeared from Kashmir Valley, although it has considerably reduced. As a result both communities continue to feel aggrieved and bitter.

## **Peace Education**

The women's dialogues gave us insights into the problems mothers and teachers were facing with children and young people in homes and schools. Women repeatedly shared their deep fear of their sons taking up the gun, for the future of their children, and not being able to handle bouts of anger, aggression and other effects of trauma from the ongoing violence on their children. These sentiments were not dissimilar to what Kashmiri men were expressing in other parallel dialogue meetings.

We began a discussion with a group of educationists on some of these issues. The group consisted of both men and women. This led to CDR working with a team in developing modules for Peace Education training for school children. The modules are based on the following themes that were developed as a result of discussion with Kashmiri educationists.

- Communication
- Understanding conflict
- Differing viewpoints
- Diversity and discrimination

Each theme consists of 4-6 lessons of approximately 35 minutes each. The lessons are constructed around one or two core activities. Each theme builds on the other and underlines how conflicts and misunderstandings are created and offers different ways and methods that can be applied to resolve or avoid conflicts. During a four-year period from the beginning of 2004 to the end of 2007, CDR





conducted peace education training programmes for 200 government secondary school teachers from 100 schools, based on the modules prepared. Some who underwent the training have adopted innovative ways to implement concepts from the peace education in their classrooms.

## **Intra-Region Dialogues**

In 2004, CDR launched its Intra-Region Dialogue amongst people of the three regions of the state – Kashmir, Jammu and Ladakh. Each region has suffered in a unique way during the past 60 years and yet there is very little knowledge or understanding of the suffering of the other regions. Since 1989, tensions and misunderstandings between the Kashmir valley and other two regions of the state have deepened. Old political, economic and ethnic divisions have also become sharper. While the problem is a political one, change on the ground should not wait for a political settlement. There are immediate ways in which daily life can be improved, and consultations with local groups or civic leaders would help identify them. Participants to these dialogues felt the need to stress that a process of change on the ground would also make a political solution easier in the long run.

Jammu and Ladakh regions have been divided by partition in 1947. The border areas of these regions had suffered in each of the three and half wars that were fought between India and Pakistan, suffered violence and displacement repeatedly during the past six decades. These areas are remote and rarely get the attention. As a result they have nursed a grievance of political and administrative neglect. These areas have only known continual peace since the ceasefire of November 25, 2003, when the present peace process was launched.

In J&K State every region and ethnic community has a grievance and suffers from a victimhood syndrome. Many of these grievances are based on not just political but also social, economic and administrative neglect over several decades. Is there a possibility of bridging the gulf between the regions, communities, diverse political opinions and aspirations of people of the state? The participants in the Intra-Region dialogue were convinced that a common understanding had to evolve if they hoped to resolve the Kashmir problem. Nearly 20 years of armed



conflict had impacted the whole state – polarized the different regions, as well as its different religious, occupational and cultural communities. Despite this, there is still a deep desire to preserve the unity of the diversity of Jammu and Kashmir, and rebuild its pluralism. A comprehensive approach is needed, which would also set out to redress imbalances in regional, community and minority development.

These dialogues not only gave insight into the depth of feelings in three regions and different communities regarding grievances and political differences but were also providing clues to remedial steps that could be taken to bridge the gulf and reduce anger.

As people met around the table and shared and listened to each other, it became clear that these dialogues would play an important role in developing deeper understanding and trust between diverse communities and regions of the state. The search for a sustainable solution for Kashmir would have to include the hopes and aspirations of the entire peoples of the state. While the gatherings encouraged people to express their feeling and ideas, in the end the emphasis was on what can make a difference on the ground to improve the quality of life.

Participants also emphasized the need to reduce violence. Part of the difficulty in tackling the violence in Jammu and Kashmir was that different regions experienced the violence differently. Thus each region had to institute area-specific policies to tackle violence. A general decline in the rule of law and civil administration had contributed to the flow of weapons, drugs and black money. Security considerations needed to be adjusted in order to bring in “security with a human face”.

As the participants began to have confidence in the group sitting around the table, they began to throw up constructive, practical suggestions and recommendations. Amongst these were starting bus routes across the Line of Control (LoC) between Poonch-Rawalakot, Jhangar-Mirpur, Mendhar-Kotli, Jammu-Sialkot and Skardu-Kargil. Reopening of these old routes would satisfy the aspirations of divided families to meet over a whole region. It would assuage their fears and allow this trans-Himalayan region to resume its cultural contiguity, as well as improve





economic conditions through local trade. Ladakhis wanted the Kailash-Mansarovar route between Ladakh and China to be re-opened.

Through-out 2004, participants in the Intra-Region dialogue conferences began to express their desire to meet and discuss issues with their counterparts across the Line of Control (LoC), Azad Jammu-Kashmir. In January 2004, leaders of Pakistan-India launched the peace process – on the sidelines of Islamabad SAARC summit. This signaled that the two former adversaries were ready to become partners in building peace between India-Pakistan.

CDR facilitated dialogue conference series ran parallel to this development. Since 2005, CDR has held ten Across-LoC dialogue conferences. This Track II civil society dialogue process was ahead of the governments. As an outcome of these Intra-Kashmir Dialogue conferences a clear consensus began to emerge cutting across the political spectrum regarding some issues. These are:

1. Violence is no more a tool for resolving the conflict.
2. Fragmentation/division of the state should not be allowed.
3. Dialogue process must include people of all regions and communities of the divided state. (This is already reflected in the official peace process now).
4. The solution that evolves should be applicable to all regions of the former Jammu-Kashmir state.
5. The solution should be acceptable to all the three parties – People of the former State of Jammu & Kashmir, Indians and Pakistanis.
6. Kashmiris must be involved in the final decision-making process and deciding their own future. No solution should be thrust on them.
7. Ceasefire with the militants and honorable return of those stranded across the LoC.
8. End to human rights violations and calibrated reduction of security forces from the civilian areas.

As the number of such gatherings and dialogues increased, so did the participation



of people from all regions and ethnic groups. The participants have carried the ideas from the conferences throughout the divided state. They have also held follow up meetings and discussions in their respective areas. Articles about issues discussed in the Intra-Region Dialogues and Across LoC Intra-Kashmir Dialogue conferences, have appeared in newspapers published from J&K, AJK, India and Pakistan. These have helped in building support for the peace process and widening the peace constituency.

Detailed reports of each dialogue meeting have been prepared. These also led to CDR undertaking several studies – about the neglect and backwardness of Doda and the border districts of Jammu and Ladakh. The studies on Divided Families of Border Districts of Poonch & Rajouri, and Impact of Violence and border fencing on Communities near LoC were other two. These have helped to bring focus on the suffering, grievances and physical conditions in the border districts.

The report on the Kashmiri Pandit community living in the Valley who did not migrate and the problems they face has created awareness in the government as well as among the Indian public.

These research studies have also led to CDR initiating district level meetings regularly in the border districts, Doda belt as well as Kargil and Leh. This is increasingly bringing larger number of people into the dialogue process and helping to enhance the understanding of the difficulties people face that need urgent attention.

CDR is aware that policy change alone can make a difference on the ground, improve quality of life for people and reduce anger as people's grievances are addressed. Thus since 2004, advocacy has become an important aspect of CDR work. Reports of the dialogue conferences and research studies have been sent to all those concerned with Jammu-Kashmir and Indo-Pak peace process in the governments. There is much greater consciousness of the development needs of the border areas in the administration today and efforts to end the neglect of last decades. This is reflected in new policies that have been formulated and various schemes that have been initiated to develop these areas. One is also hearing regular statements made by various political parties in this regard.





CDR has continuously brought to the notice of policy makers in the government, issues that concern the stakeholders in all regions of J&K State. Some of these have been widely circulated and discussed by concerned people in the government. In some instances we have succeeded in getting government policies to be shaped to answer specific needs and aspirations of the people. The policy change was reflected in Government of India, putting on the official dialogue table with Pakistan, new suggestions for opening of routes for travel and trade in all the three regions of the state. Some ideas have turned into Confidence Building Measures that are already in place – such as the opening of the Poonch-Rawalakot route, a direct result of suggestions made through the CDR initiated Track III civil society meetings.

As a result of the study report presented to the government and the army chief regarding impact of violence and fencing on the border communities, fencing was shifted in several places and taken closer to the LoC. The report brought into focus the issue of mines on the agricultural lands and compensation to those whose lands were used during the Kargil War. As a result the army has undertaken demining of some areas in Akhnoor sector.

## **Across the LoC**

In May 2004, there was change of government in India. But there were indications that the new government would continue the (Vajpayee-Musharraf) Indo-Pak peace initiative. CDR had been working towards hosting an Intra-Kashmir Dialogue conference. This took place in Srinagar in July 2005. This was the first Kashmir conference to be held in the J&K State that had participation from AJK as well as Gilgit and Baltistan. The Gilgit-Baltistani Group even traveled to Kargil for a few days after the conference.

Between, 2005-2007, CDR organized 11 Intra-Kashmir conferences in Srinagar, Jammu, Delhi, Haryana as well as one in Islamabad, Pakistan. As the number of such gatherings and dialogues increased, so did the participation of people from all regions and ethnic groups. The participants carried the ideas from the conferences throughout the divided state by writing articles in the local newspapers as well as holding public meetings and discussions in their respective areas on



the peace process. Articles about the Intra-Kashmir Dialogues and some of the issues discussed in them have appeared in newspapers published from Srinagar, Jammu, Muzaffarabad, Delhi, Karachi, Lahore, Islamabad and Skardu. These have gone a long way in building support for the peace process. Reports of these dialogues and conferences have been sent to all those concerned with Kashmir and the peace process in both the governments. It is heartening to note that some ideas have been picked up from these reports at the official dialogue process and in fact have been turned into Confidence Building Measures that are already in place. This constitutes a small but significant, contribution from this civil society peace process and compliments the official dialogue process.

Unfortunately since 2007, the internal situation in Pakistan, followed by the Mumbai terror attack in November 2008, has completely stalled the official dialogue process between India and Pakistan. As a result people-to-people contact between the two countries has also suffered. However, the strained relations between India-Pakistan have not affected the Kashmir related confidence building measures. The travel and trade across the LoC has continued uninterrupted.

## **Continuing Process**

In the summer of 2008, a Government decision to make a temporary transfer of forest land to a trust looking after a Hindu shrine created a crisis in the J&K. Street demonstrations first broke out in the Kashmir valley and only subsided after the state government withdrew the order. This in turn triggered massive demonstrations in the Jammu region against the Government's withdrawal of the order. Kashmir and Jammu regions were pitted against each other and soon the crisis took a communal angle. Normal life came to a standstill in both regions. There was violence when the Government finally cracked down in which scores of people were killed.

In some parts of the Jammu region there were incidents of communal violence. Competitive politics across the spectrum had made matters worse, making it difficult to settle the land controversy amicably. Minorities felt particularly vulnerable and were fearful. Finally different ways were employed to defuse the





tensions in the two regions before the crisis subsided. The fall out resulted in increased antagonism between the Kashmir and Jammu regions, communities and traders of the two regions.

Through-out the three-month long crisis, CDR teams traveled extensively within the two regions talking to leaders leading the agitation as well as ordinary people from all walks of life. They were in constant touch with the network of people that had participated in the Intra-Region dialogue conferences.

CDR teams visited several places that had suffered communal violence including Poonch town where communal riots had erupted during August 2008. These visits were aimed at bringing the estranged communities together following the violence. Similar meetings were also held in other towns of Poonch district – Mendhar, Surankot and Mandi. The report of these meetings was sent to the State administration for corrective steps that were needed following various communal incidents.

On 21st August, the CDR team met the executive committee members of the Kashmir Chamber of Commerce, in Srinagar. The CDR team faced agitated members during a long meeting. They wanted the Kashmir problem to be resolved once and for all so that trade and industry could conduct its affairs peacefully without disruption and losses. In the end, the discussion focused on measures that would help to expedite opening of LoC routes for trade.

The Chamber members were skeptical regarding this and felt that as a first step the Government needed to allow trade and industry persons from both sides to meet one another. How could they conduct trade across the LoC without knowing people with whom to trade? They expressed unhappiness that the governments had arrived at an agreement regarding LoC trade without consulting with the traders. Based on various suggestions made by the Kashmir Chamber, a note was sent to the Prime Minister of India. Within a month, a trade delegation from AJK came to J&K, to hold talks with their counterparts in Srinagar as well as Jammu. During the visit, the three Chambers formed a joint Chamber and issued joint demands to the Governments of India and Pakistan. On 21st October, LoC trade from Srinagar-Muzaffarabad as well as Poonch-Rawalakot started. This



development was welcomed by all and certainly helped to defuse tension of previous months. Despite many hurdles and difficulties, the trade has grown from an initial Rs. 2 million to nearly Rs. 400 million. However, this trade is on a barter basis and cannot continue indefinitely. Both governments need to take urgent steps to implement the necessary measures to make this trade sustainable.

Once the agitations ended, CDR initiated the difficult process of bringing representatives of Hindu-Muslim communities from different parts of Jammu region to the table for an honest dialogue. These meetings were held in Jammu town as well as several smaller towns in the border districts and Doda belt. Following these in early 2009, CDR initiated a series called Dialogues across the Banihal Pass. Influential civil society members from different professions from Jammu, Kashmir and Ladakh participated. Representatives of the regional trade bodies as well as media were also included.

The process of addressing new issues that had arisen following the Amarnath agitation and strengthening of strained relations between communities and regions continues. The CDR initiatives along with other efforts with similar objectives have certainly helped in normalization process in J&K. CDR has worked closely with Jammu, Kashmir and AJK Chambers during the past year. While recent newspaper reports suggest that the governments of India and Pakistan had come to an agreement on a framework for the resolution of Kashmir, it may be premature to say there is a clear consensus developing on the final solution for the problem in J&K. However, there is a vigorous public discussion going on and the constituency for peace is widening.

## **Call from Srinagar for the Resumption of Dialogue Process**

CDR always held this conviction that when governments stop talking, the civil society has a greater responsibility to ensure that the lines of communications are kept open with all stakeholders across all divides. It was this conviction that prompted CDR to host another Intra-Kashmir Dialogue in Srinagar during October 2009. Sixty influential persons from all parts of J&K as well as from across the LoC participated in it. The participants included presidents of Chambers of Commerce





and Industries of Jammu, Kashmir and AJK, representatives of diverse political viewpoints and ideologies as well as people from legal, educational, medical, social fields and media. The conference unanimously demanded that the peace and dialogue process between India-Pakistan be resumed. The call given was timely and reflected in the positive statements made by the Prime Minister and the Union Home Minister from Srinagar, in the days following the conference.

## **Lessons Learnt**

After almost a decade of engaging with the issues relating to India-Pakistan and J&K, CDR has learned many valuable lessons in keeping alive dialogue and lines of communication.

These lessons can be summarized as follows:

- Civil society peace process must be holistic and address all issues, including rehabilitation of victims, reconstruction, rebuilding social fabric and issues of justice and human rights.
- When suggestions given by the people are taken seriously and implemented, it ensures their involvement as well as enhances the credibility of the process in their eyes.
- In conflict areas, dialogue and reconciliation is a continuous process and must include equitable justice for all.
- Greater attention should be given to dialogue with all stakeholders in conflict. This can be rewarding as the best solutions, are often provided by groups and communities themselves. Their participation in the process gives them a stake in the peace building and conflict prevention efforts.
- To be credible, the dialogue process must reflect the diversity of political ideologies/opinions, and social groups.
- Unresolved political conflicts and fragmented societies can explode unpredictably over small issues, with unpredictable consequence that creates new problems and emergencies as experienced from the Amarnath Land controversy.

- The civil society peace process must remain continuous and can make an important contribution if the official peace process has stalled. However, both processes need to compliment each other. Only then can peace and conflict resolution efforts be strengthened.

This document contains reports of all the Intra-Kashmir dialogues that have been held from 2005-2009. Our hope is that the document will give an indication of the many areas of agreement emerging, which could form a firm basis for peace in the future.

**Sushobha Barve**

Executive Secretary

Centre for Dialogue and Reconciliation

# First Intra-Jammu Kashmir Dialogue, Srinagar

JULY 28-31, 2005

## Breaking ground



The first Intra-Jammu Kashmir dialogue, organised by the Centre for Dialogue and Reconciliation and Delhi Policy Group in Srinagar brought together 46 participants from both sides of border. For three days they freely discussed all aspects of the problems their regions face including the ongoing peace process between India and Pakistan, the Muzaffarabad-Srinagar bus, devolution and federalism, the problems of migrants and refugees and dealing with violence.

## The peace process

While evaluating the peace process and the confidence building measures (CBMs), it was clear that the peace process means different things to different people from Uri to Poonch. For instance, for people living near the Line of Control (LoC) the ceasefire has brought peace and many families who had gone away from their homes have been able to return. The Srinagar-Muzaffarabad bus service is addressing an emotional need for people on both sides who want to be part of a larger community. However, the effect of the bus is limited and does not address the problems of the majority of divided families in the Jammu region and Kargil. Some people feel that the peace process is Kashmir-centric and enough attention is not given to the concerns and grievances of the other regions.

The majority of the participants agreed that if all travel routes are opened and people are allowed to travel and interact, the misunderstandings caused by the separation of 57 years could be removed. The participants from Gilgit and



Baltistan said that this was the first time that they had been recognized as equal stakeholders in the Kashmir dispute. As they are not permitted to come across the LoC, they have to travel 1500 km to come to Srinagar. It was suggested that a key confidence building measure would be to begin consultations with the people of all communities and regions of the two divided parts of J&K.

## **Connecting people**

The dialogue produced a variety of responses on the Srinagar-Muzaffarabad bus. Some felt the bus had produced both hope and confusion in Kashmiris: hope because Kashmiris now think they will be heard and a solution to the Kashmir problem will be found and confusion because in the Kashmiri mind, the present peace process has its limits and there is no reciprocal response from Kashmiris on the other side.

Participants felt that the process that began with the Srinagar-Muzaffarabad bus needed to be taken forward by opening up the Kargil-Skardu, Poonch-Rawlakot and Jammu-Mirpur roads. The latter connects five districts – Mirpur, Kotli, Bhimber, Rajouri and Nowshera. Until the Kargil-Skardu route is opened, people from Gilgit and Baltistan should be given access on the permit system to use the Srinagar-Muzaffarabad bus service. There are six to seven thousand divided families between Kargil and Baltistan. Also, telephone calls between different parts of the divided regions should be permitted and all state subjects, including Hindus and Sikhs, and not just members of divided families should be permitted to travel across the LoC.

## **Ending violence**

Distrust, felt many participants, was a major reason the dialogue over Kashmir remained inconclusive. Some people did not want the Kashmir issue to be resolved or for India and Pakistan to become friendly. To take the peace process forward, Indian civil society could do a lot to create an atmosphere of trust to convince Kashmiris and that such dialogues needed to be strengthened as they would help people in the divided state to understand one another and explore solutions together.





Participants also felt that as long as the rule of the gun prevailed, there could be no real discussion about peace or future solutions. The peace process had not, so far, produced change on the ground for the common person in the Kashmir valley. Participants from the Valley felt Pakistan was not doing enough to rein in the militants and expressed concern at the changing nature of present day violence – suicide bombs that hit at busy cross-sections causing maximum civilian casualties. This form of violence was different from the violence in the early 1990s. A Kashmiri woman told the participants from across the LoC: “Militancy is a mindset. Stop moral or logistical support to militants and we can stop local support.”

Opinion was divided amongst participants on what comes first -- establishment of peace or talks regarding the settlement. Some suggested that negotiations for a settlement and end to violence were connected and that if negotiations for a settlement were started, this would strengthen Pakistan President Pervez Musharraf’s hand at a time when he is vulnerable. As against this many felt that to begin negotiations for a settlement when people are “psychologically disturbed” would stimulate more violence. What emerged from the discussion was that Delhi was stalling the political process whereas Islamabad was rushing it. There was need to find the middle path between them.

### **Areas of agreement**

Participants agreed that more could be done to re-deploy security forces and bunkers away from crowded areas, end human rights violations, ensure that there are no more custodial deaths and also ensure either speedy and fair trials for political prisoners, or their release. The Azad Jammu & Kashmir (AJK) participants felt that if there are troop reductions and release of political prisoners then the militant groups might consider a cease-fire; others felt that for rule of law to be restored, fair and speedy trials would be better. Remedial measures were needed to give some relief to ordinary people who lived in fear.

Some of the suggestions that emerged from the dialogue were:

- Along with the Indo-Pak focus, the CBMs should also have a J&K focus.



- There should be slow shift from the Valley to the entire state but with care that the widening scope of the CBMs does not defuse the entire issue.
- The peace process needs to be transparent as people do not know what is being discussed. This is causing suspicion and a feeling of exclusion.
- Today the Kashmir dispute has cultural, geographical, sub-national and regional dimensions and has become a combination of conflicting aspirations.
- The key CBM would be to begin consultations with people from all regions, communities, and shades of opinion on how to sustain the peace process and produce real change on the ground with an assurance that inputs by people of the state would go into negotiations for a settlement.

The participants from AJK, Gilgit and Baltistan had a different view. They said that there were no training camps in their areas and that these had been closed down. Pakistan had done a lot to contain militancy and there was a perceptible change in the mood and actions of the Musharraf regime. New Delhi should also reciprocate with some concrete steps that may change the ground situation in the Valley. This would encourage Islamabad to take more steps.

Some felt the reason for the militancy should be stressed while others felt the situation had changed and so had the reasons for militancy. Kashmiri leadership and civil society needed to get involved in the peace process otherwise there would be bigger problems in the future. They also felt that if the ground realities inside Kashmir did not change, the anti-India lobby would gain and the peace lobby would be sidelined. CBMs and human right violations cannot go together.

Another suggestion to take the peace process forward concerned the significant number of Kashmiri boys who went across the LoC and became involved in militant activities. By some estimates, their number is around 2000. They are lonely, disturbed and feel betrayed by Pakistan's new policy on Kashmir. In the new circumstance, however, a reasonable number of them want to come back to lead normal and peaceful lives. Offers of amnesty may be helpful in persuading these boys to return to a normal life. In turn, this would improve the prospect of a cease-fire in the valley. This suggestion could be further explored and pursued through different channels.





## **Devolution and federalism**

On the question of devolution and federalism, the participants felt that the non-resolution of the Kashmir dispute has led to fragmentation in the state. The politics of identity had degenerated and the 'Kashmiri' had been demonised. Each region of the former state has its own problems. On paper and at a symbolic level, AJK has more rights than any other region, but it continues to be controlled from Islamabad. Gilgit and Baltistan want the same powers as AJK. They do not want to be controlled by either Islamabad or Muzaffarabad. Rajouri-Poonch and Doda want Hill Councils along the Leh-Kargil lines. "Economically satisfied people are not driven to violence. Trade and commerce do not know religion but are binding people around the world. Two parts of J&K are natural trading partners just as India and Pakistan are," stated one participant from Ladakh.

Some of the preliminary recommendations that emerged were that Islamabad and Srinagar should separately address the issue of devolution with regional leaders. Cross-regional cultural initiatives to preserve Pahadi, Gojri and Balti languages and to encourage cooperative development of mountain tourism in Gilgit, Baltistan and Ladakh should also be encouraged.

## **Migrants and refugees**

Over the past decades, the dispute has displaced communities in different regions of the divided state. The problem falls into three categories:

- Refugees from 1947, mostly Hindus and Sikhs, from AJK who have received neither compensation nor any refugee benefits.
- Refugees from 1971 war who are mostly in two areas of Kargil, who wish to return but have no access to do so.
- Migrants and displaced persons from 1989-90.

All three categories face specific problems.

All five regions of the undivided J&K State – Kashmir, Jammu, Ladakh, AJK and Gilgit-Baltistan – are now divided. As a result, families and communities are separated. Many displaced persons continue to live in migrant or refugee camps



and some have lived this way for several decades. All loss cannot be compensated. But some remedial measures can be taken that would give some relief and unite families.

In Ladakh, there are refugees from the 1971 war. If the plight of the Kashmiri Pandit migrants in Jammu/Delhi is more known, less is known about the struggle of the Kashmiri Pandits living in the Valley or the migrants/refugees in AJK. A Kashmiri Pandit participant described the struggle of his people and said the prospects of Kashmiri Pandit migrants returning to the Valley were bleak.

Participants from AJK said that there are about 19 refugee camps and about 24,574 displaced persons on their side. The biggest camp had 2,227 people while other camps were smaller. Around 10,000 people are also living with their relatives. One participant, a migrant himself, described the mental trauma and agony suffered by the migrants. Separation and inability to visit relatives has caused deep anguish. He also complained that the migrants of the 1990s are not allowed to travel on the Srinagar-Muzaffarabad bus. They have relatives in the Valley.

## **Follow-up**

Participants agreed that this meeting was just a beginning and follow-up meetings were required in all the regions. It was suggested that a contact group of around five people be appointed to plan for follow-up meetings. It was also agreed that the next meeting should be in AJK or Gilgit or Baltistan.



# Second Intra-Jammu Kashmir Dialogue, Gurgaon

JANUARY 25-29, 2006

## **Emerging agreements**



Fifteen prominent persons from both sides of the divided Jammu-Kashmir State, India and Pakistan participated in the second roundtable on Kashmir, from January 25-28, 2006 at Gurgaon, Haryana. A wide range of issues was discussed relating to the Kashmir problem. These included the present situation, the dialogue process, various proposals for a solution that are publicly debated and the issue of violence.

There was consensus that a solution should be attempted through dialogue, that there should be no overt or covert further division of the state, that the territorial integrity of the state needs to be kept in mind while searching for a solution and that the people of the state should be involved transparently, substantially and credibly.

## **The dialogue process**

Everyone agreed that dialogue should continue and be strengthened. Since the India-Pakistan peace process began, the political discourse in J&K has changed. A change of language by the political leaders has resulted in a detoxification of the atmosphere. A general consensus on both sides of the state has emerged suggesting the resolution of the Kashmir issue through dialogue. Efforts are needed to develop tolerance towards dissent as well as social and religious differences to enable people to speak freely about what they want.

A question that was considered was how to widen the official dialogue by talking to credible voices and opinions from the Valley as well as other regions without



diluting the process. No concrete suggestions emerged on how best to do this. There were differences over the methodology and modalities to be adopted for such a multi-layered dialogue. Participants said that those involved in the official dialogue needed to be considered credible by the general public. The process suffers from credibility today because of this.

Another point that emerged was that the Kashmir problem has two dimensions—internal (future set up of J&K) and external. Both these aspects need to be taken up together as these are inter-connected.

It was important to recognize that two opinions exist in Gilgit-Baltistan about whether to be part of the former state of J&K or to remain outside of it. While discussing the final solution, people of these areas should also be included in the dialogue process. There needs to be a dialogue between the Government of Pakistan and the people of Azad Jammu & Kashmir (AJK), Gilgit and Baltistan.

## **Question of violence**

Continuing from points raised in the previous dialogue, participants looked at the reasons for violence and alienation that they felt grew out of a sense of injustice, deprivation and hopelessness. People did not oppose violence because they had lost faith in the judicial system. If they had faith in the latter, they would come forward with their grievances. Violence had become the greatest obstacle to moving forward towards finding a solution.

Militancy and the attitude of Kashmiris towards it are not easy to explain. Initially the freedom movement was political but it had gradually progressed to acquiring religious and criminal overtones. There was complete consensus amongst the participants that violence of all kinds needed to end and be condemned. Public opinion in both countries had to be built to end violence and to arrive at a ceasefire. But simultaneously the causes of violence also needed to be addressed.

However, some felt there was no consensus on the issue of violence on both sides. Today violence had diminishing results for all parties using it and has stopped serving any purpose. If death is a punishment for dissent, how can there be dialogue, asked one participant? There was doubt expressed whether Pakistan





had entirely abrogated the violence option. It was noted that President Musharraf had put conditions on stopping violence.

One view expressed was that today political Islam posed the biggest danger and militancy had acquired a pan-Islamic agenda. One participant raised the issue of how to convince those who had suffered to give up violence. This was taken up separately for a discussion in another session. Through the discussion a pattern emerged. The proactive method was directed at building and strengthening institutions such as the judiciary, human rights commission, women's commission to combat violence and the reactive method demanded going beyond moral indignation.

### **Territorial integrity**

In the context of the search for a solution to Kashmir, there was a widespread sentiment supporting the territorial integrity of the state. One view strongly supported the physical reintegration of the former state of Jammu-Kashmir.

A positive development, ever since the border was partially opened, is the discovery of commonalities of culture and language between Jammu and the AJK. However, can emotional and cultural affinity between them encourage an urge for political unity between them, i.e. AJK and Jammu seceding from Pakistan and India respectively? Can softer borders and people to people contact satisfy that urge? This will be known only after people begin to meet and interact with each other. If such frequent meetings can replace the urge for physical and legal reintegration (independence) of the state, then it is worth a try. Both India and Pakistan should support this interaction between people without any reservations. This would also help to create a suitable climate for a solution to emerge.

Participants acknowledged that there were internal tensions between different regions and communities. But postponing dealing with these problems until a final solution was found for the Kashmir issue has only aggravated these internal tensions and also made the final solution more difficult. There was an urgent need for a dialogue between the leaders of AJK and the Northern Areas and between people and leaders of different communities of the three regions on the Indian side of the state regarding how to satisfy their aspirations and reconcile them



with those of the other side. Then alone would they be in a position to discuss any changes in the status of the state with some degree of objectivity. Absence of such a process could lead to similar or even worse repercussions than the earlier divisions and may be felt far beyond the borders of the state. Accommodating different identities without allowing fragmentation in the process and also ensuring political stability was the real challenge. Unfortunately this diversity had been exploited and manipulated over the years.

### **Proposals for solution to Kashmir**

The roundtable discussed the papers presented by Justice Sharif Bokhari, President, Kashmir Action Committee, Lahore, Mr. Balraj Puri, journalist and human rights and peace activist from Jammu, Mr. Tariq Masud, former Principal Secretary AJK government, Islamabad and Mr. Prem Shankar Jha, senior journalist and political commentator, New Delhi. The group also discussed Pakistan President Pervez Musharraf's proposal on self-rule and demilitarization. Most agreed with the idea of demilitarization although it meant different things to different people.

Participants were critical of both Islamabad trying to 'rush the solution' and New Delhi's 'do nothing' attitude. There was need to find a right balance, they felt. There was danger in delaying a solution as the situation could take an ugly turn. Some felt this was not the time to talk of solutions but instead there needed to be a dialogue process within the State and across the LoC.

Any solution that was based on religion or further division of the state was unacceptable and rejected by the participants. Such a solution had the potential to cause major upheavals with unpredictable consequences. While some participants felt a sovereign, independent, demilitarized Kashmir State was the only solution, others expressed doubt over how such a state could survive and save itself from the extremists or prevent a big power takeover. The distrust between India-Pakistan had only benefited the extremist elements in both countries and the importance given to them increased their stature. Some participants also felt that India and Pakistan were young and fragile sovereign states and their stability would be threatened by an Independent Sovereign Kashmir. They would not agree to any solution that was against their national interests.





## Self-rule

Islamabad and Delhi needed to clarify what exactly they had in mind. Pakistan should also come out with the specifics. The significance and scope of 'Self-Rule' would depend on its authors. For some it meant unfettered management of the affairs of the state by people. Self-rule as a concept could be considered as it has a wide public appeal.

The constitutional relationship between AJK and Pakistan as well as that between Jammu & Kashmir and India were reviewed. If Pakistan has gone far beyond UN resolutions allowed it and has complete control over AJK policy today, India has diluted the special status guaranteed to Jammu & Kashmir State under Article 370. On both sides of the LoC there was a negative reaction to this erosion of constitutional rights.

What guarantees could be provided under self-rule? One opinion expressed was that a tri-partite agreement signed by all the three parties to the dispute – India, Pakistan and people of J&K – itself could be a guarantee. The arrangement should be structurally ensured and any loopholes plugged so that it was not overruled. In the past, agreements have been signed between Delhi-Srinagar and Islamabad-Muzaffarabad.

Participants felt that the concept of 'Self-Rule' could meet Indian constitutional requirements as well as political pressures in Pakistan. But it should be applicable to all the regions of the former undivided J&K State. Opinion was divided whether self-rule should be considered as an interim or a permanent solution. Some participants voiced their unwillingness to accept self-rule as a permanent solution. It was pointed out that this had the danger of unraveling all the agreements between India-Pakistan. If a door were left open, all the fringe elements in India, Pakistan and J&K who are against peace and rapprochement would try to influence, as has happened in the past. This fear is both psychological as well as physical.

Others felt equally strong that any solution arrived at should be permanent. The Pakistani President's 'Self-Rule' proposal was not proposed as an interim solution. One view was that the solution should be agreed upon through brute majority.



How can the will of the people be determined? Should there be an election and what would it be called? Who should conduct it? What kind of observers would be acceptable? Can elections be held in an atmosphere that was not free of violence and intimidation? Clearly all these issues need much more discussion and reflection.

## **Amnesty and return**

Another issue discussed was about the estimated 2000 young Kashmiris stranded in AJK who want to return home. It was felt that this should be seen as a positive development by both India and Pakistan. For the former, it represents a tacit acknowledgement on the part of a significant constituency that violent insurrection cannot resolve the Kashmir issue. For Pakistan, this represents a concrete opportunity to transparently neutralize any suspicions that it is keeping its option open of nurturing a violent rebellion either supported by the state or by non-conformist elements within it.

This difficult and delicate task could be undertaken by operating under specific parameters such as recognizing that there are several categories of people who have crossed the LoC for various reasons. These include refugees from 1947, prisoners who have been incarcerated without charges or trial and many others. It would be important to focus on each category separately.

## **Confidence building measures**

The LoC has divided the Jammu region and separated not just families but also severed historical, geographical, social and cultural links between the people of the Jammu region. Although three new LoC crossing points have been opened for travel after the October 2005 earthquake, these were perceived as symbolic gestures. There was widespread unhappiness on both sides of the LoC over the procedural delays in processing the permits for travel. Overwhelming public sentiment wanted the LoC to be made soft and travel and trade made more liberal and easy. While appreciating the routes already opened, participants felt that both sides should note that there is a strong public demand for the opening of the Jammu-Mirpur route for travel. Majority of the divided families and refugees





of 1947, 1965 and 1971 from the Jammu region had settled in Jammu and the Mirpur and Kotli areas of AJK.

### **A peace park**

One suggestion that emerged was the setting up of a neutral zone in Jammu-Kashmir. This should comprise an area of about 3-5 km situated on the LoC and the area immediately adjacent to it on the main Srinagar-Muzaffarabad road. This could be called Bud Shah Peace Park, a small demilitarized zone at the LoC. Citizens of both sides of J&K state would have free right of entry to this park but would not be permitted to travel beyond it. The governments of J&K and AJK would jointly administer the peace park but it would not be used as transit while traveling between the two parts of Kashmir. India, Pakistan and governments in Srinagar/Muzaffarabad could contribute to the establishment of necessary infrastructure e.g. provision of electricity, water, meeting halls/ground, telephones, medical facilities etc. People could visit the park, receive medical aid and hold meetings. If this idea works, similar peace parks could be set up at other points on the LoC thereby gradually expanding the neutral zones.

# Third Intra-Jammu Kashmir Dialogue, Jammu

APRIL 12-13, 2006

## **Inter-dependence, not independence**



The third Intra-Jammu Kashmir dialogue, held in Jammu on April 12 and 13, 2006, was organized by the Centre for Dialogue and Reconciliation (CDR) with support from the Forum of Regional Voices (FRV). It was the second such dialogue to be held in J&K. Forty participants from all regions of the divided J&K State, Pakistan and India attended the two-day meeting.

The objective of the conference was to take forward the discussions from the previous CDR Kashmir roundtable held in January 2006 to a larger group. It also sought to narrow the differences between diverse political and social streams and create some basis for a common understanding that would contribute to the ongoing official peace process.

## **Peace process and the present reality**

Two perspectives set the tone for the two-day meeting from the two sides of the border on the peace process and the reality on the ground presented by Dr. Humayun Khan, former Pakistan foreign secretary and Dr. Amitabh Mattoo, vice chancellor of Jammu University. (*Full text at the end of the report*).

Dr. Khan's summed up his argument in his concluding remarks:

"One thing seems to be clear. If the approach is that Kashmir is an issue between two parties, India and Pakistan, and that it presents a bargaining situation in which each side wants to come out on top, then a solution is impossible. Nor is anything to be gained by throwing out random ideas for a





quick and final solution. Kashmir will only be solved if it is seen as a common problem, the solution of which is desirable for all the parties involved. It has to be a joint venture. What better way to start than to improve the lives of the people of Kashmir by affording them a prolonged period of peace, normalcy and economic progress? They have never had the opportunity of dispassionately thinking about their future and discussing it among themselves without outside interference. Give them this and, soon enough, the wishes of the people of Kashmir reflecting a consensus among them, will become identifiable.”

Dr. Mattoo also presented a number of ideas. He said one of the points a senior analyst had made was “that if you treat J&K as a real estate problem, it is a zero-sum game: if you adopt a legalistic approach, there is little hope. But if you focus on the welfare and development of the people of J&K, it is a win-win situation.” Dr. Mattoo said he felt optimistic about the future. “I do not agree with those who feel pessimistic about the peace process. You may doubt the sustainability of the peace process but cannot deny that it is providing for the first time new opportunities. In some ways, the tragedy of Kashmir is that the governments are ahead of Track II and III initiatives”, he said.

## **Addressing the divides**

The dialogue addressed the different “divides” in the region -- ideological, religious and cultural/territorial. These began with territorial divisions. From 1947 onwards, the state of Jammu & Kashmir was divided into three parts: J&K state on the Indian side of the LoC, the Northern Areas and Azad Jammu Kashmir (AJK) in Pakistan. The tragedy of history is that people residing in these three divisions have common cultures but are subjected to three different types of administrations.

The ideological divides are mainly pro-India; pro-Pakistan; for devolution or desegregation of the state; for federalization or decentralization of the state and mainstream versus dissident political parties.

Cultural/territorial divides are Line of Control (LoC) East and LoC West as well as Gilgit and Baltistan, which have been separated not only from Ladakh but are



also divided within Pakistan from AJK and exist as separate structures. There is also the Kashmir-Jammu divide, the Kashmir-Ladakh divide, the Kashmiri Muslim-Kashmiri Pandit divide, and the Kargil-Leh divide which has started to manifest itself in places.

The religious divides are not necessarily between various religions, but particularly within Islam. We are seeing an assertive, radical form of Islam with which Kashmir has not been acquainted over the many centuries.

Although those looking for a solution acknowledge that these divides add to the complexity of the problem and have to be addressed, they hold that things will be sorted out once the status of J&K state as a whole is restored to as it existed on August 14, 1947. They argue that problems relating to ethnic and linguistic diversities, shortage of resources, and incapability of people of the state in running the administration will prove to be false.

Not all participants, however, agreed with this view. One participant felt that historically, the state of J&K as it existed on August 14, 1947 was not homogenous in the sense in which it is discussed today. There was an inherent divide that existed even prior to the birth of the state of J&K. The entire territory of the state of J&K, whether on this side of the LoC or the other side, has people belonging to different cultures, languages, and outlooks. However, all these different cultures, languages, communities and their apparent divides were not so pronounced in the distant past.

The introduction of democracy in the state has created a different kind of divide. When a democratic society tries to emphasize the bonds of commonality amongst groups and communities, it unleashes divisive forces at the same time. They arise for social, political, and economic reasons. After 1947, there was a divide at a macro level. Since then, all other divides are the outcome of the political divide, whether between regions or between communities. For the past 20 years, all these divides have sharpened and acquired greater intensity. The political divide has created two types of political persona – mainstream politicians and the separatists.

Another major divide is that created by the mass migration of Kashmiri Pandits. They believe Kashmiri Muslims threw them out. But Kashmiri Muslims believe





they left at the prompting of certain politicians. Such an instance of mass migration would become the basis of division in any nation, both physical as well as psychological. Within the Valley, the basis for this divide is purely political. It is neither economic, nor cultural as the different groups actually belong to the same cultural group and background.

The one divide that needs urgent solution is the political divide, felt most participants. All other divides based on communities, languages, distances across the LoC etc. tended to follow the political current. Political stands were projected on the basis of cultural identity, or where you lived. Therefore, till the political divide is addressed, other divides cannot be resolved, they felt.

International divides, particularly those that affect Muslim communities in the world after the September 11, 2001 incident, also influence the divides that exist in J&K. One speaker said that no society could remain immune to the different kinds of contradictory trends existing in the world. These macro-divides also had to be tackled if people wanted to live together and overcome internal divides.

Another point that emerged was the belief that all parts of J&K state, especially Gilgit, and Baltistan should be given similar weightage and representation. These areas have been divided and separated in a manner that today they belong neither to AJK nor are they given the status of a full province within Pakistan. They have become virtual no man's land. People of Gilgit and Baltistan should get connected with the people of Leh and Kargil. Talk of opening new channels rarely includes a mention of the Kargil-Skardu road. Do we have to wait for an earthquake to open up this road, asked some participants? Let the borders only remain on maps. Allow the people access to roads.

Participants also suggested that the government of Pakistan needed to talk to the people of Gilgit and Baltistan and AJK. People from the three regions also needed to talk to each other directly rather than through NGOs or governments. They also felt that it was unfortunate that telecommunication links are not allowed between J&K and areas across the LoC, or Gilgit and Baltistan. In such a scenario, CBMs are of little value.



Another strong point put across was that a solution to the Kashmir issue was not possible without involving people from Gilgit, Baltistan and Ladakh, which covers two-thirds of the area of the former state of J&K, and has strategic and geographical importance. People in this region do not have access to even the most basic facilities. Every political party's manifesto in AJK states that whenever they come to power, they will involve the people of the Northern Areas. But reality has been different. Till such time that there is a solution to the problem of J&K, it is unlikely that there will be any relief for the people of the Northern Areas.

It was suggested that all previous routes that connect AJK to the rest of J&K, especially the Rajouri-Mirpur and Sialkot-Jammu routes should be opened. Instead of independence, we should think in terms of inter-dependence.

According to one participant, "There is a contradiction in the arguments of both India and Pakistan. On one hand it is said that people of J&K under Indian control want an autonomous, self-governance status. On the other side, it is said that whatever the decision of the people of J&K, it will be acceptable to Pakistan. But at the same time, we are told that there cannot be a redrawing of borders. And giving freedom to Kashmiris is not do-able. Under these circumstances, practically speaking, we are not moving towards a solution to the problem."

Several participants said they were not comfortable with the word "divides". There might be cultural and territorial divisions. But the word "diversity" is a better expression in the context of J&K.

The key issues and highlights of the dialogue can be summed up as:

- 57 years of indecision have caused divisions in the State. This should be recognized
- Diversity does not necessarily mean "divides" or "divergence"
- Pakistan should initiate a similar process of conferences, meetings wherein people from J&K are invited to discuss the Kashmir issue and a possible solution





- CBMs are needed on an Intra-Kashmir basis
- Initiate composite dialogues/discussions involving all regions of J&K on both sides of the LoC, including the Northern Areas
- Both governments should talk to the divided communities on their sides and encourage them to talk to each other
- There is a need to evolve an acceptable framework, which provides constitutional guarantees to all the regions and people without any discrimination on the basis of caste, creed, region etc.

### **Involving the people of J&K**

The meeting acknowledged that there is an across the board consensus, between separatists and others, that people want a life of peace and dignity. Mechanisms and ways to bring about peace with dignity were now needed. A solution cannot be imposed on the people of J&K. They would have to come to their own conclusions on how they want to run their state. People in India, Pakistan, and Kashmiris on both sides of the LoC supported the dialogue process between the two countries. Several participants suggested that militants should be included in the dialogue process.

One participant felt that the primary issues of concern as far as Kashmir goes are nuclear weaponization by India and Pakistan, the market economy, and American involvement in the South Asian region. One cannot ignore the conflicting interests of the two major countries, India and Pakistan, in the South Asian subcontinent. It is imperative to resolve the issue of Kashmir and ensure friendship between the two countries. Kashmiris want to live peacefully and become prosperous. But peace cannot happen in a vacuum. The first step is to look deep into the hearts of Kashmiris. Outsiders can help facilitate a process, not come up with answers. Those who seek to facilitate this process will have to consider two major elements of collective political consciousness of the people in Kashmir: One is the deep rooted sentiment in the soul of Kashmiris with regard to “azaadi” and the other that every house in the Valley is aware of the history of the “azaadi” struggle and passes on these lessons to the children.

Opinion was divided on what should come first – peace or a solution?

Unless the people-to-people contact was institutionalized through trade, contacts between universities, cooperative ventures between the two divided parts, people would soon run out of what to say to each other, said some of the participants. People may have to be satisfied by interim solutions rather than final solutions, develop cross-border relationships and look for incremental gains.

Another point made was the need to create a link between the peace process of the two countries and the dialogue process involving Kashmiris and that involvement should be transparent and substantive.

## **Sustaining dialogue**

One of three separate discussions included people from Kashmir, Jammu, Mirpur, Ladakh and Baltistan. They agreed to the following basic assumptions:

1. That the nomenclature “Jammu & Kashmir” means the state in its entirety as it existed prior to its partition in 1947.
2. That the dialogue process must be inclusive of all constituent parts of the state.
3. That the dialogue should be without prejudice to the legitimacy of any solutions represented by dissident groups, separatists, political parties and regional voices within the state.
4. That the dialogue needed to be multi-layered to enable participation and without the intent to fragment the polity.
5. That the dialogue should be as comprehensive as possible without diluting the core political nature of the problem.

Based on the above assumptions, the following broad layers of dialogue were identified by the group:

- That we should fully support the current dialogue between India and Pakistan, especially specific to the J&K dispute.
- That we should initiate, encourage and participate in intra-J&K state dialogues



facilitated by non-government organizations to inform ourselves of the varied aspirations of the state's peoples.

- That platforms of discussion such as roundtables and other forums initiated by the governments of India and Pakistan also be used, albeit without the intent of excluding or marginalizing any particular ideology or grouping of peoples.

## **Confidence-Building Measures (CBMs)**

Another group, assessing CBMs, divided them into three categories:

### **1. Broad Indo-Pak CBMs that are not related to Kashmir:**

The group was fully supportive of all CBMs and expressed its conviction that bilateral CBMs which promote the overall environment must be encouraged, as they would lead to the resolution of the Kashmir issue. Similarly, the group felt that an early solution of other related problems such as Siachen, Baghlihar and Sir Creek would strengthen the peace process.

### **2. Kashmir-related bilateral CBMs:**

- The group welcomed the Srinagar-Muzaffarabad bus service as a first step. However, it was felt that both India and Pakistan should commit themselves to open all traditional routes of Jammu & Kashmir.
- In terms of priorities, the group identified the opening of the Jammu-AJK routes as most important as well as Ladakh-Skardu route. The group felt that the routes should be opened not just for people, but also for trade.
- Past experience has shown that unless procedures are simplified, the opening of routes will not be of any significance. The group recommended that a single document e.g. Permanent Resident Certificate should be enough to cross the LoC. Travel should be without restriction, and not limited to divided families.
- The two sides should also proactively encourage institutionalized exchange between students, traders, artists and civil society representatives. Both sides should facilitate the return of families who have left their original homes due to disturbances.

- Free trade between the two parts of Kashmir should be allowed.
- Public and private co-operative tourism ventures should be encouraged.
- Consultative mechanism in fields like environment, forestry, power-generation etc. should be encouraged.

### **3. Internal CBMs**

- The group condemned violence in all its forms. It felt that priority needed to be given to personal safety and security of the people. Therefore, it is essential to have a total internal cease-fire.
- The armies of India and Pakistan should expedite removal of land mines on both sides along the LoC and the International Border.
- Gradual withdrawal of security forces, which are not part of normal police, is necessary.
- As an immediate step, practices of search operations, crackdowns etc should be ceased.
- All security forces should come under the preview of state Human Rights Commission.
- The government should cease and desist from using former militants to identify, victimize and assassinate their targets as it is not in the interests of the cessation of violence.
- The group urged the government of India to restore communication links between J&K and AJK/Pakistan.
- All draconian laws should be repealed and political prisoners held under these laws should be released.
- The Government of India should provide immediate information about disappeared persons to their families.
- The group expressed the hope that the government of Pakistan would encourage people of Pakistan-administered-Kashmir and Northern Areas to come up with an internal dialogue process.



## **A possible solution**

The third group discussed various options for a final solution to the problem of J&K. They accepted that seeking a consensus on this question might be premature at this stage. Nevertheless, there was overwhelming support for the reunification of the State along democratic, federal and secular lines. The group also recognised that there can be no solution without reference to the peoples of the State and their concurrence.

*(Full text of statements by Dr. Humayun Khan and Dr. Amitabh Mattoo)*

### **Dr. Humayun Khan, Former foreign secretary of Pakistan**

There seems to be a general perception, particularly in Pakistan, that the composite dialogue with India is running into the sand. When the process started in January 2004, expectations went to two extremes. On the one hand, there was euphoria that the dialogue would ride on the crest of public opinion and achieve quick results. On the other, there were sceptics who saw in it little more than a repetition of the past, when good intentions and positive initiatives were short-lived and the two neighbours soon reverted to their traditional hostility.

Somewhere in between, as always, there were the realists who cautioned against both euphoria and total cynicism. They conceded that the Vajpayee-Musharraf initiative was perhaps different to past ones, in that it came as a welcome relief after a prolonged period of high tension between the two countries. More importantly, it evoked an unprecedented public response in both India and Pakistan. The visit of the Indian cricket team immediately after the summit provided vivid evidence of the popular desire for good bilateral relations.

At the same time, experience showed that there was a deep-rooted inertia, particularly at the bureaucratic level, which would make speedy progress on substantive issues difficult and negotiations would be long drawn out. Mind-sets built up over more than half a century could not be changed overnight.

The fall in optimism that we are witnessing now results largely from the fact that no significant progress has been announced on any of the substantive issues. Most important of these is, of course, Kashmir. Others include Siachen, Sir Creek,



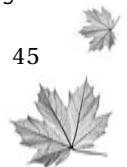
Wullar barrage, Baghlihar etc. So far, the composite dialogue has not gone beyond Confidence Building Measures.

In reality, however, many of these CBMs address the very substance of our relationship and amount to much more than atmospheric or preparatory moves. Take for instance the growing people-to-people exchanges. They represent something that lies at the very heart of Indo-Pak relations. No moves towards peace and friendship will mean anything unless they rest on the support of the people in both countries. If there is any ground for disappointment on this score, it can only be that governmental procedures continue to be an obstacle in the way of contacts between citizens of India and Pakistan. Visas are still not as freely given, as they should be. There is no private road traffic across Wagah. Restrictions on movements of visitors still apply. In spite of these shortcomings, progress in this particular field represents a major substantive achievement. The bus service between Amritsar and Nankana Sahib and the opening of the Khokrapar-Munabao rail link are also achievements of considerable importance.

A special case is the bus service between Muzaffarabad and Srinagar. It is far more than a CBM, in that it carries within it the seeds of a possible solution to Kashmir. It is a pity that, because of bureaucratic formalities, this service is not being properly utilized. No more than a few hundred passengers have used it over the past year. It must be made operationally efficient if it is to catch the imagination of the Kashmiri people and to contribute to a final solution based on open borders. Indeed, opening all traditional routes linking the two parts of Kashmir must follow the opening of this one route.

In addition to people-to-people exchanges, there has been good progress on other fronts. The Joint Commission has been revived, bilateral trade is on the rise, the ceasefire along the LoC has held, the guns are silent in Siachen and consultative mechanisms have been set up in various fields like drug-trafficking, telecommunications etc.

So, the picture is not altogether grim. Indeed, both India and Pakistan have officially declared their satisfaction with the first two rounds of the dialogue. Minimal expectations have been met and the sustainability of the dialogue





seems assured. This, in itself, is a major achievement, because, without a mutual commitment that the dialogue process will not be reversed, the present exercise may well fall by the wayside like previous ones. It is the irreversibility that makes this different from past efforts.

I believe, therefore, that it is incumbent on all who genuinely believe in peace and friendship between India and Pakistan, to continue giving their full support to the dialogue and not be discouraged by any slowness in achieving major breakthroughs. Given the regional and international environment, there is no other way but to go on talking to each other in a purposeful manner.

Having said this, it cannot be denied, that the speedier the process of full normalization, the sooner will the peace dividend reach the poor masses of South Asia. That is why we need to look closely at the factors that retard progress and see how they can be removed.

The first thing that comes to mind, of course, is Kashmir. It has been under discussion and debate for over half a century and there seems to be nothing new to say. It has led to armed conflict. It has led to massive loss of innocent lives and of property. It has marred the daily existence of millions of Kashmiris and destroyed the future of generations. It has become, in the eyes of the world, a dangerous flashpoint. It is a problem that has to be solved.

I would like, if you permit, to address three issues relevant to the peace process, which are directly linked to Kashmir. Each is important both to the broader relations between the two neighbours and, particularly, to Kashmir. These three are:

- a) What should be the linkage between the overall normalization process and the Kashmir issue?
- b) Is it possible to ascertain the true wishes of the broad majority of the Kashmiri people without the formal mechanism of a plebiscite?
- c) What are the various scenarios that could lead to a solution acceptable to all three parties, India, Pakistan and the people of Kashmir?

Looking at the first issue of linkage, the traditional postures have been that India always preferred to address other, easier issues, which would promote a climate



of peace and to put aside, even if temporarily, the question of Kashmir. Indeed, for many years, India was not even prepared to put Kashmir on the agenda of bilateral talks.

Pakistan's traditional position has been that true normalization is not possible without first solving Kashmir. There was a temporary reversal of roles at Simla when it was Pakistan that urged normalization on the broad front as a first step.

The people of Kashmir, who for years were totally excluded from the discussions never had much say, but there appeared to be two schools of thought. One, represented by the more hardliner elements in the Valley, believed that any improvement in relations between India and Pakistan would result in sidelining the Kashmir issue. So they made their full contribution to ensuring that high levels of tension continued. There was, however, a body of opinion, which welcomed the intermittent thaws in Indo-Pak relations, hoping that their lives could return to normal and their sufferings relieved.

All three parties have moved some distance from these traditional postures. India is now willing to put Kashmir high on the agenda. Pakistan, while publicly sticking to its stance of 'Kashmir first' regularly comes out with other formulations like "moving in tandem" on all issues including Kashmir. Lastly, I hope I am not wrong in saying; there is a significant majority of the Kashmiri people, which supports the dialogue process.

I submit that we have to build on this flexibility because it can work to the advantage of all parties. Personally, I strongly believe that difficult problems become less difficult to solve if there is cooperation between the parties. They become virtually impossible to solve if there is confrontation. Peace must not be made hostage to a single issue and I hope Pakistan will continue to show flexibility on this point. No interest of Pakistan is served by holding up, leave alone derailing, the overall normalization process because of a single issue.

It is equally important that India, on its part, must show an understanding of the difficulties of any leader in Pakistan. In negotiations, as Kissinger advises, you must never force the other side into a corner. You must always give it an honorable way out. Kashmir is a highly inflammatory issue in Pakistan's domestic





politics and no leader, military or civilian can afford to be seen as being half-hearted about it. India, as the so-called status quo power, should not give the impression that it is sitting pretty in Kashmir and need not oblige anyone. In fact, a solution of the problem would benefit India as much as anyone. The position of its interlocutors will become untenable if India adopts the attitude that there should be no linkage at all between overall normalization and Kashmir. At all stages of the dialogue, India must send out a clear message that it is as keen as anyone to find a solution.

How can it do this? Well, there are various ways in which India can alleviate the anxieties of Pakistan. There are related issues on which early agreements would fortify the overall dialogue. Take for instance, Siachen. I had the good fortune of persuading my government to accept the agreement worked out by the two Defense Secretaries in the summer of 1989. For unknown reasons, India reneged on that agreement and now a solution is held up because of peripheral matters. While there are encouraging reports of progress on Siachen, it would dramatically improve matters if an agreement could be announced when Dr. Manmohan Singh pays his first visit to Pakistan.

Then there are issues like Sir Creek, Wullar Barrage, and Baghlihar etc. on which progress should not be difficult. India, as the larger party, should take the lead in finding solutions. Perhaps even more importantly, India could initiate more measures to promote interaction among Kashmiris on both sides of the LoC. The first step would be to introduce a type of permit or identity card, which would enable them to use the Muzaffarabad-Srinagar bus without formalities or conditionality. Next, steps should be initiated to open all the traditional road links that existed before 1947. All these routes should then be made usable for both passengers and goods.

The question of reducing the military presence in populated areas of Indian Administered Kashmir is a vital one. Its only justification was that outside interference by armed militants made it necessary. Now that the two countries are agreed on stopping all externally inspired militancy, India needs to show that a heavy military presence was never its preferred option. There rests, of course, a



full responsibility on Pakistan to honour its commitments regarding cross-border activity, but it is a matter on which India has to act unilaterally to reassure the people of Kashmir, whose main concern is physical security. The presence of multiple armed forces has inevitably led to misuse of authority and created a climate of fear and alienation.

Basically, therefore, if India can put across clearly the message that it genuinely wants to smoothen the path to a solution of Kashmir, it will reassure its interlocutors and earn the appreciation of the international community.

The next question I would draw your attention to is that of the participation of the Kashmiri people in the search for a final solution and the related question, who is to speak for them? It has become almost a cliché to say that Kashmir is not a territorial problem but a humanitarian one. Only the other day, a leader from Srinagar poignantly observed that 1947 was the year in which India and Pakistan gained freedom. It was also the year in which the people of Kashmir began a new era of suffering.

I do not want to go back to the old argument that the U.N. has given them the right to a plebiscite. Much water has flowed under the bridge and the U.N. itself no longer seems keen on ensuring that its resolutions are honoured. But does this mean that there should be no regard for the wishes of the Kashmiri people? I don't believe anyone in his right mind would say this. They are the ones most affected; they are the ones who have suffered the worst.

So, it must be taken as axiomatic that the wishes of the Kashmiri people are of paramount importance. But how does one correctly ascertain those wishes? Who is to speak for them? Is the present leadership truly representative?

The general impression seems to be that, and I say this with full respect for the present leaders who are men of conviction and courage, that their credentials have never been truly tested. If one takes the view that the only part of Kashmir, which poses a problem, is the Valley, then perhaps the leadership now representing various points of view is identifiable. Beyond the Valley, it is not. There was a time when analysts sought to reduce the Kashmir problem to its barest essentials i.e. the Valley. However, it was hard to imagine how separate treatment could be handed





out to just one segment of the population. The general consensus now seems to be that the term Kashmiri people includes all residents of the erstwhile princely State. There is no sign of an acknowledged leadership to speak for them nor is there any sign of a consensus as to what the future of the State should be. There has been talk that a one-point referendum on a district-wise basis to select their spokesmen might be feasible. Another suggestion is that India and Pakistan should set up a joint group of distinguished people whose sole task would be to speak to all shades of opinion in the State and feed their findings into the negotiating process. Yet another idea is that the back channels already in existence should be mandated to establish contacts with Kashmiris, going far beyond the present leadership.

Whatever the method, I think it has to be realized that an authentic input by the true representatives of J&K is necessary if the negotiating process is to succeed. There are already hopeful signs in that the Indian Prime Minister has initiated Round Table discussions and more and more leaders from each side are visiting the other and holding talks with the respective governments.

Finally, let me briefly refer to various scenarios, which could lead to a solution. I do not propose to list the numerous plans that have been put forward from time to time by think tanks around the world. I will only look at the positions adopted by the parties directly involved and see if they can, in any way, be reconciled. Of the three protagonists, I think it would be correct to say that only India has a clear-cut position. I will not comment on the merits of this but I think it is an understandable position given the requirements of Indian democracy and the political realities. Basically, its position is; no succumbing to force; no cessation of territory; no solution based on religion. Pakistan, having moved away from the U.N. resolutions, now only asserts that the final solution must be acceptable to all parties and be in accordance with the wishes of the Kashmiri people. These are moralistic statements rather than concrete positions. The one specific position is that the LoC is not acceptable as a permanent boundary because it is 'part of the problem and not of the solution'. This stand has to be balanced along with other statements calling for making the LoC irrelevant, a wish which is happily echoed by India. I also think it would be realistic to assume that, like India, Pakistan would be unwilling to cede any of the territories it now holds.



The voice of the Kashmiri people is not unanimous; indeed, it does not even approach a consensus. There is a perceptible groundswell in favour of independence but, more and more, the Kashmiris are becoming conscious of the difficulties in the way. Most Kashmiri leaders now concede that the interests of neither India nor Pakistan can be ignored and these interests do not allow for an independent State, which could become a hotbed of international rivalry and intrigue.

At the same time, there are certain matters on which a broad consensus is discernible.

- All Kashmiris want the benefits and advantages that a unified State would offer. They believe that this is possible in terms of ground realities without raising issues, which are legally and politically intractable.
- All Kashmiris place primary emphasis on personal security and want an end to bloodshed.
- All Kashmiris want to be free to travel anywhere in the erstwhile State without hindrance.
- All Kashmiris want more autonomy so that they can run their own affairs.
- All Kashmiris would like to see cooperation between the two parts of the State in fields like tourism, forest management, water and power and the environment.
- Most Kashmiris welcome improvement in Indo-Pak relations. These are propitious signs and should be taken advantage of.

All the parties will have to show flexibility. India, without conceding territory and without compromising its secular credentials can show the way by diluting its military presence in Kashmir, redressing the grievances that have arisen because of excesses committed by the security forces, offering real autonomy, making open borders a reality by giving free rights of travel, even residence and employment in any part of the State to all Kashmiris. Pakistan can gain much by the disappearance on the ground of a dividing line without insisting that the legal status of that line be changed. The people of Kashmir should welcome any moves that relieve their sufferings even without any change in the de jure situation.





One thing seems to be clear. If the approach is that Kashmir is an issue between two parties, India and Pakistan, and that it presents a bargaining situation in which each side wants to come out on top, then a solution is impossible. Nor is anything to be gained by throwing out random ideas for a quick and final solution. Kashmir will only be solved if it is seen as a common problem, the solution of which is desirable for all the parties involved. It has to be a joint venture. What better way to start than to improve the lives of the people of Kashmir by affording them a prolonged period of peace, normalcy and economic progress? They have never had the opportunity of dispassionately thinking about their future and discussing it among themselves without outside interference. Give them this and, soon enough, the wishes of the people of Kashmir reflecting a consensus among them, will become identifiable.

**Dr. Amitabh Mattoo: Vice-Chancellor, Jammu University**

The peace process has never been so exciting and injected with so many ideas as today. Look at this conference itself. There are people being able to travel across the LoC. Today, political parties from India can go to Pakistan and talk, and vice-versa. This would have been unimaginable even a couple of years ago.

I do not agree with those who feel pessimistic about the peace process. You may doubt the sustainability of the peace process but cannot deny that it is providing for the first time new opportunities. In some ways, the tragedy of Kashmir is that the governments are ahead of Track II and III initiatives.

Recently, a senior analyst made two statements. Please pay attention to them seriously.

One, that people of India and Pakistan have made peace, leaders want to make peace, but establishments still have to adjust.

Two, that if you treat J&K as a real estate problem, it is a zero-sum game; if you adopt a legalistic approach, there is little hope. But if you focus on the welfare and development of the people of J&K, it is a win-win situation.

Why do I feel so optimistic? I'd like to divide the peace process into three baskets:



i) Valley-centric Measures: CBMs that have led to improvement in ground realities and the situation in the Valley.

ii) Across the LoC movement, which includes symbolic opening up of bus routes and exchange of ideas, which has made significant progress.

iii) The Final Resolution or end game to the issue of Jammu-Kashmir: Here, too, new ideas are being injected and discussed i.e. autonomy, self-governance, self-rule, etc.

A substantive amount of effort has gone into baskets 1 & 2. The 3rd basket will be a product of baskets 1 & 2. The statement that borders should be made irrelevant will determine the progress in the 3rd basket.

There has to be progress on all the fronts. Given the history of J&K, there is reason to be optimistic.

Prime Minister Dr Manmohan Singh believes that security is freedom from fear. He wants to work towards Comprehensive Security – physical, political, cultural, economic, and social – which is another, more imaginative, definition of self-governance. There has to be interplay of new ideas for concrete results. Unfortunately, people of J&K are not taking enough advantage of these historic opportunities. Kashmiris need to feel empowered enough to be able to take care of themselves. But this empowerment has to come from within. Stand up, feel confident, and engage.

Let me finally say that I believe there are five factors that will impact on policies which will determine the future of South Asia:

- Rise of India both in terms of soft and hard power; within India there are two debates going on: Ignore South Asia and move outwards. But the Prime Minister feels we must be at peace within South Asia and not ignore the immediate surroundings.
- How India maintains its relationship with Pakistan.
- Globalization and influence of United States.
- How South Asians manage common dangers i.e. natural calamities, pandemics and related threats.





## BEYOND BORDERS

- How we settle the conflicts in South Asia: There are those who believe keep the status quo and let the conflicts go on, and other who say we must work towards changing the status quo and resolve conflicts.

People of Jammu Kashmir and Northern Areas should locate themselves in the larger scenario to find solution to the Kashmir problem.

# Fourth Intra-Jammu Kashmir Dialogue, New Delhi

MAY 29-30, 2006

## Governing principles



The fourth meeting of the Intra-Jammu Kashmir Dialogue group, organized by the Center for Dialogue and Reconciliation (CDR) took place in New Delhi on May 29-30, 2006. The purpose was to review and expand upon the recommendations that emerged from the previous Intra-Jammu Kashmir Dialogue meeting in Jammu in April. During the two-day discussions, the group evaluated its previous suggestions in light of recent developments with regards to Kashmir and prepared additional proposals to be taken into consideration.

## Central governing principle

The participants felt that both India and Pakistan should realize that joint gains on several issues of bilateral concern are possible and desirable. Progress on the Kashmir issue can be both a cause for and an effect of the joint Indo-Pakistan commitment to live in harmony. A shared vision of a common future is needed in order to promote a lasting and sustainable peace between India and Pakistan. This, it was pointed out, had been articulated by Mohammad Ali Jinnah on November 1946, when he expressed confidence that not only would there be no conflict between India and Pakistan, but that the two countries would be like brothers, coming to each other's aid when needed, and keeping the subcontinent free from outside interference. As long as Kashmir is seen as a problem between adversaries there will be no solution. If it is seen as a common problem between two countries determined to live in peace and harmony with one another, then a solution is possible. Only by evaluating each others' proposals through the lens





of progress towards a common goal will we be able to decide which ones to accept and which ones to reconsider.

## **Confidence Building Measures (CBMs)**

The group noted that the activity in Kashmir in early 2006 had seen the realization of several sentiments expressed in its earlier reports and meetings, and reaffirmed the CBMs agreed to at its last meeting on April 12-13, 2006 in Jammu. It welcomed the momentum generated by the establishment of various working groups by Prime Minister Manmohan Singh at the close of the Srinagar roundtable conference held on May 25, 2006. In light of these developments, the suggestions for CBMs were redrafted.

The group was conscious that many of the CBMs listed below were already a part of the composite dialogue and were currently under discussion. The problem, however, had been in the implementation of certain CBMs, as many of the measures had not had the intended impact. Therefore, the group hoped that the implementation of the following CBMs was achieved, as it would contribute significantly to the solution of the Jammu and Kashmir problem.

Dividing the CBMs into three categories as was done in the Jammu meeting, the Delhi group endorsed the points made in Jammu and added and amended some points. It is this document that is now used to represent the consensus that has emerged from the dialogue.

The group divided the CBMs into three categories:

### **1) Broad Indo-Pak CBMs unrelated to Kashmir**

The group was fully supportive of all broad Indo-Pak CBMs, and expressed its conviction that bilateral CBMs which promote normalisation must be encouraged, as they can lead to a resolution of the Kashmir issue. Similarly, the group also felt that an early solution of substantive issues such as Siachen and Sir Creek would strengthen the peace process.

### **2) Kashmir related CBMs**

- a. The group condemned violence in all its forms, whether by state or non-state



actors, because this has the potential to disrupt the entire peace process. Both states must commit themselves to cooperating with each other to take effective steps to end violence in the region. Pakistan should actively discourage military activities of non-state actors and India, for its part, must aim to gradually withdraw its military presence from civilian areas. The group felt that priority needed to be given to the personal safety and security of the people, especially to women and children. Towards this end, it is essential to have a total internal ceasefire.

- b. The group welcomed the Srinagar-Muzzaffarabad bus service as a first step to improving communication between the various parts of the state. However, it felt that both India and Pakistan should commit themselves to opening all traditional routes of Jammu and Kashmir for both people and trade. In particular –
  - i. Such routes should be opened for all vehicular traffic, public as well as private.
  - ii. Opening the following routes would be especially beneficial to the people of the state: Jammu-Mirpur, Jhangar-Kotli, Akhnoor-Munawar, Skardu-Kargil.
  - iii. The group is disappointed by the way in which a variety of security clearances has frustrated the objective of the initial openings, and has deprived the people of the freedom of interaction that was intended.
- c. Past experience has shown that unless travel procedures are simplified, the opening of routes will not be of any significance. Travel should be without restriction and should not be limited to divided families.
- d. The two sides should also proactively encourage institutionalised exchange between students, journalists, media personnel, traders, artists and civil society representatives.
- e. Both sides should facilitate the return of families who have left their original homes due to disturbances.
- f. Free trade between the two parts of Jammu and Kashmir should be allowed and encouraged.





- g. Public and private cooperative tourism ventures should be encouraged.
- h. The establishment of a joint consultative body of experts in fields such as the environment, forestry, power-generation, and water utilization should be encouraged.
- i. The armies of India and Pakistan should expedite removal of land mines on both sides along the LoC and the International Border.
- j. The people of Jammu and Kashmir should in addition be allowed to travel beyond to India and Pakistan as the case may be, provided that they possess valid travel documents. Consideration should also be given to establish air links between Srinagar, Jammu and Lahore.
- k. The group acknowledges that the issue of autonomy/self-rule is the key to a final solution, and that the wishes of the people of Jammu and Kashmir are paramount in this situation. It welcomes the dialogue that has been undertaken by Prime Minister Manmohan Singh in order to assess Kashmiri opinion on this issue, and encourages movement forward on this matter. The group recommends that the Government of Pakistan also engage the people of AJK and the Northern Areas with regards to this question. Some ideas on the question of autonomy/self-rule were discussed during this meeting, and will be considered in depth at subsequent gatherings.

### **3) Internal CBMs**

The group considered the measures that the Indian Government could take to bring down violence and to restore public confidence in Jammu and Kashmir. It concluded that the following measures would achieve this to a considerable extent:

- a. As violence decreases, a gradual withdrawal of security forces, which are not part of the normal police, is desirable.
- b. As an immediate step, all practices of search operations, crackdowns, etc. should cease.
- c. All security forces should come under the purview of the State Human Rights Commission, which needs strengthening.



- d. The security forces should discontinue using former militants to identify, victimise, and assassinate their targets, as it is not in the interests of the cessation of violence.
- e. Telecommunication links between Jammu and Kashmir, AJK, Northern Areas and Pakistan should be restored.
- f. All draconian laws should be repealed and political prisoners should be released. All detention cases should be reviewed.
- g. In respecting the right to information, the concerned authorities should provide immediate information about disappeared persons to their families.
- h. Orphans who have been the victims of terrorism should be rehabilitated and provision given, in particular, to widows who have been affected by violence in the region.
- i. The young boys stranded across the LoC should be enabled to return to their homes.
- j. The group expressed hope that the Government of Pakistan would encourage the people of AJK and the Northern Areas to engage in internal dialogue in order to develop a consensus on their future.

### **Prime Minister Manmohan Singh's Remarks**

The group welcomed the remarks made by Prime Minister Manmohan Singh at the close of the Srinagar Roundtable Conference (see Annexure I for the full text of the statement), and saw them as a positive development. The group expressed hope that the vision offered by him at this time would be realized, and would culminate in genuine peace and harmony for the people of Jammu and Kashmir and for the region as a whole.

### **Focus on Prime Minister Manmohan Singh's Trip to Pakistan**

The group looked forward to Prime Minister Manmohan Singh's proposed visit to Pakistan, and expressed the hope that this visit would result in bold decisions on all issues including an agreement on Siachen and specific time-bound directives to the concerned authorities on the implementation of the CBMs recommended.



# Fifth Intra-Jammu Kashmir Dialogue, Islamabad, Pakistan

AUGUST 31-SEPTEMBER 1, 2006

## Important step forward



An important stage in the on-going dialogue process took place when the fifth meeting of the intra-Kashmir dialogues took place in Islamabad, Pakistan organised jointly by the Eqbal Ahemad Memorial Educational Foundation\* and the Centre for Dialogue and Reconciliation from August 31 to September 1, 2006.

The first day of the conference was devoted to looking at the state of the peace process and how to overcome the trust deficit. On the second day, the discussions focused on the papers presented by Dr Mubashir Hasan, former Finance Minister of Pakistan and Mr I.A. Rahman, leading journalist, human rights and peace activist of Pakistan and Mr Sayeed Malik, former editor of Sunday Observer, now in Srinagar.

At the Jammu conference in April 2006, participants from AJK suggested that CDR hold the next gathering on their side. This was accepted but even as preparations began for the conference in Islamabad, scheduled for September 2006, the serial bomb blasts on Mumbai's local trains took place on July 11. This event resulted in the Indo-Pak dialogue process being stalled. Postponing the meeting was considered. However, CDR was against postponement, as it believed that in times of crisis more dialogue was needed, not less. Besides, when governments stopped talking, it was imperative for civil society to keep the lines of communication open. With this conviction, the organizers decided to go ahead.

Amongst the participants were a former diplomat, a retired Army general, a vice-chancellor, academics, senior journalists, a former chief justice, speaker



of AJK Assembly, the opposition leader in J&K Assembly, a senior member of the Srinagar Bar Association as well as representatives of various parties and political viewpoints from both sides of the LoC as well as human rights and peace activists. All regions and ethnic communities from both sides of the divided state participated including representatives from Gilgit and Baltistan. During the two days of the conference, participants deliberated on the peace process, how to overcome the trust deficit and issues of self-governance and demilitarization.

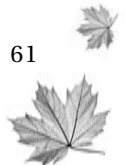
## **Review of the Peace Process**

The question before the Islamabad meeting was: Will the peace process survive another terrorist incident, referring to the Mumbai serial train blasts.

On the face of it, it seemed the process might be in danger of falling apart. However, some of the participants felt the group must persevere and see that the process does survive. This was because the objective conditions, which led to some cautious optimism, continued to prevail. One of the favourable conditions was that both India and Pakistan genuinely believed that it was in their long-term strategic national interests to have good relations with each other. At the previous Intra-Kashmir conference this was laid down as a pre-condition for any progress on any front, including Kashmir.

Also, it was felt that the strategic decision to continue with the peace process must be a genuine one. Neither side was doing the other a favour by agreeing to this. Those strategic interests of India and Pakistan had not changed. Therefore, participants felt that the two countries must overcome temporary setbacks. They also acknowledged that there are indications that in certain influential quarters in both countries, the legacy of mistrust and suspicion still prevailed and must be addressed.

The other objective conditions – the international situation, the nuclear standoff, the economic benefits, people-to-people contacts – remained the same. However, it was believed that the two governments would find it difficult to resist and would ride the crest of this wave and follow public opinion in favour of good relations.





The Pakistani participants stated that this was not the first time that the threat to break off dialogue had been used. One participant asked whether our countries should allow such incidents to break off dialogue or should we intensify dialogue so that solutions could be found. A deterioration of relations escalates much faster than efforts to improve relations.

The participants felt that the best way this can be done is an early meeting of the two leaders of India and Pakistan at some appropriate moment perhaps at the meeting of the Non-Aligned Movement and the United Nations. Participants also felt that the suggestion put forward by the Pakistani President in an interview about a meeting of the intelligence chiefs had some merit and should be considered.

The need to re-examine the way problems and disputes were addressed was also raised. Participants felt that these can only solve if we looked at them as common problems i.e. solutions to which are of mutual benefit to both parties. It is going to be difficult to solve problems, particularly intractable ones like Kashmir, if you talk in terms of gains and losses of one side or the other.

One of the Pakistani participant felt it was a ridiculous theory to say that Pakistan in some way gained by the terrorist acts because it would help in the solution of the Kashmir issue. Pakistanis are sensible enough to realize that Indians would not succumb to the use of force, he said.

Some felt this group was making good progress. It had tackled what were the basic problems in searching for a solution for Kashmir and that we ought to find a solution, which is acceptable to all shades of opinion within Kashmir, in recognition of the fact that there is no monolithic opinion in Kashmir, one way or the other. We had come to certain conclusions, which had the broad support of the majority of the Kashmiri people. At the same time, the people of Kashmir and their leaders appeared to have realised that there were certain solutions, which would be difficult for either India or Pakistan to accept. And they were prepared to face this reality. The CDR group's conclusion was that what was really required was the effective implementation of decisions on which there was consensus such as enhanced communication and bus services etc.



In the earlier conference, the group had recommended the opening up of trade, free movement across the LoC, consultative mechanisms in the first stage on such issues as environment, forestry, water resources, power etc. While these may still be called Confidence Building Measures (CBMs), the group felt they were essential steps towards the final solution. At the same time, the search for a solution for Kashmir and for a common Kashmiri viewpoint must continue through such dialogues.

The first step, it was agreed, was the restoration of peace and order, addressing grievances of the Kashmiri people, the effective implementation of CBMs as regards exchanges, travel etc. Simultaneously the issue of autonomy, self-rule, demilitarisation etc. needed to be addressed. Demilitarisation would automatically follow if peace and order were to be restored.

A Jammu academician observed that in CDR's earlier Intra-Kashmir dialogue in April, he had stated that the people of India and Pakistan have made peace, the leaders wanted to make peace, but the establishments had not yet adjusted to this new reality. Six months later, leaders were finding it increasingly difficult to make peace, the establishments seemed to be getting stronger and people were not as enthusiastic. However, while there was a sense of cynicism, he still thought that there were openings. It was quite unprecedented to see, for instance, the collaboration after the earthquake, and intra-Kashmir meetings taking place almost every month.

On the other hand, people from the Valley indicated that while the violence had decreased, the ground reality had also remained unchanged or not improved significantly enough. The ordinary Kashmiri was still being targeted, still facing extremely difficult situations, and the kind of relief the peace process was expected to bring had not translated into reality.

In terms of the final resolution of the issue of Jammu & Kashmir, despite cynicism, there was some reason to be optimistic. General Musharraf had outlined his vision clearly – demilitarization, self-governance, and joint management. Dr Manmohan Singh had paraphrased this demilitarization in terms of reduction of troops and self-governance. There was a lot of work being done already in J&K: The Indian PM





himself had talked about better governance and comprehensive security defined in terms of freedom from fear, economic, political and cultural security, General Musharraf talked about joint management, Dr Singh talked repeatedly about consultative mechanisms across the LoC as well as institutions that can tackle common problems like environment, tourism, forestry, communication links. Both sides had talked about making borders irrelevant and softer.

Civil society could only try and encourage the leaderships, which did want to make peace and convince them not to stop the dialogue, despite acts of terrorism. The dialogue must be continuous, uninterrupted, and unconditional. Civil society and public opinion must be strengthened so that one day, establishments matter less and real opinion on ground matters more.

A politician from AJK felt that a major achievement was the acceptance of three aggrieved parties. As bilateralism between India and Pakistan had not led to a solution, perhaps trilateralism should be tried, he suggested.

A politician from J&K said the dialogue process initiated by India and Pakistan was welcomed by one and all. It was a time-consuming process and one could not expect results overnight. It was also no secret that the peace process between India and Pakistan was holding together by a very slender thread. In his opinion leaders should not be guided by public opinion but should shape it.

## **Overcoming the trust-deficit**

The trust-deficit between India and Pakistan, that had been understandable in the past, was now being manufactured, suggested an Indian political analyst. Peace and democracy in India depended upon there being peace if not democracy in rest of South Asia. Secondly, the complete loss of trust in the Indian state amongst Kashmiris was as important as the trust-deficit between India and Pakistan. This deterioration in trust did not begin in 1990 but was the product of a lack of autonomy and self-rule in the region. Even if India-Pakistan relations are stabilized and agreement is reached, this building of the trust in Kashmir and between the two countries is an even bigger job. It is going to be more difficult and more protracted.



According to a retired Pakistani army general, the fault on the Indian side lay with the fact that New Delhi had handed over the handle to the detractors of the peace process. He felt progress on the negotiations was only possible if people were willing to give up their initial position. A negotiated settlement, he felt, is the best one. He suggested that the two sides could start with the assumption that they did not trust each other and were not likely to do so for some time. He felt the framework for the peace process had been worked out wisely. The framework meant that the scuttling ability of the detractors and the doubts and deficit of trust would be taken over by an improved environment, the people's mood, by Kashmiris taking charge of their own fate etc. At that stage one could confidently say that the process is irreversible. He warned that we were on slippery ground if we seek trust because we like one or the other man. Trust will be built as a result of the small steps being taken. In the meantime, the framework that exists should be used.

Amongst the participants who put forward their views was an elected representative from AJK. He said mistrust between India and Pakistan made it difficult to reach an agreement.

A Pakistani academician pointed out that apart from the people of Kashmir, who had been denied the right to choose as pointed out by many during the conference, there were other areas in the subcontinent, like Balochistan, that had also been denied this right. This did not mean that people of Pakistan cannot live together or that different people of Kashmir cannot live together. They can. There is nothing impossible about different peoples learning to live together. What was needed, he felt, was a climate that enables people to learn to live together. This is possible through effective governance.

An elected representative from J&K thought history had created some inbuilt attitudes and obsessions, particularly after the post-partition period. Kashmiris, Indian and Pakistanis were unable to believe or trust each other. They had become obsessed with certain disputes. If not for this, there could have been good relations between people. He suggested that certain institutions on the sub-continental level needed to be empowered, which could contribute to building confidence in each other's honesty and integrity.





Participants felt the bus service started across the LoC could help to break down barriers but was ineffective due to complicated and lengthy procedures. The Ladakhis present demanded opening of routes in their area as in the period before 1947. Others felt the Jammu-Sialkot route would be a most beneficial route for Pakistanis.

A Kargili emphasized that overcoming trust deficit between regions of J&K and communities of J&K was the most important issue before them. Mistrust and trust deficit existed between the different regions on both sides of the LoC. An AJK peace activist suggested that one way of removing mistrust was to organize and increase the frequency of more such meetings, more *mel milaps*.

Another Jammu academician agreed that the lack of trust between New Delhi and Kashmir was strong and this is why former Indian Prime Minister Atal Behari Vajpayee began the dialogue by acknowledging that India had made mistakes. The basis of peace between Kashmir and India was that acknowledgement and the understanding of the gap that needed to be removed. Although there had been a history of distrust, we had to make a new beginning, she said.

A senior advocate from Srinagar felt the position of Kashmiris today was very weak and they were helpless in a situation created by two mighty countries on their borders. The Kashmiris had done whatever was possible, whether in the form of the armed struggle or supporting the peace process. Kashmiris had done their best and now they needed to be carried along in the dialogue process, especially those who dispute the fundamental question about the accession of J&K to the Union of India. He suggested all leaders of opposition in the Parliament should join in future dialogues in both India and Pakistan.

A political analyst felt that there was popular will in favour of the peace process, and it is this that has forced India and Pakistan, to come together. He felt that this forum should facilitate a consensus, through organized public opinion, a consensus, that could ultimately lead to a final resolution for Kashmir.

A senior Kashmir journalist suggested that as the assembled group was not a decision-making body or had the powers to enforce its suggestions, it could at best provide inputs to policy makers. Therefore, the suggestions needed to be



more realistic and pragmatic. The group needed to address why the dialogue process had suffered a setback.

A lecturer from Jammu University raised the issue of the role of civil society. She gave credit to civil society for the momentum in the peace process. She felt these groups should work towards peace even if talks break down at the government level. She also spoke of a certain consensus that had emerged in J&K: that everything has to be resolved on the basis of certain fundamental values. Democracy and secularism were two very important values according to her.

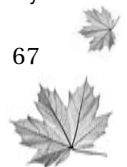
A senior Pakistani diplomat at the gathering said, "This group did come to a conclusion: while the peace process must not be held hostage to the single issue of the Kashmir dispute, it definitely should recognize the centrality of it. We have a problem in identifying Kashmiri opinion, which has been divided. In our search for a consensus, we developed what may be called a gradualistic approach. Our earlier meetings have revealed that there is a consensus on certain basic issues. We did not consider whether Kashmir should go to either India or Pakistan or remain independent. The consensus was to address certain ground realities which were in an unsatisfactory state."

A Pakistani intellectual felt that it was not right to accuse India and Pakistan of not wanting to solve the Kashmir issue. There was a time when this would have held true, but not today. He said that the voice of Kashmiris needs to be heard and was immensely pleased when General Musharraf said that what was acceptable to Kashmiris was acceptable to Pakistan. Talking about the trust deficit, he said it would be foolish for governments to trust one another. Governments should have common interests and not trust, he said.

In the last session, the participants decided to re-look at the consensus statement from the Jammu Conference held on April 12-13, 2006 and re-affirmed the statement with minor modifications.

## **Outside the conference**

During and after the conference the participants were able to meet a wide cross section of people in Islamabad and AJK. During the visit to Muzaffarabad, they





were received by the Prime Minister of AJK, addressed the Bar Association, were received at the AJK Assembly hall by some opposition leaders and attended a reception given by civil society organizations at a local hotel. The leader of opposition in the AJK Assembly received the participants in his village near Muzaffarabad. The participants were also able to meet the President of AJK at the dinner hosted by speaker of the AJK Assembly. Former Prime Minister of AJK, Barrister Sultan Mahmud received them at his home.

The participants also made a visit to Mirpur at the invitation of the former Chief Justice of the AJK High Court. During the visit they met prominent personalities of Mirpur and Kotli. Some participants also met the Indian High Commissioner to Islamabad. The local print and television media in Muzaffarabad covered the visit of the participants there. A popular Urdu television channel of Pakistan interviewed two of the participants.

It should be noted that this was for the first time that an Indian organization was allowed by the Pakistani government to visit AJK.

*\* The Eqbal Ahemad Memorial Educational Foundation was founded in 1999, to further the causes believed in by Dr Eqbal Ahemad. Throughout his prolific public writings and lectures, and in his many decades of political activism, Dr Ahemad emphasized the importance of public education in combating ethnic and religious sectarianism, nationalism, militarism, fundamentalism, and other social and political movements that built identities based on difference, exclusion and tolerance. The Foundation's mission is to help create opportunity for people to engage with the issues that face this country. The Foundation has instituted a scholarship fund to support the education of deserving students in Pakistan; it has produced educational videos, a documentary on Kashmir titled "Crossing the Line between Pakistan and India"; the Eqbal Ahemad Lecture Series etc. The largest project undertaken by the Foundation so far has been the rehabilitation and reconstruction of houses in Kashmir and NWFP in the wake of the October 2005 earthquake. The Foundation built over a thousand shelters in the two regions. Later, it undertook the work of reconstructing schools that were also damaged as a result of the earthquake.*

# Sixth Intra-Jammu Kashmir Dialogue, Pataudi, India

FEBRUARY 2-4, 2007

## Facilitating dialogue



Twenty-two participants from both sides of the divided Jammu-Kashmir state, India and Pakistan, met in Pataudi, Haryana on February 2-4, 2007. This was the sixth Intra-Jammu Kashmir dialogue organized by the Centre for Dialogue and Reconciliation. The conference took place against the background of a resumption of the stalled dialogue process between India-Pakistan, following the meeting between Dr. Manmohan Singh and President Pervez Musharraf in Havana in September 2006, the meeting between the two foreign secretaries in Delhi, the visit of the Indian Foreign Minister to Islamabad in January 2007 and the scheduled composite dialogue between the two foreign ministers in March 2007 in New Delhi.

During the two-day deliberations, the participants welcomed the vigorous resumption of the Indo-Pak dialogue. They felt that the objective conditions for an honourable settlement on Kashmir and all other pending issues and disputes between our two countries had never been better. They congratulated the Prime Minister of India and the President of Pakistan for their courage and steadfastness in the face of extreme provocation.

The group heard with deep interest a presentation by Mr. Sajjad Gani Lone, President of the Peoples' Conference, on the multi-dimensional nature of the search for peace. They expressed great appreciation of the courage he had shown in presenting his thoughts on this complex issue on paper and thereby providing all Kashmiri nationalists a blueprint upon which they could ponder as they searched for a consensus among themselves. They also listened with interest





and deep appreciation the suggestions put forward by Mr. Wajahat Habibullah, Chief Information Commissioner of India, on fleshing out the concept of self-governance so that it empowered the common man.

The discussions took place against the sombre background of the arrest of two senior policemen in Kashmir and the exposure of a ring of security personnel in what was in effect a business of staging faked encounters for the sake of a reward. The group expressed its profound distress at the frequent occurrence of human rights violation in Kashmir. These violations have been committed both by the militants and the security forces. But the recent revelation that even as violence has waned in Kashmir, sections of the security forces may have turned to the killing of innocents, after dubbing them terrorists, into a business for self-enrichment, came as a profound shock. The root of this is the practice of rewarding security men for killing terrorists with large sums of money. The group found this morally reprehensible, for it turns policemen and soldiers into mercenaries.

The group urged the Indian government to discontinue this practice because this has the potential to disrupt the entire peace process. The group appreciated the role of the media in exposing the recent cases of human rights violations, killings of innocent persons in fake encounters and the subsequent action taken by the government in arresting the two senior police officers responsible.

There was consensus but still not unanimity on the concept of limited sovereignty under joint supervision by India and Pakistan. Everyone accepted however that Kashmiris needed to accommodate the security and other concerns of India and Pakistan, and recognised that some concessions would have to be made. However, they felt that Kashmiris had to have a say in what quantum of sovereignty they would surrender. The group asked India and Pakistan to keep the sensitivity of the Kashmiris on this issue at the forefront of their minds during the discussions they held with each other.

All Kashmiri representatives felt a sense of exclusion from the dialogue until now. They understood that the delicacy of the Indo-Pak negotiations required a degree of confidentiality, but they urged that their input be made at an appropriate stage. They felt that a solution to the Kashmir issue must not merely involve the



Kashmiris but be seen to be coming from them in the form of a compact with India and Pakistan. Participants from Jammu and Kashmir felt that this was especially necessary for them if they were to lay the ghost of the insurgency to rest.

In this context, they discussed various methods by which a Kashmir consensus could evolve. This would require the identification of the real spokesmen and representatives of all the regions of Kashmir. It was also felt that efforts should be made to include the viewpoint of separatist leaders and indeed, of militant groups. The governments of India and Pakistan were urged to encourage such intra-Kashmiri inclusive dialogues by allowing spokesmen and representatives of various groups on both sides of the Line of Control (LoC) to visit each other freely. This would make it possible to institutionalise an intra-Kashmir dialogue between genuine representatives in an atmosphere relatively free from public speculation and facilitate the evolution of a consensus.

### **Confidence Building Measures (CBMs)**

In the last 18 months, several proposals made by the group in its meetings had been implemented in Kashmir. The group reaffirmed the CBMs endorsed at its last meeting on April 12-13 in Jammu, reaffirmed at Delhi in May, and Islamabad on August 31-1 September. The group was conscious that many of the CBMs listed below continued to be part of the composite dialogue and were currently under discussion. The problem, however, had been in the implementation of certain CBMs. Many of the measures had not had the intended impact. Therefore, the group strongly urged full implementation of the following CBMs as this would contribute significantly to the solution of the Jammu and Kashmir problem.

- Recognizing that demilitarization is the one sure way of ending human rights violations the group urged Pakistan to take steps to disarm non-state actors, to pave the way for it. Pakistan should actively discourage military activities of non-state actors and India, for its part, must aim to gradually withdraw its military presence from civilian areas and improve the human rights situation. The group felt that priority needs to be given to the personal safety and security of the unarmed people, especially women and children. Towards this end, it was essential to have a total internal ceasefire.





- The group re-emphasized that opening of all traditional routes for people and for trade would be beneficial to the people and to the peace process. The group welcomed the Srinagar-Muzaffarabad and Poonch-Rawalakot bus service as a first step to improving communication between the various parts of the state. However, it felt that both India and Pakistan should now commit themselves to opening all traditional routes of Jammu and Kashmir for both people and trade. In particular:
  - i. Such routes should be opened for all vehicular traffic, public as well as private.
  - ii. All three regions of Indian administered Kashmir including Ladakh, Kashmir and Jammu must be given equal access to their counterparts in AJK.
  - iii. The group expressed disappointment at the way in which innumerable security clearances frustrate the objective and deprive the people to interact freely. Unless travel procedures are simplified, the opening of routes will not be of any significance.
  - iv. The following routes would be especially beneficial: Jammu-Mirpur, Jammu-Sialkot, Jhangar-Kotli, Akhnoor-Munawar, Skardu-Kargil and Bandipora-Astor.

In addition to these, the group endorsed all the other points made in the previous meetings.

Focus on the meetings and visit of Prime Minister, Dr. Manmohan Singh to Islamabad.

The group felt that the coming months provided a unique opportunity to make progress in the composite dialogue between the two countries and expressed the hope that Prime Minister, Dr. Manmohan Singh would visit Islamabad in the near future.

# Seventh Intra-Jammu Kashmir Dialogue, Srinagar

MAY 2007

## Assessing the Peace Process



A small CDR group went to Srinagar to assess the reaction of the various separatist leaders and the civil society members to the Indo-Pak Peace Process. The group held meetings with intellectuals, political leaders and different political organizations. These interactions, held outside the conference framework in an informal setting, were very rewarding. The CDR group gathered following observations:

- The dissidents feel a deep and genuine sense of exclusion from the peace process. Repeatedly people said that no solution, however good, if thrust on the Kashmiris, would be acceptable to them if they are excluded from the decision making process. The group agreed that Kashmiris' acceptance of any agreement reached would be critical to its sustainability. The group explained to the people they met the need for confidentiality in the on-going talks and assured their interlocutors that in their view the governments would not thrust any solution without the consent of the Kashmiris.
- There was general support for the CBMs but a lot of unhappiness over non-implementation of these on the ground. People felt that the goodwill generated by the bus service was negated and would be lost unless the procedure for travel was simplified and the number of routes expanded. The Indian Prime Minister, Dr. Manmohan Singh's, working group on 'Strengthening Relations Across the Line of Control' has also made similar recommendations. The participants to the Third Kashmir Roundtable, in Delhi, called by the Prime Minister on April 24, 2007, endorsed these recommendations. Therefore, they should be addressed urgently.





- The role of security agencies in the implementation of some of the agreed CBMs has to be re-assessed. This should not be seen as a security stand off. The objective situation has improved to a point where it is possible to move on. Whereas the security interest is critical, this has two aspects. (i) The general feeling of relaxation in the situation is not reflected through the security regime at the moment. People complained that the aggressiveness of the security force personnel during crackdowns, traffic movement and even routine checks had increased. This translates into people feeling insulted and humiliated, neutralizing any efforts of the army to be people friendly. The group feels that this aggressive attitude will not change until and unless the security forces are relocated or reduced. We would like to draw a distinction between the numbers and the excessive powers given to them. We have no hesitation in suggesting garrisoning the security forces at the district level. (ii) Policy must be determined with the fullest participation of civil society and not the inputs of intelligence agencies alone.
- The demand for demilitarization has popular support. Occupation by the military of orchards, fields and other rural property, even more than urban property, is a major grievance. However, moving out seems difficult so long as it looks like a lowering of guard against infiltration. The next critical step in the peace process is the effective sealing of the border against infiltration. President Musharraf seems committed, but there are questions about his security agencies.
- Tangible measures on the ground, rather than statements, are required. These could include challenge inspections, a mechanism that allows both sides to inspect an area where one suspects that violation are taking place in designated areas identified as launch pads for infiltrators, joint patrolling where appropriate, improved cross-LoC communications, cooperative policing, among others. Provision for verification on the ground with the active participation of our people can permit moves towards demilitarization, and with it strengthening of the peace process.



- Voicing concern over non-inclusion of the separatist elements in the dialogue process some feared that this would lead to the marginalization and eventual disintegration of the moderate dissident centre. Radicalization of militant sentiment is a real threat, according to some of our interlocutors. Though Hurriyat is weakening, the spirit of dissent is far from quenched. Al Qaeda-type bodies can come up. Thus time is not on the side of anyone except the dissenters, and the consequences of dragging on the current process can be incalculable. Early results on the ground are needed to change the picture. The group felt that the efforts to bring the separatist leaders into the dialogue process should be reinforced.
- People voiced criticism of the optimism and solution-around-corner sentiment being expressed. There was a strong opinion that any solution should not be announced without genuine participation by the peoples of the State, that it would be seen as an imposition on the Kashmiris. Kashmiris should be briefed and consulted before the announcement/final step. In this connection there were suggestions of modalities for a roundtable for the separatist leaders to ensure their participation in the peace process.
- Peace process should not be seen as dependent on individuals at the helm of governments at the moment but as an ongoing process. Domestic politics were making an impact on the progress of the peace process. President Musharraf seems to be in a weak position due to internal crisis at the moment. The UPA government too is perceived as being cautious after recent assembly elections in India. But these internal developments should not become an impediment. The peace process should be seen as a joint concern of both the countries rather than one trying to take advantage of each other's domestic weakness. There is need to enlist the national opposition parties in both countries. In this connection it was suggested that a conference with participation of national opposition parties along with the Kashmiris should be held in each country.
- The thread of dialogue with the militants that was initiated in 2002 needs to be picked up again.





- Attitude to the 2008 elections: There was a feeling that if the elections were just to elect for general state assembly the separatist elements would not participate. But if between now and the elections some framework for the solution was agreed upon with the separatist elements there was a good chance that they would participate in these elections. It is good to keep in mind that they represent amongst themselves 40-45% ethno-nationalistic sentiment. For this reason an objective could be to ensure the widest participation of all elements of the political spectrum in the 2008 elections to the state assembly.

### **Points of Action**

1. Progressively the sense of exclusion of the Kashmiris became the pre-occupation of our group. We explored ways to include them. Our group feels that those CBMs, which are clearly matters of consensus, should be implemented vigorously straight away. This will directly impact the perception of the peace process changing from negative to positive. Others should be formulated after discussions with the Kashmiri leaders.
2. Means should be found to facilitate the participation by separatists in the Round Table process with the Prime Minister. This has the support of the Kashmiri intellectuals as well as Mr. Mufti Mohd Sayed, former Chief Minister of J&K, Mr. Yusuf Tarigami, leader of the Communist Party of India (Marxist) in J&K and also Mr. Omar Abdullah, president of National Conference. It should aim at getting them to participate in the Prime Minister's next roundtable. Mr. Mufti Sayeed felt, "Let the separatists too take some credit." The objective of such discussion could be that when the leaders of India and Pakistan next meet, they could consider involving dissident Kashmiri leaders across the spectrum to discuss with them the mechanics for their participation in the peace process as it relates to Kashmir, by receiving inputs from the round tables.
3. It was suggested that a conference of national opposition parties be convened in each country to build national support and consensus for the peace process and Kashmir solution.

# Eighth Intra-Kashmir Dialogue, Srinagar

OCT 9-11, 2009



Over Sixty participants representing all communities and regions of J&K, AJK as well as India and Pakistan participated in the recently held Intra-Kashmir Conference, titled, "Jammu-Kashmir: Opportunities and Challenges Ahead." This was the 8th Intra-Kashmir conference organized by the Centre for Dialogue and Reconciliation, since July 2005. Six of these were held in J&K State. The conference was the first major initiative on Kashmir, taken by civil society, since the Mumbai terror attack in November 2008 and was held in difficult circumstances. The organizers believed that when governments stop talking, there was far greater responsibility thrust on civil society to ensure that the communication channels are kept open to build public opinion that would eventually nudge the governments to resume dialogue.

Representatives of different political parties and separatist groups, members of trade bodies from J&K and AJK as well as academicians, former civil servants, advocates, journalists, peace/social/human rights activists, took part in the three-day deliberations. The themes of the conference sessions included – 1) What can help the dialogue process to move forward? (2) What CBM's can help in addressing the trust deficit, and (3) Expanding Economic Cooperation across the LoC.

On the second day of the conference delegates discussed the conference themes in smaller groups. Recommendations of these three groups were presented at the last session and discussed. Later these reports were unanimously adopted by the conference.





Following the conference, some members of the trade organizations held meetings amongst themselves in Srinagar and Jammu as a follow-up to their deliberations in the conference. Similarly, discussions were also held with political leaders regarding continuation of the dialogue process amongst those with diverse political viewpoints – a process that was started during the conference. Coming weeks may see some new initiatives emerging as a result of the conference.

The conference succeeded in generating a positive atmosphere for the peace and dialogue process and received wide media coverage locally.

The reports of the three working groups in the conference are given below.

### **1) Working Group on the Dialogue Process**

The group made two different sets of recommendations on the dialogue process covering India/Pakistan and intra-Kashmir tracks.

#### **Recommendations on the Delhi Islamabad track**

1. There is need for a focused, sustained and uninterrupted dialogue process between India and Pakistan.
2. It was felt that the peace process should not only be result-oriented but time-oriented as well.
3. The dialogue should be multi-layered.
4. In order to promote trust and confidence different civil society groups need to work at different levels in order to reduce the trust deficit.
5. The group strongly recommends that terrorism should be de-linked from dialogue process, and it should not come in way of its immediate resumption. Further, we also support *Sharm el Sheikh* in this regard.
6. The group condemns terrorism in all its forms and manifestations whether by state or non-state actors.
7. The back-channel needs to be put on track.

Islamabad and New Delhi need to constantly assess the progress in the peace process and take meaningful steps to move it forward.



## **Recommendations on Intra-Kashmir dialogue process**

1. It is recommended that a purposeful and focused dialogue process across and within regions and sub-regions of J & K be carried forward, considering conflicting opinions and positions on issues related to J & K state.
2. Credibility of the dialogue process must be ensured.
3. Different civil society groups i.e. lawyers, academics, media persons, legislators, and leaders of the different political groups need to be involved in exchange programmes between and across regions.
4. Recommended that the communication infrastructure be erected which is important for deepening the peace process.
5. Recommended that soft institutions like universities and cultural associations need to open up branches for joint collaboration.
6. The group strongly recommended that New Delhi should take immediate steps to resume dialogue process with all shades of political opinion in Jammu and Kashmir.

## **2) Working Group on Cross LoC Trade**

The Working Group on the Cross-LoC Trade believes that the trade across LoC has a huge future potential for building up not only business prospects but also contributing to a vast constituency of peace and cooperation. The trade started in October 2008 has been continuously facing obstacles but sustained against all odds and is going on with a pace which reflects deep commitment of traders towards enhanced Cross-LoC cooperation. Therefore the recommendations which have come from the Working Group on Cross-LoC trade are very practical and urgent in nature. The working group at the conference also included members from the Federation of Jammu and Kashmir Chamber of Commerce and Industry set up last year during the visit of the members of AJK Chamber of Commerce and Industry to J&K. Though traders and businessmen are working on a vision document for generating a shared understanding on the future prospects of trade and cooperation, the present recommendations are limited to improving the ongoing Cross-LoC trade.





## Facilitation

The traders on both sides of the Line of Control are caught in a blind process where an exact idea of supply and demand is not known. To address this key issue, following recommendations have been made:

- a) *As the Cross-LoC trade completes one year this month, there is a very strong and urgent demand for the meeting of the Joint Working Group set up between governments of India-Pakistan, to involve all the stakeholders in a discussion to remove impediments and draw up strategies for the future. This meeting should preferably be held within next three months (before Dec 31, 2009) to take stock of the progress and discuss future measures. Stakeholders are of the strong view that failure in facilitating such a meeting in three months may severely affect the ongoing trade process.*
- b) There should be a provision of multiple entry passes for the traders engaged in the LoC trade. Once this is agreed upon, the Joint Federation of Jammu and Kashmir Chamber of Commerce and Industry should be given the authority to recommend the members from their respective sides for multiple entry trade passes.
- c) Visit of traders to either side of the Line of Control should not be made hostage to the Cross-LoC bus services. The traders should be allowed to use their own cars till the LoC crossing points at any day convenient to their business demand.
- d) There should be hassle free clearance of goods.
- e) There should be periodic meetings between the traders to review the progress on trade. This meeting should involve the stakeholders from both sides. There should be at least one monthly meeting between the traders from both sides at the Trade Facilitation Center (TFC) at the LoC and such facilities for the meetings should be created by the two governments.

## Infrastructure

There is hardly any infrastructure to support the nature and volume of trade as any trader would have expected at the bare minimum. Following recommendations are made for putting in place the required infrastructure:



- a) There should be free and open channels of telecommunication between both sides of the Line of Control. When people from AJK already have the facility of calling up people in J&K, the Government of India should consider this on priority to make it a two-way process to facilitate LoC trade.
- b) There should be an expansion of loading and unloading areas at the LoC clearance points. The authorities may probably consider making warehousing facilities where traders are allotted sheds to park 8 to 10 trucks at a time for loading and unloading at convenience.
- c) *Immediate provisions of banking and postal facilities.*
- d) Roads and bridges should be improved on both sides so that at least trucks carrying 15 tone loads can pass over.

## **Expansion of Scope**

The list of items to be traded has been decided by the officials of Governments of India and Pakistan and the stakeholders believe that they have been made hostage to their arbitrary decision. Therefore:

- a) The stakeholders should have definite role to play in selecting items for trade. These items should not be solely decided by the officials of India and Pakistan without consulting the stakeholders.
- b) LoC trade, for all practical purposes, should be purely driven by the market demand. The traders on either side should have the opportunity of placing the list of items in demand on the particular side, for information of the traders on other side, at the Trade Facilitation Centres and the same may be allowed to be traded by the governments of India and Pakistan.
- c) All items produced and manufactured on both sides of Jammu and Kashmir should be allowed for trade but again stakeholders should be allowed to fix the priorities keeping in view the interests of their domestic industry.

## **Other major recommendations:**

There should be involvement of the stakeholders from both sides in all decisions pertaining to the LoC trade. All stakeholders can be associated with the Joint Working Group set up by the two governments, as members.





- a) All traditional routes between both sides should be opened with express priority to the routes with trade potential. In this regard the Working Group recommends immediate consideration of the following Cross-LoC links: Chhamb-Pallanwala, Handwara-Nawkoot, Nowshera-Khoiratta and Kargil-Skardu.
- b) There are some items like tomato and onion which have a unique supply demand and price structure equation on both sides. For example, the price of tomato has been shooting to Rs. 120/KG in AJK but when supplies are made available from J&K, the prices have often come down to Rs. 60/KG. Same is the case with onion on Indian side of LoC. Such items of daily use should be given utmost priority.
- c) The LoC trade should not be limited to fixed days of Tuesday and Wednesday and it should be declared as an all-days trade.

### **3) Working Group on Cross-LoC Cooperation in Different Fields**

On cross-LoC cooperation in different fields the group has made the following recommendations.

1. The group was unanimous that travel problems need to be pointed out specifically on both sides of the LoC and then the respective governments be approached for remedial measures. The hazardous formalities, official hiccups continue to make the cross LoC travel difficult. Therefore the formalities of verification need to be simplified and made time-bound as has been promised by the governments in Islamabad and New Delhi time and again. The verification should as a rule be made a one-time formality and re-verification and double verification on both sides should be undertaken only in exceptional cases for sound and valid reasons

Streamlining of the checking and frisking at crossing points is made more and more simple and comfortable with an improvement in infrastructure and facilities for the visitors at the crossing points on both sides of the dividing line.

2. **It was unanimously resolved that a travel facility should be thrown open for all the state-subjects instead of only the members of the**



**divided families.** Minor children and senior citizens are exempted to all possible extent from the official travel formalities. It was suggested that a joint institution of AJK and J&K be set up, to check the problems and make quick recommendations to the respective governments for their solution. The group also suggested that the status of the travel applications should be made known to the applicants online. The participants were unanimous in their demand that the travellers from both sides be allowed to ride across in private vehicles.

3. An immediate need was felt to provide telecom facilities to the people of J&K as that of the people of AJK and Gilgit-Baltistan enjoy, making phone calls to the opposite side as and when required.
4. It was also observed that ideally the travel should be on a smart card on the basis of PRC but till that happens the following measures are taken:
  - The application forms for trans-LoC travel are made available online apart from their availability at all tehsil headquarters free of cost or at nominal charges.
  - The group recommended opening of all traditional routes connecting different regions of the state of Jammu and Kashmir, with Kargil-Skardu, Nowshehra-Khairatta, Bandipura-Gurez-Gilgit, Chamb-Pallanwala, Handwara-Naukot (Leepa valley), Seri Chattar-Rajouri on priority basis. It also called for making Tattapani-Mendhar and Uri-Haji Peer routes – 2 of the 5 crossing point mentioned above were opened after the October 2005 earthquake – and are operational.

**On different exchange programmes the group made the following recommendations:**

1. Facilities should be provided for package tours, including pilgrimage tourism, echo tourism and adventure tourism.
2. Educational linkages between the divided regions, such as exchange of faculty and reservation of seats in different educational institutions, particularly the professional colleges, for students of the opposite sides, virtual classes





with students on one side and academicians on the other side. Holding of e-conferences and special and speedy permission to research scholars for required duration.

On the cultural side, the group recommended exchange of artists and artisans and holding of cultural shows while on the sports side, it called for holding of sporting events on regular basis with regional and local teams as participants.

On cooperation in the field of media, exchange of newspapers should be allowed to help people abreast themselves of the happenings on the other side. Similarly, cable operators on either side are allowed to air the indigenous news and entertainment channels of J&K and AJK so as to bring people closer to each other.

The group greatly felt the need of establishment of a joint disaster management institution to play its role in the face of any calamity that hits the Himalayan region which sits over a seismic fault line.

The group also recommended that both governments in Muzaffarabad and Srinagar should cooperate with each other in rehabilitation, settlement and return of the displaced persons, as the case may be.

**Sushobha Barve**

Conference Coordinator

## ANNEXURE - I

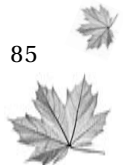
# Indian Prime Minister Dr. Manmohan Singh's Remarks at the Second Jammu & Kashmir Round Table MAY 25, 2006, SRINAGAR



At the outset, let me thank all of you who have participated in the deliberations over the last two days and have made this conference lively, interesting and certainly very productive. We began this process three months ago in February in New Delhi and I had mentioned then that this is only the beginning of a process and not a one off event. The purpose, as I had said earlier, was to look at evolving a consensus among different groups and sections of society on issues related to Jammu & Kashmir.

I believe, and I am sure that all of you will agree, that we have had fruitful and engaging discussions over these two days. A wide diversity of views have been expressed and I believe, that is the strength of this Round Table process which has now become a forum to tap into a wide range of opinion that exists among political parties, civil society organizations and others.

As I have heard all of you over the last two days, the recurring theme that has been emerging from speaker after speaker is that, while the Round Table process has its advantages and utility, we need to have a mechanism which can give concrete shape to the ideas expressed here, a mechanism which can provide opportunities for meeting more frequently in smaller groups, a mechanism which can focus on the specific issues, one at a time, and find a common ground and forge a consensus in this diversity. We have all had the chance to express our





views – both in Delhi and in Srinagar – and I believe that the time is now ripe to agree on the concrete mechanism for taking this process forward so that we can address issues which concern the people of this beautiful state.

Before proceeding to the details of a mechanism which can carry forward the process, I would like to dwell on some of the more immediate issues which have been raised in the Conference.

I do realize that the people of the state are put to a certain degree of inconvenience because of the prevailing security situation. But it must be understood that this scenario is the result of the ongoing actions of certain elements who disturb the peace in the state. I have instructed the security forces to be more mindful of human rights and be sensitive to the liberties and self respect of ordinary people. At the same time, it is our collective responsibility to create an atmosphere where the people of the state can be free from the fear of oppression and terrorist activities and can go about their normal lives like their fellow countrymen. If this requires strengthening the state police – both in numbers and materially – the central government would be willing to support that.

Another issue of immediate concern is the relief that we can immediately provide to those affected by terrorist activities and the state response to that. I have spoken in the past of the need to overcome animosities and moving forward in restoring normalcy in the state. In the context of today's Round Table and the voices we have heard, it is important that in our effort at nation building, we win back as our own the destitute families of those terrorists who have been killed in police action. We have initiated a number of schemes for rehabilitation of orphans of those who were victims of terrorism. Such schemes must be extended to all orphans who will need help in building for themselves a life free from violence and perceived revenge, as upright citizens of this great state and of India. A number of national level NGOs have been in this field since 1994, of which the Rajiv Gandhi Foundation with its Project Interact was the first. Since then a number of local organizations have joined in this endeavour through orphanages and schools. I assure you that this is an area where we can all work together, in ensuring that we provide succor and relief to all destitute widows and orphans of anyone killed



in violence in the state. This will be our surest and immediate contribution to the peace and prosperity that we all crave. I will ask the Home Ministry and the State Government to work out a credible mechanism of support for these families.

Another issue of concern that has been raised by many speakers is the problem of detention under various acts. I am aware of the fact that in the atmosphere that pervaded the state in the first phase of violence that engulfed Kashmir, many had faced arrest. A Screening Committee had been set up under Governor's Rule to review all cases, thus leading to the release of a number of young men found to be innocent, who were able to return to a useful life. At my instance, the Home Ministry has examined all cases of detention and in two rounds, released detenus against whom there are no serious cases. It has been mentioned here that a number of young men continue to languish in prison although the enormity of their offences were not of so heinous a nature. I will request the Home Ministry to periodically review on a quarterly basis all such cases of detention and release those that can be released. Let this now be not linked to meetings and conferences but an ongoing process. My own office will monitor this every quarter.

The issue of economic development of the state, creation of job opportunities and effective utilization of funds has been a recurring theme. In addition to establishing a mechanism – which I will elaborate later – I assure everyone that no efforts will be spared for the economic empowerment of the people of Jammu & Kashmir. Whatever projects – such as the Nimmo-Bazgo and Chutuk – are pending government approval, will be expedited.

The problem of displacement of people is a live one. I do realize that lives have been disrupted, livelihoods have been lost and homes uprooted as a result of this. In addition to the efforts at restoring normalcy in state to facilitate their return, I request the state government to expedite the issue of identity cards to migrant families in a time-bound manner in the next 6 months.

In my opening remarks, I mentioned that there are two dimensions to the problems of Jammu & Kashmir – one being the relationship between Delhi and Srinagar and the other being the relationship between Delhi and Islamabad. I have said repeatedly to President Musharraf and the people of Pakistan that we are





sincerely committed to peace and development in this region. Our government is committed to resolving all outstanding issues with Pakistan, including the issue of Jammu & Kashmir. There is also realization that terrorism is an enemy of civilized societies.

In my speech while launching the Amritsar-Nankana Sahib bus service, I had said that the normalization of relations between India and Pakistan will open up enormous opportunities for an accelerated rate of economic growth. We must encourage people-to-people contacts between both sides. It is through such contacts that we can explore a vision for a cooperative common future for our two nations – a future where peace prevails, where relations are friendly, where our citizens rejoice in the well-being of the other country.

The vision that guides us is that the destinies of our peoples are interlinked. That our two countries must therefore devise effective cooperative strategies to give concrete shape and meaning to this shared vision. We are sincerely committed to the prosperity, unity, development and well-being of Pakistan. We want all the people of South Asia to live a life of dignity and self-respect. When our neighbours live in peace, we live in peace.

The peace process with Pakistan, as discussions at the Round Table Conference have revealed, has generated high expectations. I am glad that this process has received demonstrable public support. We are awaiting Pakistan's response on some concrete suggestions which we have made.

In order to move forward, we need to move ahead step by step. We must have the courage to see each other as supporting the other for the realization of a better tomorrow for all the people of India and Pakistan. I have stated earlier and will repeat once again, that I have a vision that the peace making process must ultimately culminate in our two countries entering into a Treaty of Peace, Security and Friendship to give meaning and substance to our quest for shared goals.

I now come to the issue of establishing credible mechanisms for carrying this dialogue forward. Based on the various suggestions made, I would, therefore like to propose that we set up Working Groups comprising members from amongst those present or those nominated by parties and groups who could look more

closely at the broad issues and problems. I am sure all of you would agree that this would be the best way to move forward and ensure that the views of different segments are incorporated into the process. My suggestion is for the creation of five Working Groups:

### **Group I:**

#### **Confidence-building measures across segments of society in the State**

The Group will evolve:

- Measures to improve the condition of people affected by militancy.
- Schemes to rehabilitate all orphans and widows affected by militancy.
- Issues relating to the relaxation of conditions for persons who have foresworn militancy.
- An effective rehabilitation policy, including employment, for Kashmiri Pandit migrants.
- An approach considering issues relating to return of Kashmiri youth from areas controlled by Pakistan.
- Measures to protect and preserve the unique cultural and religious heritage of the State.

### **Group II: Strengthening relations across the Line of Control**

To recommend measures to:

- Simplify procedures to facilitate travel across the Line of Control.
- Increase goods traffic.
- Expand people-to-people contact, including promotion of pilgrimage and group tourism.
- Open up new routes such as Kargil-Skardu etc.

### **Group III: Economic development**

To evolve a strategy that ensures:

- Balanced economic development and employment generation.
- Balanced regional and sub-regional development within the State.



#### **Group IV: Ensuring Good Governance**

To consider effective measures to:

- Increase responsiveness, accountability and transparency of the administration.
- Strengthen local self-government.
- Effectively monitor developmental programmes
- Institute zero tolerance for human rights violations.
- Strengthen the Right to Information.
- Provide adequate security to all segments of society, particularly the minority communities.

#### **Group V: Strengthening relations between the State and the Centre**

To deliberate on:

- Matters relating to the special status of Jammu and Kashmir within the Indian Union.
- Methods of strengthening democracy, secularism and the rule of law in the State.

This group will also deliberate on effective devolution of powers among different regions to meet regional, sub-regional and ethnic aspirations. The groups may co-opt experts if they so desire. The State government will extend logistic support.

If there is general agreement regarding the Working Groups and the subjects they would cover, may I also suggest that we consider appointing suitable Convenor for each of the Working Groups. The choice of Convenor could be yours or if you like I could request the Chief Minister to finalise the choice. The composition of the Working Groups could be decided in consultation with all of you though this may take some time.

My earnest appeal to you is to see this opportunity for you as people's representative to make a material contribution to the problems that we have been discussing for many decades now and arrive at an understanding and a consensus on what

needs to be done. I am not minimizing the difficulties that lie ahead but I think it would be a good beginning and a substantive contribution of this Round Table Conference. Once the Working Groups have completed their task we could discuss their recommendations in an another Round Table Conference.

**Source:** *Official Website of the Prime Minister of India*



## ANNEXURE - II

# Participants in Intra-Jammu Kashmir Dialogues

## JAMMU-KASHMIR AND INDIA

1. Prof. Nusrat Andrabi, Ex-Principal, Govt. Women's College, Member Waqf Board, Srinagar
2. Ms Quarrat-ul-Ain, writer, peace activist & teacher, Srinagar
3. Prof. Abdul Gani Bhat, Former Chairman of APHC, Srinagar
4. Mr. Yasin Malik, Chairman of JKLF, Srinagar
5. Mr. Sajad Lone, Leader of People's Party, Srinagar
6. Mr. Mohd. Amin Bhat, Senior Advocate, Member Bar Association, Srinagar
7. Mr. Syed Malik, Former Editor, Sunday Observer, Srinagar
8. Mr. Nizamuddin Bhat, Member PDP, MLC from Bandipora, Jammu Kashmir
9. Dr. Altaf Hussain, Doctor, Srinagar
10. Mr. Zafar Shah, Senior Advocate High Court/Supreme Court, Founder Member Srinagar Bar Association, Srinagar
11. Mr. Abdul Rahim Rather, Leader of Opposition J&K Legislative Assembly and former minister, National Conference
12. Mr. Tassaduq Hussain. Senior Advocate, Srinagar
13. Dr. Hamid Naseem Rafiabadi, Reader & Former Director, S. H. Institute of Islamic Studies, University of Kashmir
14. Mr. Yusuf Tarigami, MLA, CPI (M) Leader, Jammu Kashmir
15. Mr. Abdul Ahad Thakur
16. Mr. Mirza Abdul Rashid, Ex-MP & Speaker of AJK Assembly, National Conference Rajouri
17. Syed Mujtaba Hussain, Advocate, Srinagar



18. Prof. Shaikh Showkat, Law Department, Kashmir University, Srinagar
19. Mr. M. Ashraf, Former Director J&K Tourism Department, Srinagar
20. Prof. Noor Ahmad Baba, Head of Dept of Political Science, Kashmir University, Srinagar
21. Mr. A.R.Hanjura, Advocate, Chairman J&K Yateem Trust, Peace, Social and Human Rights Activist, Badgam, Jammu Kashmir
22. Mr. Madad Khan, Former Senior Superintendent of Police, Karna, Uri, J&K.
23. Mr. Rauf Punjabi, President, Kashmir Chamber of Commerce, Srinagar
24. Mr. Motilal Bhat, President, Hindu Welfare Society representing Kashmiri Pandits in the Valley
25. Mrs. Dilafroze Kazi, Parihaspura, Director, SSM College of Engineering, Parihaspura, Baramulla
26. Mr. Manzur A Bhat, College Lecturer, Anantnag, Jammu Kashmir.
27. Ms Syeda Afshana, Teacher, Dept of Mass Communication, Kashmir University, Srinagar
28. Mr. Zafar Meraj, Editor, Kashmir Monitor, Srinagar
29. Mr. Bashir Manzar, Editor, Kashmir Images, Srinagar
30. Mr. Shujaat Bukhari, Correspondent, The Hindu, Srinagar
31. Mr. Tassadaq Hussain, Senior Advocate, Srinagar
32. Mr. Altaf Khan, Advocate, Social Activist, Srinagar.
33. Mrs. Faiyaz Sultana Shah, Srinagar, Jammu-Kashmir
34. Mr. Balraj Puri, Human Rights Activist, Journalist and Commentator, Jammu
35. Mr. Ved Bhasin, Chairman, Kashmir Times Group of Publications, Jammu
36. Dr. Amitabh Mattoo, Vice-Chancellor, Jammu University, Jammu
37. Mr. Ram Sahay, President, Chamber of Commerce, Jammu
38. Mr. Talib Hussain, Former Minister J&K Government, President, Gujjar Sabha
39. Prof. Zahur-ud-Din, Jammu University, Jammu
40. Mr. Nilamberdev Sharma, Dogri Writer, Jammu
41. Mr. K.K.Kapoor, Retd. District Education Officer, Peace Activist, Poonch, J&K.





42. Dr. Rekha Choudhary, Department of Political Science, Jammu University
43. Ms Tabbasum Mugal, Advocate, Jammu High Court, Poonch, J&K.
44. Mr. Nisar Rahi, Peace Activist, Writer, Gen. Sec. Citizens Council, Rajouri, J&K.
45. Prof. M.B.Magray, Lecturer, Govt. Degree College, Kathua, Jammu Kashmir
46. Mr. Imtiaz Mir, Advocate, Peace and Human Rights Activist, Doda, J&K
47. Mr. Hari Om, BJP, State Unit
48. Mr. H.C. Jhalemeria, Advocate, President Kisan Sabha, Kathua, Jammu
49. Prof. A. N. Sadhu, Jammu University, Migrant Kashmiri Pandit
50. Mr. Shah Mohd, Advocate, Gujjar Leader, Jammu
51. Prof. Ashok Aima, Jammu University, Kashmiri Migrant
52. Dr. Siddiq Wahid, Vice-Chancellor, Islamic University of Science and Technology, Awantipora, Jammu Kashmir.
53. Mr. Pinto Norbu, Member, J&K Legislative Assembly, Leh, Ladakh
54. Mr. Chering Dorjay, Chaiman, Leh Hill Development Council, Ladakh
55. Mr. Asgar Karbalai, Chairman, Kargil Autonomous District Hill Development Council, Kargil
56. Mr. Nasir Husain Munshi, Deputy Chairman, Kargil Hill Development Council, Kargil
57. Mr. Mohammad Bhoqir, Retd. Teacher, Writer, Kargil.
58. Mr. Sameer, Post-graduate Students, Kashmir University.
59. Mr. Suhail Masoodi, Post-graduate Students, Kashmir University.
60. Mr. Inamul Haq, Post-graduate Students, Kashmir University.
61. Mr. M. M. Khajooria, Former DG J&K Police, Jammu
62. Dr. Mehboob Beg, National Conference Member of Parliament, South Kashmir
63. Mr. Annil Suri, Former President, Federation of Industries, Jammu
64. Mr. T. S. Reen, President, Federation of Industries, Jammu
65. Mr. Rauf Panjabi, Executive Committee Member, Kashmir Chamber of Commerce



66. Mr. Muhammad Ashraf, Former Director, J&K Tourism Board, Srinagar
67. Mr. Gul Mohd. Wani, Associate Professor, Kashmir University, Srinagar
68. Ms Ellora Puri, Lecturer, Jammu University
69. Dr. Mobeen Shah, Former President, Kashmir Chamber of Commerce & Industries
70. Mr. Hussain. A. Siddiqui, Advocate, Jammu High Court
71. Mr. Naeem Akhter, Publicity Secretary, Peoples Democratic Party
72. Mr. Shakeel Qalander, President, Federation of Industries.
73. Mr. Nazir Ahmad Dar, President Kashmir Chamber of Commerce, Sopore
74. Mr. Sharif-uddin Shariq, National Conference Member of Parliament, North Kashmir
75. Mr. Engineer Rashid, Independent Member of J&K Legislative Assembly, Langate
76. Mr. Shujaat Bukhari, Bureau Chief, The Hindu, Srinagar
77. Mr. Fazl Haq Qureshi, Executive Committee Member APHC (M)
78. Mr. Om Prakash Gupta, Former Acting President Jammu Chamber of Commerce & Industry
79. Mr. Samil Jain, Businessman Jammu
80. Mr. Naseer Khora, Peace & Human Rights Activist, Doda
81. Sajad Ahmad Padder, Student, Kashmir University
82. Mr. Zafar Chaudhary, Editor, Epilogue Magazine, Jammu
83. Mr. Arif Ayaz Parrey, Lawyer, Anantnag
84. Mr. Shabir Ahmad Dar, Journalist, Srinagar
85. Mr. Muzamil Jaleel, Bureau Chief, The Indian Express, Srinagar
86. Mr. Kishen Amla, Hotelier, Srinagar
87. Mrs. Khemlata Wakhlu, Congress Member of J&K Legislative Council
88. Mr Kumar Wanchoo, Human Rights Activist and Businessman, Srinagar
89. Mr. Rajmohan Gandhi, Co-Chair, Centre for Dialogue & Reconciliation, Former Member of Rajya Sabha, Historian, Writer, New Delhi
90. Mr. B.G.Deshmukh, Former Cabinet Secretary of India





91. Mr. Salman Haidar, Former Foreign Secretary of India
92. Mr. Wajahat Habibullah, Chief Information Commissioner of India, New Delhi
93. Mr. Prem Shankar Jha, Senior Journalist, Political Commentator, New Delhi
94. Ms Neerja Chowdhury, Senior Journalist, former Political Editor, Indian Express
95. Mr. Amit Singh Chadha Senior Advocate High Court, Supreme Court, New Delhi
96. Mr. Surinder Singh Oberoi, Journalist, Delhi
97. Dr. Radha Kumar, Security Analyst & Director, Nelson Mandela Centre for Peace and Conflict Studies, Jamia Millia University, New Delhi
98. Ms Sushobha Barve, Centre for Dialogue & Reconciliation, Mumbai / Delhi
99. Ms. Manisha Sobhrajani, Journalist, New Delhi.
100. Mr. Mohan Panda, Friedrich Naumann Stiftung, Delhi, Ms. Manisha Sobhrajani, Journalist, New Delhi.
101. Ms Alka Oberoi, CDR, New Delhi
102. Air Vice Marshall (Retd.) Mr. Kapil Kak, Noida
103. Ms Manali Shah, FNST, New Delhi, AJK, Northern Areas and Pakistan
104. Justice (retd.) Abdul Majeed Mallick, Former Chief Justice of AJK High Court, Mirpur, AJK.
105. Justice (retd.) Sharifudin Bokhari, President Kashmir Action Committee, Lahore
106. Mr. Tariq Masud, former Principal Secretary, AJK Government, Islamabad.
107. Mrs. Azra Masud, Islamabad
108. Mr. Shah Gulam Qadir, Speaker, AJK Legislative Assembly & former Finance Minister, Rawalpindi
109. Raja Farooq Haider, Vice President, Muslim Conference, Muzaffarabad
110. Mr. Lateef Akbar, Vice-President, PPP, Muzaffarabad, AJK.
111. Mr. Khalid Ebrahim, Member of AJK Assembly & son of Sardar Ebrahim, Rawalakot
112. Mr. Rashid Turabi, former Amir of Jamaat, AJK



113. Mr. Ahmad Shams-ul-Huda, Baltistan, Vice-Chancellor of Mirpur University
114. Mrs Gulzar Bano, Former MLA, Muzaffarabad
115. Mr. Saghir Khan, Secretary General, JKLF, Poonch, AJK.
116. Mr. Ashfaq Ahmad Hashmi, Muzaffarabad, AJK.
117. Mr. Muhmmad Irshad Mahmood, Institute of Policy Studies, Islamabad
118. Mr. Syed Arif Bahar, Journalist, Social and Peace Activist, Muzaffarabad, AJK.
119. Prof. Shafiq-r-Rehman, Muzaffarabad University, Muzaffarabad, AJK.
120. Mr. Syed Afaq Hussian, Political Activist, Muzaffarabad, AJK.
121. Mr. Farooq Khan Neazi, Advocate, Convenor – Civil Society Organizations Coalition, Muzaffarabad
122. Mr. Arif Shahid, APNA- All Parties National Alliance, AJK
123. Mr. Raja Khalid Khan, Retired Principal, Mirpur, AJK.
124. Mr. Munir Hussain Chaudry, Advocate, Mirpur, AJK.
125. Mr. Malik Muhammad Asghar, Ex-President Bar Association, Kotli, AJK.
126. Mr. Malik Shahid Malik, Mirpur, AJK
127. Mr. Mohammad Ismail Khan, Development Analyst, Asian Representative on the Board of Directors of Mountain Forum, Skardu
128. Mr. Hafiz Hafeez-ur-Rehman, Member NALC, Gilgit City, PML-N, Northern Areas.
129. Mr. Asadullah Khan, President, Liberal Forum Pakistan, Gilgit
130. Mr. Shafiquddin, Vice-Chairman Municipal Committee, Gilgit, Northern Areas.
131. Mr. Imran Nadeem, Tehsil Shigar, Former Adviser, Tourism & Health, District Skardu, Baltistan
132. Mr. Fida Mohammad Nashad, Ex-Deputy Chief Executive, Tehsil Skardu, Baltistan
133. Mr. Bashir Ahmed Khan, Chairmen MC/Mayer, Skardu/Editor Bade-e-Shimal)
134. Mr. Qasim Naseem, President Press Club, Skardu, Editor Weekly Siachin, Northern Areas





135. Mr. Wazir Willayat Ali, Skardu, Northern Areas.
136. Dr. Humayun Khan, Former Foreign Secretary of Pakistan
137. Mr. Mubashir Hassan, Former Finance Minister of Pakistan
138. Lt. Gen. (Retd.) Assad Durrani, former Chief of Army Intelligence, Pakistan
139. Ambassador (reted.) Mr. Arif Kamal, Pakistan
140. Mr. I.A Rehman, Human Rights, Peace Activist and Senior Journalist
141. Dr. Pervez Hoodbhoy, Prof. of Physics, Qaid-e-Azam University, Islamabad
142. Ms Hajra Ahmad, Secretary General, Eqbal Ahmad Memorial Educational Foundation, Islamabad
143. Ms Gulmina Bilal, FNST, Islamabad
144. Mr. Aziz Ahmad Khan, Former Pakistan High Commissioner to India.
145. Mr. Zulfiqar Abbasi, President, AJK Chamber of Commerce and Industry
146. Mr. Tahir Mahmud, Retd. Commissioner of Customs, Govt. of Pakistan
147. Mr. Imtiaz Ahmad, Editor, Daily Jammu and Kashmir, Muzaffarabad
148. Mr. Zafar Hussain, Assistant Professor, Post Graduate College, Rawalakot
149. Ms Uzera Shah, Peace Activist, Muzaffarabad
150. Ms Farrukh Intsab, Women's Activist and Lawyer, Muzaffarabad
151. Mrs. Safina Chaudhary, Housewife, Muzaffarabad
152. Sardar Amjad Yousuf Khan, Director, International Institute of Kashmir Studies, Islamabad
153. Mr. Tariq Maqbool Naqash, Correspondent Dawn Newspaper, Muzaffarabad
154. Khawaja Tariq Mahmud Wani, President, IJ&KCC&I, Muzaffarabad
155. Mr. Tanweer Anwer Qureshi, Vice-President, Muzaffarabad Chamber of Commerce & Industry
156. Mr. Raja Muhammad Jamil, Former Vice-President, FPCCI & AJKCCI