

THE SEMINAR EDUCATION FOUNDATION
&
The Project on Ethnic Conflicts and Peace Processes
DELHI POLICY GROUP

“Kashmir: A Way Forward”

Summary of two-day closed door meeting, October 21-2, 2002

(Disclaimer: this meeting was run on Chatham House rules of non-attribution. The proposals listed below do not represent a consensus view of participants, but summarize key suggestions made by individuals).

Considering that the post election scenario in Jammu and Kashmir offers new opportunities to revive a peace process, the Seminar Education Foundation and the Project on Ethnic Conflicts and Peace Processes at the Council on Foreign Relations, along with the Delhi Policy Group, organized a two-day workshop in New Delhi between October 21-2, 2002. The workshop discussed the changed political conditions on the ground in Jammu, Kashmir and Ladakh and how to optimize them, the options for ending the violence, and the steps that could ultimately lead towards a durable peace.

Overall, most participants agreed that the Jammu and Kashmir election results created new opportunities, despite formidable obstacles that would need to be tackled. The key elements were:

- Ending the violence: people above territory, no military solutions, process above status
- Establishing confidence on the ground: governance with “a healing touch,” internal devolution, local democracy
- Jump-starting the economy: investment in peace, linking the regions, transforming the black economy

Additionally, possible peace tracks could comprise:

- Jammu and Kashmir government > local mujahedeen < APHC
- APHC > Pakistan mujahedeen < Pakistan government
- APHC > Indian Kashmir committee < J & K and central government
- Indian Kashmir Committee > Pakistan Kashmir Committee
- Indian Kashmir Committee > U.K. and U.S. Diaspora < Pakistan Kashmir Committee
- India > Pakistan < SAARC

A. Ending the Violence

- The conditions for a peace process are favorable. India and Pakistan have announced military de-escalation. The Jammu and Kashmir election results have made all the major political parties, at the center and in the region, stakeholders in peace.
- Almost all the key actors, including most separatists, agree that the public mandate is “people above territory,” i.e., to establish human security on the ground while looking for imaginative ways to fulfill different Kashmiri aspirations.

- However, large-scale violence during the election shows that many militant groups remain opposed to a peace process, and their “spoiler” capacity is critical. Pakistan continues to support the Kashmir jihad despite repeated promises to end the export of terrorism.
- The gains of Islamic parties in the Pakistan election strengthens the army’s support for the Kashmir jihad, but could be used to push for a peace process. The Jamaat e Islami head, Qazi Hussain Ahmad, backed cease-fire talks in 2000, and Fazlur Rehman of the Taliban-affiliated Jamaat e Ulema I Pakistan pledges his party will prevent “the use of Pakistani soil” for terrorist activity. This may be a good moment to seek time bound implementation of the promise.
- Thus far, international pressure has yielded only short-term dividends. General Musharraf’s government continues to allow terrorism to be used as a bargaining tool with India, and India is yet to evolve a policy to nullify this tactic. Concrete action-oriented talks are clearly vital. Security cooperation on ending violence could be a first item to be discussed.
- A peace process in Jammu and Kashmir could be a major incentive for Pakistan to give up the Kashmir jihad. The main winners of the Kashmir elections, the Congress Party and the People’s Democratic Party, form a strong team given the PDP’s valley centered focus and the Congress’ national position.
- Several earlier initiatives can be revived with the support of the Congress and the PDP. Many of them are already on the PDP agenda, such as a cease-fire, rollback of counter-insurgency and judicial and police reform. The 2000 cease-fire initiatives combined many of these elements, and they now have the backing of the separatist alliance, the Hurriyat Conference.
- The Hurriyat Conference has renewed its offer to visit Pakistan to seek a cease-fire. In return, they ask for an Indian government commitment to a “structured dialogue” that would eventually include all concerned groups and regions. Talks could initially be at a Track II level, indeed the earlier talks between the unofficial Delhi based Kashmir Committee and the Hurriyat Conference could be revived.
- However, the Hurriyat only has influence over some militant groups. It has no influence over the banned terrorist organizations, Lashkar e Taiba and Jaish e Mohammad. The ideal option would be for Pakistan to empty staging areas and training camps and crack down on the LeT and JeM, as the precursor to a Hurriyat visit. The U.S. and the E.U. could push Pakistan on this, and the Hurriyat visit would provide the ideal face-saver.
- A number of steps can be taken unilaterally, such as the release of political prisoners, local demilitarization and police reform. As far as local demilitarization goes, much depends on whether a cease-fire can be arranged, with a commitment to later decommissioning. Meanwhile, the state and the center could offer to buy back small arms and rehabilitate mujahideen who wish to come above ground (the “honorable return” promised by the PDP).
- The security forces have already begun quietly to reform, and if this is their preferred method it should be supported, provided it is sustained. Nevertheless, the Jammu & Kashmir government will need contingency plans for peace-time retraining of local counter-insurgency forces, so that this process could go in tandem with a cease-fire/decommissioning agreement. This would avoid some of the hurdles that the Northern Ireland peace process has run into.

- Finally, an inter-Kashmiri dialogue – between Jammu and Kashmir, Azad Kashmir, the Northern Areas, and the Diaspora – could provide a wider regional stake for peace.
- One helpful step could be for the Indian Kashmir Committee to visit the U.S and the U.K. to engage the Diaspora in a peace process for Kashmir. The U.S. and U.K. governments could consider supporting such initiatives. Ireland and the U.S. successfully engaged Irish Americans for a breakthrough in Northern Ireland, and the U.S. and the E.U. also achieved some results with the Albanian Diaspora to stimulate peace negotiations in Macedonia.

B. Establishing Confidence on the Ground.

- The Kashmir election results were a vote for governance, and for a government that would take different regional and local needs into account. Interestingly, the focus has moved away from autonomy for the state of Jammu and Kashmir to questions of regional autonomy and internal devolution.
- The spread of violence to Chhota Kashmir and the wretched existence of several hundred thousand Kashmiri Pandit refugees are major concerns for Jammu, while Ladakh's political leaders demand "Union Territory" status, i.e., a direct relationship with the center. In the valley, the urgent need is for "a healing touch" through the measures outlined above.
- The good news is that Muslim separatists are prepared to aid in the return of refugees and the displaced, and could work with the new Kashmir government to ensure safe return to places of origin rather than the "safe zones" promised by the Congress, which might create ghettos.
- Jammu's other grievances could be addressed through regional autonomy/devolution. Ideally, however, given Jammu's enormous local variation and relative development, it should be accompanied by "panchayati raj," an Indian version of municipal or village self-government.
- In Ladakh ill treatment by Srinagar has been too prolonged for regional autonomy to be an easy remedy. Just as India has an opportunity to win hearts and minds in the Kashmir valley, so the new state government has an opportunity to win hearts and minds in Ladakh. This requires involving Ladakh in decision making, devolving administrative powers, and expanding Ladakhi representation in civil services, as well as investment in the social sector.

C. Jump-Starting the Economy.

- The experience of other conflict-ridden areas shows that jump-starting the economy is critical to maintaining the momentum for peace. The major obstacles are that it is virtually impossible to attract investors to conflict-ridden areas. However, if there is a viable peace process in place, investment is easier to seek, especially from the Diaspora.
- Jammu and Kashmir also has the advantage of large regions that are violence-free. Special attention needs to be given to areas that stagnated simply because the state and central governments were preoccupied with the insurgency in the valley. The newly elected parties need to urgently address the economic needs of Jammu and Ladakh. Two immediate needs in Ladakh are development of the seasonal tourism infrastructure, and ensuring supply routes through the winter.

- A more difficult obstacle to overcome is the black economy that takes root in conflict-ridden areas. Many of the major urban centers are awash in black money from sympathetic Muslim states (Pakistan, Iran and Saudi Arabia are major contributors), the large Diaspora in the U.S. and U.K., as well as from Indian and Pakistani intelligence agencies. Here again a peace process might help divert these funds from the black into a white economy.
- One quick method of jump-starting the economy is to set up duty-free ports, but these have only a short-term and localized effect. Infrastructure and power generation are key if the economy is to be quickly stimulated across the state. Connecting rails and roads between Jammu, Chhota Kashmir, the valley and Ladakh are essential.
- Power generation, ironically, could provide an opening for peace initiatives. The Jammu and Kashmir government has long complained that the Indus River Waters Treaty discriminates against the state because it disallows the use of the Jhelum and Chenab waters for hydel power. A new Kashmir government could raise this issue directly with the Pakistan government – who might be more willing to accommodate Kashmiri requests than Indian ones.
- Another area for immediate economic development is horticulture. This industry has survived through the years of insurgency, but requires quick investment in storage and modernization facilities. The new state and the central governments could lobby Indian and Diaspora industrialists for investment in this sector – they could also call upon the E.U. assistance program for India.
- Finally, the unemployed youth that the valley's outdated education system churns out are a potent constituency for militant recruitment. They number around 150,000, and the state and central parties need to consider what further training and employment opportunities could be created for them, in the form of reserved seats in higher and technical education centers in the rest of India, as well as within the valley itself.