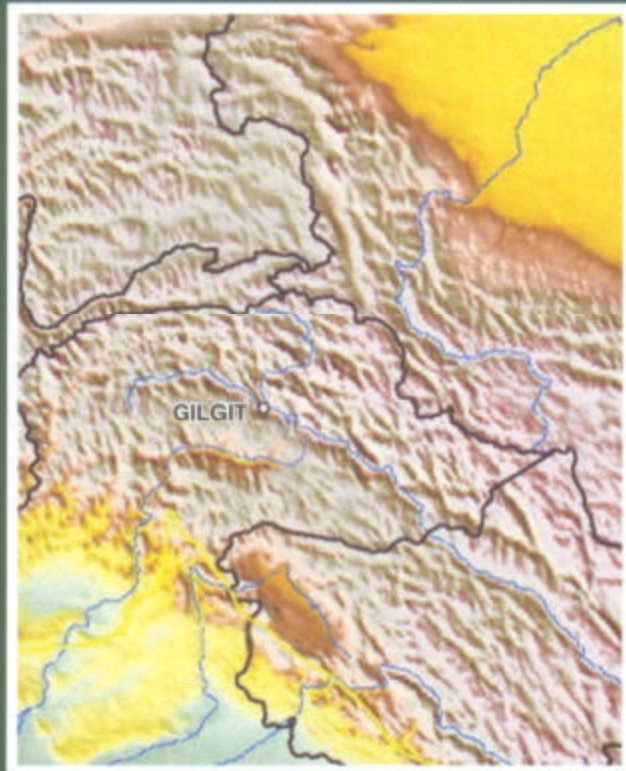


# **Kashmir – After the Quake**

## **Prospects for Peace**



A Delhi Policy Group Publication

Kashmir — After the Quake  
*Prospects for Peace*

A Collection of Articles

Delhi Policy Group

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# Preface

This collection of articles was hastily put together in the belief that the October 8 earthquake created an overriding moral imperative for India and Pakistan to work together for a better future in divided Jammu & Kashmir. The contributors to this collection detail the immediate priorities of relief and rehabilitation, and the longer-term ways in which reconstruction can be tied to the peace process – while they are divided over whether the Indian and Pakistani governments will in fact make use of their opportunities for peace, most agree that a mutually accepted settlement is more viable today than ever before.

We hope this collection will contribute, in however small a way, to turning grief for the lost into an acceleration of the peace process. It is testimony to the depth of support for such an effort that most of the people we requested for contributions sent in their articles within a week – though some have lost relatives to the quake, and one, MP Yusuf Tarigami, had just narrowly escaped an attempt on his life.

December 1, 2005

Radha Kumar

# Kashmir As “A Cause” Is Over

AHMED RASHID

The idea of Kashmir as a territorial dispute or a bitter legacy of Partition or a cause that has spurred three wars between India and Pakistan, Islamic extremism and festered like an open wound for half a century preventing peace, lies in the rubble and lost lives of the devastating earthquake that hit Kashmir on October 8.

The quicker the leaders of India and Pakistan realize this and move swiftly to end the dispute over Kashmir, the quicker they will be able to muster far greater international support for reconstructing the lives of stricken Kashmiris and turn Kashmir into a bridge of peace between the two nations.

The largest earthquake in Pakistan since the earthquake that struck Quetta in 1935 has destroyed the political, economic and social viability of Pakistani held or Azad (Free) Kashmir. According to the United Nations, some 4 million people have been affected by the quake, the majority of them Pakistani Kashmiris. Over 80,000 people are dead and 70,000 injured with 30,000 of them being seriously injured. At least 2 million people are now homeless and many have begun to trek south into other provinces of Pakistan seeking shelter. They are unlikely to return in a hurry. Thousands of Pakistani soldiers are also suspected to have died although the government insists that only 450 soldiers were killed.

The fragile infrastructure is utterly destroyed, as is the economy, livelihoods, schools, hospitals and communities. There is no single large town or city left standing in Azad Kashmir. Seventy percent of the capital Muzaffarabad has been destroyed. Much like Afghanistan next door, rebuilding this region will have to start from scratch.

The quake's epicenter was also the epicenter of training camps run by Pakistani extremist groups affiliated to al' Qa'eda. Nobody is likely to give out the death toll

amongst militants but it is bound to be substantial. The militants took several days to recover and bury their dead but after that they have become the most influential relief workers amongst Pakistani NGOs.

Many of these camps have been sustained, as President Pervez Musharraf and the Pakistan army hedge their bets on whether India is really serious about the peace process that began two years ago. These camps represented, even more than Pakistan's support to the Taliban regime before 9/11, the army's twenty-five years' long dependency on Islamic militancy as a major tool of its foreign policy in the region.

The physical damage is less in the Muslim part of Indian held Kashmir, but there too the death toll is mounting as New Delhi's slow response to the tragedy finally unveils more and more villages destroyed in the quake. However the political fall out for Prime Minister Manmohan Singh is only just beginning.

Indian Kashmiri Muslims have lost anything from 50,000 to 100,000 people in the sixteen years' long insurgency that has seen horrendous act of barbarity carried out both by the militants and the Indian army. For Indian Kashmiris the earthquake and their government's slow response is perhaps the ultimate example of the Indian government neglect, perfidy and lack of concern. However the Indian army has come in for praise for its relief efforts.

Long standing Indian attempts at trying to legitimize the government of the State of Jammu & Kashmir in the capital, Srinagar, as the official government for all Kashmir, is also floundering in the rubble of the earthquake. In fact the complete incapacity to help the victims has exposed the two governments in Srinagar and Muzaffarabad, as mere clients of their masters in the national capitals.

Moreover India has stalled over the peace process over the past two years, confident that it is far stronger than Pakistan and does not need to give any concessions. Therefore India has refused to discuss the Kashmir issue with Pakistan until a long – almost an ad infinitum – period of “confidence-building measures” takes place. The Kashmiris and Pakistanis were getting fed up with this Indian foot dragging even before the earthquake.

Now that Kashmir itself has been physically devastated, nobody can return to the status quo ante. Once the immediate humanitarian crisis is in hand the international community will be confronted by how best to help reconstruction, rehabilitation and long term aid.

It is highly unlikely that the big Western donors are going to help reconstruct the past – nor should they. In fact Western states now have more of a say in determining peace in Kashmir than ever before, and they should use that clout. One of the reasons that there is so much reluctance for the West to fund even the relief efforts as compare to the tsunami is perhaps the perception that this remains a zone of conflict.

The ugly past of huge military buildups on the Line of Control between the two Kashmirs, divided families, unending poverty and political uncertainty, training camps for militants and everything else that has gone wrong in this blighted land since the Subcontinent was partitioned in 1947 has to end now.

India has to discuss a solution to Kashmir with Pakistan and the Kashmiri Islamic and nationalist groups. It can no longer rest its case on the subterfuge that the client government in Srinagar is the one and only government for all Kashmiris.

Pakistan’s military has to finally end its support for militancy and bring the curtain down on its dual track policy of pandering to Islamic extremism while insisting it is the West’s best ally in the war on terrorism. Ultimately of course there will be no territorial solution to this problem. Both sides now know this and even Pakistan’s most die hard generals realize there will be no re-partition of the Line of Control and India will not yield an inch of Indian Kashmir.

What is possible now is an honorable peace settlement not for the sake of satisfying national egos, but so that both countries can claim they did the best for the long suffering Kashmiris. Today nobody can oppose a settlement that helps the Kashmiris get back on their feet.

This could encourage Western donors to help rebuild this region as a modern, dynamic part of the Subcontinent that could set an example for the rest of India and Pakistan.

For Musharraf and Singh, helping the victims of the earthquake and Kashmir’s far longer agony is not just an opportunity, or an obligation or even a duty, but the fact that they have no other choice.

**Ahmed Rashid** is the author of *Taliban*, and a senior journalist based in Lahore.

# The October 8 Quake and its Haunting Aftershocks

**ERSHAD MAHMUD AND NAVEED AHMAD**

The October 8 earthquake did more than jolt South Asia with unprecedented devastation. For Azad Jammu & Kashmir, it suddenly changed the entire social, economic and political setting. A traumatized Pakistani nation in general, and the Kashmiri people in particular, do not discuss routine matters any more; they talk endlessly, instead, about their lost loved ones, their damaged property and the unforeseeable future ahead.

The people of the worst-hit areas, in Azad Kashmir and the North Western Frontier Provinces (NWFP) of Pakistan, have a great sense of attachment to their land. They like being part of an extended family, and avoid residing amongst strangers. Almost 88% of them live in rural areas, and depend on agricultural land, white collar government jobs, and remittances from abroad. In the absence of an inter-city air service, transportation and traveling from one place to another is thoroughly dependent on roads; thus developing a communication network and basic infrastructure has eaten up most of Azad Kashmir's resources over the last five decades.

Tragically, the earthquake targeted these defining characteristics of people badly, and brought almost everything to naught. The Herculean task of providing relief supplies in a mountainous disaster zone offers unprecedented challenges to even the world's best and most experienced humanitarian relief organizations, such as the Red Cross. On the morning of October 8, schools, colleges, hospitals and all other public institutions were razed to ground, exposing widespread corruption and

negligence in Azad Kashmir's public sector, whose men made big fortunes at the expense of innocent lives. On top of this, the common man did not follow the construction criteria set by the government, owing to poverty and lack of awareness.

### **Basic Facts**

The official death toll has reached 89,000, about 100,000 people have so far been reported injured, and more than 3.5 million people have been affected, says a damage assessment report. The joint assessment teams of the World Bank and the Asian Development Bank have also estimated that the devastation in Azad Kashmir was much more than in the NWFP. A total of 7,197 educational institutions have been destroyed and about 3,837 kms. of road have been damaged in Azad Kashmir and the NWFP.

The direct damage caused by the earthquake stands at \$1.8 billion, indirect losses at \$514 million and reconstruction costs at \$2.65 billion, according to the World Bank and Asian Development Bank assessment. However, the Pakistani government does not agree with these estimates, as the country's leadership has said more than once that it would require more than \$5 billion for reconstruction and rehabilitation, and has now received pledges to the tune of \$5.6 billion at the recently concluded donors' conference in Islamabad.

### **Slow Government Response**

Despite claiming to have knowledge of the disaster by noon of October 8, it is no secret that the Pakistani army wasted the first four days in reaching out for help. They even sent out wrong information and tried to understate the damage, but the images and voices of the affected that were aired by private TV channels and the international media belied the official version. Soon the army and the entire ruling elite joined the common man in assisting quake victims. Touring just three days after the earthquake, we found people in the worst affected districts of Azad Kashmir – Rawalakot, Bagh and Muzaffarabad – furiously angry with the government and international aid agencies, as well as the army, for not reaching up to them. Azad Kashmir's own government infrastructure was seemingly razed by the earthquake.

Effective relief operations only started from the 13<sup>th</sup> of October, when the Pakistani armed forces committed their troops, cargo planes as well as helicopters, while the proactive media identified gaps in relief. With the harsh winter already

setting in, emergency response continues in a life-saving mode. Even a month after the earthquake, those who died or were maimed due to the initial slackness of agencies that had the most robust institutional strength are conveniently forgotten.

One of the reasons for the slow response by the Musharraf-led armed forces has been the military's own disability caused by the devastating earthquake. Insiders say the Pakistani Army lost around 3,300 plus soldiers, including at least three brigadiers, around 10 battalion commanders and a large number of junior officers. The losses seriously affected at least four brigades of the 12<sup>th</sup> Division, which is mainly deployed in Muzaffarabad and Bagh as well as along the Line of Control.

Officially, the Inter-Services Public Relations (ISPR) put the damage at around 1,000 troops lost, without going into the breakup of this number, for obvious reasons.

The magnitude of losses not only left the military leadership worrying about the defense of the volatile Line of Control and Azad Kashmir, it also brought bad publicity to the Pakistani government for showing indifference to the traumatized civilian population.

### **A Flawed Start**

On the 24th of October, the Earthquake Reconstruction and Rehabilitation Authority was established, to “reconstruct, rehabilitate and develop” the earthquake-affected areas, under the chairmanship of a lieutenant general. The authority has been empowered to employ staff, engage experts, approve projects, sanction budgets, re-appropriate funds, award contracts, ask for any information from anyone, and demand assistance from any authority anywhere in the country.

The transparent and efficient utilization of funds and aid remains a big challenge for the authorities. With the strong involvement of the international community in reconstruction and rehabilitation programs, sticking to international standards of transparency becomes all the more important, not only for the sake of the victims but also for the overall image and reputation of the country. Several diplomatic sources point out that many donor governments and agencies want absolute transparency in the consumption of relief aid. Some key European countries have opted to send in rescue and relief teams instead of donating huge sums of money to the much-publicized President's Relief Fund. The Pakistani authorities do not seem to adopt a strategy that will serve the dual purpose of doing the reconstruction job fast and satisfying donors with transparency in aid utilization.

However, some critics and opposition leaders believe that the ruling military junta regards the earthquake as an opportunity to clip civilian power even further, and use funds in whichever way they like. The autocratic status of the Earthquake Reconstruction and Rehabilitation Authority allows no say by the elected representatives of the Pakistani federation as well as Azad Kashmir, and reduces them to mere bystanders. Political space from village to state level has evaporated, therefore political aspirants must seek military backing to vie for key slots in the system.

Islamabad has invited 200 U.S. troops into Muzaffarabad, but 7,000 Pakistani soldiers are deployed to protect them. Of course, everyone is grateful for the generous financial help and humanitarian support, but the question remains as to why didn't Washington send its assistance through a civilian agency? Amongst many theories, one points to the U.S. presence in Azad Kashmir as a way of opening the Line of Control to offer an alternative resolution of the Kashmir issue at a time when Islamabad and New Delhi both enjoy good relations with Washington.

### **Disaster versus International Response**

Unfortunately, the quake zone in NWFP and Kashmir has some of the world's most forbidding mountain terrain, with snowfall of upto three meters and temperatures of minus 20 degrees Celsius on the higher ground.

On November 12, heavy snowfall left relief helicopters stranded in the valleys as well as at their base camps, with hundreds of thousands yet to be reached, let alone adequately equipped to fight the chilling winter.

Against this backdrop, the United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA) raised new concerns over the reported 60,000 people living above the snow line in Kaghan Valley and 100,000 people in the Allai.

"Most are in urgent need of shelter assistance, including the winterization of the already provided tents, or support is needed to help them move to lower areas," the latest report by UNOCHA, which was circulated to all the humanitarian agencies, noted.

The UNOCHA noted that population movements from the mountainous, remote villages to the lower grounds continue and contingency planning based on scenarios of projected population movements requires focused attention.

Fresh rains and snowfall also add to the possibility of landslides and road blockages besides enhancing the danger of more disease outbreaks. Thousands of

injured people languish without shelter and medical care in cities and villages across the earthquake-stricken region, as the country has run out of tents. Pakistan will need at least two million tents to set up makeshift cities in the short term while reconstruction costs may well surpass the initial estimate of \$5 billion.

So far, the NATO/UNHCR airlift that began on October 19 from Incirlik, Turkey, has delivered 1,018 tonnes in 79 sorties. The UN has received only about 22% of the \$550 million flash appeal for the first six months, and has warned that the coming winter could see the death toll double if donors failed to provide more resources soon.

Jan Egeland, the top relief official at the UN said relief efforts were not keeping pace with the needs of hungry and homeless survivors across the vast earthquake zone, many in isolated mountain villages.

Jan Vandemoortele, the UN aid coordinator in Pakistan, said that the damage of the October earthquake has surpassed the damage caused by the Indian Ocean tsunami earlier this year because of the remoteness of the areas affected.

While a massive evacuation plan is ready despite a shortage of cargo helicopters, the UN's World Food Program (WFP) is desperately seeking early funding to pay for helicopters to position winter food stocks for survivors over the next four weeks. The agency says 2.3 million people need emergency food.

By the 13<sup>th</sup> of November, Pakistan had secured foreign assistance pledges of \$2.3 billion for quake relief, with \$211 million in cash received in the President's Relief Fund. At the domestic level, an amount of Rs. 5.4 billion (cash) has been deposited in the State Bank of Pakistan (SBP) out of a total of Rs. 5.7 billion in pledges.

### **Significant Challenges**

The reestablishment of the educational network poses perhaps the greatest challenge. Today, most of the state-run educational institutions, including Azad Kashmir's only university, are devastated. Incidentally, the government of Azad Kashmir runs 5,669 primary and high schools, of which almost cent percent have been damaged beyond use in the affected areas. It appears that this year tens of thousands of students will not be able to attend classes or sit the examinations. In fact most of them have lost their books, and are traumatized by the sight of hundreds of fellow students buried under the rubble before their eyes.

Obviously, building new educational institutions and rehabilitating students will take time. The government has to establish residential educational institutions, so that displaced students may continue their education without a gap. Meanwhile, educational institutions in other parts of the country should embark on a special multidimensional program to accommodate students from the worst hit areas.

The rehabilitation of orphans must also top the government's priority list. The exact figure of orphaned children is not available today, but we can safely claim that it is in the thousands. For obvious reasons, adoption does not offer a lasting solution to this problem. The establishment of orphanages, with generous support from the state and the community, is the only way to save children from falling into the hands of unscrupulous people and becoming a part of the child labor market or domestic servants to affluent families.

The government also needs to recognize people cannot survive the winter in tents. With temperatures well below zero and no liquidized gas facility, not to mention privacy issues, the only rational means of surviving the winter is to relocate the affected population in relatively warm areas of the country on a temporary basis.

### **Role of Civil Society**

The Jamaat-ud-Dawa is one of several Islamic groups who took the lead in relief operations following the devastating earthquake. Since the 11<sup>th</sup> of October, the foreign media in particular has visited the Jamaat's impressive field hospital equipped with X-ray machines, a dental department, a makeshift operating theater, and even a tent for visiting journalists. The Jamaat's dispensaries are piled high with donated stocks of antibiotics, painkillers and other medical supplies, and its volunteers reached out to people in the far-flung areas through motorboats and mules.

The Jamaat-i-Islami's welfare wing, the Al-Khidmat Foundation, was also prominent in reaching out the affected people in time and with necessary supplies. They now have a chain of field hospitals, tent villages and distribution centers spread across the disaster zone. Another Islamist welfare body, The Al-Rasheed Trust, although a late entrant, has also provided significant services to sufferers.

Since the secular political parties, the federal government and the armed forces acted a bit too late, the Islamist camp was quick to reach the affected people. The Islamist parties' lead over the secular and nationalist political camps may change the course of the country's politics from confrontationist to accommodative and welfare-oriented.

The moving electronic images on television and detailed accounts of the disaster in far-flung areas motivated the Pakistani nation to open their hearts and wallets. The media, on many occasions, guided aid agencies in assessing the needs and challenges faced by survivors. The telethons organized by TV channels and newspaper foundations helped transform the nation into a dedicated community of aid workers. Thousands of trucks laden with food, blankets and tents rumbled over the damaged roads of Azad Kashmir and the NWFP. Local NGOs, traders and political workers set aside their allegiances to work together for victims, and they surpassed government efforts to a large extent.

### **India-Pakistan Lost Opportunities**

Although the earthquake drastically altered the ground situation and the public mood, Islamabad and New Delhi could not gauge the change, and did not exploit it. The initial Indian response was bold and pragmatic as Premier Manmohan Singh offered relief goods and helicopters. However given the sensitivities of the Pakistani military's own infrastructure in the area, Islamabad accepted the helicopter offer but without Indian pilots. India backed out, and the new opening between the two arch rivals was blocked. Above all, not a single Indian leader visited Pakistan to express solidarity with the victims. Such an unimaginative attitude further sowed suspicion instead of bridging relations.

The Indian Foreign Secretary, Shyam Saran, rubbed salt into Pakistan's wounds by urging global powers to "focus not merely on recipient states but on supplier states as well" on the question of Iran's nuclear program. Saran said the International Atomic Energy Agency (IAEA), should clarify the role of Abdul Qadeer Khan after his admission. This poor timing of rhetoric played into the hands of hardliners and only promoted animosity towards India.

Ironically, Indian civil society organizations also lost a historic opportunity to bridge the mutual gap by not sending relief goods to the victims in Azad Kashmir and the NWFP. Likewise, the vibrant Indian Diaspora also lost a significant opportunity to change ground realities in Azad Kashmir, and to some extent in Pakistan. However, Indian media personnel, including an NDTV team, visited Muzaffarabad and reported live from there. Since independence, Azad Kashmir has been a no-go area for the Indians. If Indian community-based organizations

had taken a bold initiative to reach earthquake victims, Pakistan could have reciprocated with greater openness.

### **Opening Five Entry Points**

The most symbolic development so far has been the softening of the Line of Control. From the perspective of humanitarian assistance, it is sad that entry points were operative only four weeks after the saga of death and distraction began. Secondly, Islamabad and Delhi could not evolve a people friendly mechanism to meet the emergency situation. Currently, the Neelam Valley is very badly affected, without land access to other parts of Azad Kashmir. Over 160,000 people live there, without access to the outside world. At least four months are needed to restore the road link. Owing to heavy snowfall in the winter, the road opening may take eight months. The easiest way to send relief goods and provide shelter to these areas is Teetwal, currently in Indian-administered Kashmir. The recently established entry points do not meet the needs of local people in terms of life-saving assistance as permissions to cross entail a lengthy bureaucratic process.

Unlike Indian Prime Minister Manmohan Singh, General Pervez Musharraf seems to be in a genuine hurry to turn this disaster to the benefit of people of the formerly united state of Jammu & Kashmir. He has already spelled out his desire to make the Line of Control irrelevant as soon as possible, and is seeking some kind of role in Indian-controlled Jammu & Kashmir. Musharraf also crossed the red line set by the Islamabad establishment long ago regarding India and offered demilitarization of the state. Conversely, a few influential strategic thinkers in Islamabad believe that the opening up of the Line of Control would strengthen the status quo.

Shireen M Mazari, who heads a foreign ministry-run Institute of Strategic Studies in Islamabad, believes: “The more we regulate the movement of Kashmiris through formalized documents, the more we will strengthen the status quo. After all, while goods going across the Line of Control in terms of humanitarian assistance are a welcome step, if this becomes a permanent feature in terms of trade and investment, it will certainly be the last nail in the coffin of the quest to attain Kashmiri self-determination and a just solution of the conflict.”

Shireen is joined by many others in Islamabad’s policy-making circles who believe that New Delhi is not reciprocating in full spirit, or rather showing signs of

withdrawal from the process after the conclusion of the Indo-US strategic partnership on nuclear cooperation.

Still, the opening of five entry points on the Line of Control gives the Kashmiri people new hope for better prospects for business and trade. Nostalgic Kashmiris have a great desire to visit their kith and kin on both sides of the divide. With the opening of the Line of Control, the Hindu community would also get a chance to revive their age old tradition of interaction with fellow Muslims across the bloody divide. Indeed, Jammu and its Hindu population have immense potential to play a great role to solve the decades-old enmity between Indian and Pakistan and the inhabitants of Valley. Furthermore, the Hindu population will get a golden opportunity to trade with Sialkot city, hub of sports and leather goods of Pakistan. The free movement of people and trade will alter prevailing thinking in many ways.

While Islamabad struggles to grapple with the mounting relief challenge, New Delhi should step forward and come up with some creative ideas to strengthen the ongoing peace process. The desire for peace in the ruling elite of Pakistan may not last forever if not responded to positively in this hour of need.

### **Donor Fatigue: Myth or Reality**

Since the dark year of 2005 has been a year of natural disasters – the tsunami, Katrina, Rita and then the earthquake – strains on the international donor community as well as well-to-do cosmopolitans has grown to a record level with assistance to Afghanistan, Iraq and misery in Africa far from over.

With over 100,000 dead and many more homeless, the affected people will need a continuous supply of assistance to restart their lives. Until October 19, the humanitarian agencies and the government alike had serious apprehensions about the wealthy donors' generosity and feared "compassion fatigue" to prevail.

Thankfully, the fatigue alarm proved false. As per official claims, international donors have pledged to provide \$5.8 billion, including about \$1.9 billion in grants, as assistance to Pakistan for reconstruction and rehabilitation in the quake-hit areas of Azad Kashmir and the NWFP. Declaring November 19 a "very successful day for Pakistan," Prime Minister Shaukat Aziz hoped the amount would rise as more pledges are in the pipeline.

The donors' conference, participated in by 75 delegates, including UN Secretary-General Kofi Annan, sought pledges against a consensus document on the needs and damage assessment of the quake-hit areas that put the total requirement at

\$5.2 billion, including \$3.5 billion for reconstruction and \$1.7 billion for relief and rehabilitation.

The World Bank and the Asian Development Bank contributed \$1 billion each, Saudi Arabia \$573 million, the U.S. \$510 million, the Islamic Development Bank \$500 million, China \$326 million, Iran \$200 million, Turkey \$150 million, France \$124 million, the United Kingdom \$120 million, Japan \$120 million, the European Commission \$110 million, Germany \$100 million, the UAE \$100 million and Kuwait \$100 million.

The International Monetary Fund (IMF) has pledged to provide \$375 million from its emergency fund without any conditions, but the government has yet to take a decision on this offer.

Indeed, this is a bit more than Pakistan expected. The million-dollar question now is, how many pledges will translate into real funds and how soon. Pakistan has reasons to worry about the next stage, as against the pledges of \$2.4 billion, only \$156 million were received in terms of actual money.

The next challenge will be the government's judicious and transparent spending of the money against these pledges. While fair and satisfactory distribution of development projects and cash money amongst the 3.5 million survivors is not a simple task, the military-led relief operation is leaving political forces out of the loop, casting serious doubts over its credibility. In his concluding remarks, Musharraf has repeatedly used the term "transparency" but the government needs to give meaning to this rhetoric to quell criticism.

## **Political Aftershocks**

Now that the pledges need to be translated into actual cash and spent on reconstruction and rehabilitation, the challenge for the Musharraf regime has just begun. The government requires an efficient service delivery mechanism to avert loss of trust in the country's executive, which could be long term and deadly, especially amongst the quake-affected. Calls for transparency in utilizing relief donations are rising but that is only the beginning. The more there are protests at poor government performance internationally and domestically, the greater will be the credibility cost to the military-led regime in Islamabad.

In the short term, American helicopters bring good publicity and damage control to its image, but without an exit plan in sight, apprehensions are bound to multiply.

Critics question the safety and security of American helicopters when they land and take off from the valleys that the U.S. media branded as dens of al-Qa'eda. The Americans doubt the validity of a report suggesting that a missile was fired at U.S. choppers, but there is little reason to be sanguine on this score.

The aftershocks could be severe for the Musharraf regime as Kashmiris have met a double tragedy, and their hopes will now be desperate and high.

Political parties in Azad Kashmir may also become more proactive and assertive, for the sake of their vote bank, knowing that backing from Rawalpindi may not secure them comfort while their voters remain homeless.

The Islamist parties, particularly the Jamaat-i-Islami, lead their political competitors and the government in the ongoing relief campaign by a wide margin, and they are well placed to fill the void when the balance of power shifts in terms of public opinion.

The pro-Musharraf Muslim League may also face internal turmoil if the rehabilitation exercise does not translate into reality, as Pakistan-based Kashmiri politicians and around two million Kashmiri-origin people who are settled in various Pakistani cities monitor the scene carefully. By the 2007 elections, the success or weaknesses of the government's rehabilitation effort will be clear and could become a defining moment for Musharraf's persona. He could become a real statesman and a hero if the process remains on track, or simply lose grip on the corps commanders and be sent packing.

The bond of the Kashmir people with the rest of Pakistani nation has undergone a real test, with the latter showing an impressive performance. The Pakistani nation, with its trademark spirit of volunteerism, will surely keep the relief pipeline alive for reconstruction of Azad Kashmir as well as the NWFP's quake-hit areas. If the Musharraf-led regime fails to deliver, the relationship of the people with the army may deteriorate. No matter how big parliament is and how much freedom civil society has, Musharraf will remain a military ruler until he sheds his uniform and comes into the open.

**Ershad Mahmud** is a Senior Fellow at the Islamabad Policy Research Institute, and comes from Rawalakot district of Poonch.

**Naveed Ahmad** is an investigative journalist, who hosts a 30-minute current affairs talk show, Insight, for Radio Pakistan's News and Current Affairs Channel.

# Wounds on Kashmir's Wounded Body

BALRAJ PURI

*“The calamity of Kashmir is a wound on a wounded body”*

— Salman Rushdie

The impact of the calamity of October 8 in the Indian and Pakistani parts of Jammu and Kashmir and the North Western Pakistan is staggering in many ways. It will continue to be felt for a long time to come, even in the areas that were not directly affected.

The human aspects of the calamity were the worst in the history of Pakistan, and the worst in the last 125 years in Jammu & Kashmir. The Indian part of the state suffered a loss of 1,300 lives while 90,000 people became homeless. In Pakistan it took a far larger toll of 73,000 lives, and rendered 3.3 million people homeless. Among those who survived not many will be able to recreate the life they had lived, apart from having to live without their dear and near ones who perished in the tragedy. The task of the recovery and rehabilitation of the survivors will continue to strain the financial, administrative and human resources of the two governments

This disaster, like any other human tragedy, has brought out not only the strong but also the weak features of our society. The wave of sympathy for the quake victims that swept the state and the rest of the country was certainly a positive feature. People within the Kashmir valley were obviously most shocked. But perhaps they needed a shock of this intensity to be fully aware of the existence and plight of

non-Kashmiri peripheral communities, like the Gujjars and Paharis who live in the quake affected areas. The 200,000 thousand people of Uri and Tangdhar had been comparatively neglected till now by Kashmiri speaking politicians and officials.

The role of the Indian army has been noticed and widely appreciated. In fact, it was the only organisation that had the presence – and the material and organizational resources – to immediately reach otherwise inaccessible areas, and rescue people from the jaws of death. But many political commentators started calculating the political dividends that could accrue from this positive role of the army as it ended its “alienation from the people” and contributed to “winning hearts and minds for India.” In fact this calculation was off the mark, as the affected non-Kashmiri communities, Gujjars and Paharis, were never an active part of the Azadi movement of the Kashmiri community and hence were not much alienated from the army.

Similarly, the controversy over the extent of involvement of the people in the rest of India in relief effort is somewhat ill-informed. Nobody has the exact data to compare the amount collected for relief for victims of a natural calamity elsewhere. Nor figures of the total relief amount from non-government sources have been calculated. As far as government relief is concerned, the new Chief Minister, Ghulam Nabi Azad, claimed that the Kashmir quake victims got three times more than the average per capita relief aid got by the rest of India in similar situations. Apart from the Rs. 642 crores for aid announced on the spot by the Prime Minister of India, Rs. 300 million were sanctioned by the Union Ministry of Housing and Urban Development, donations received by the Prime Minister’s Relief Fund, contributions made by the chief ministers of other states, and relief material sent by the Rajiv Gandhi Foundation. As head of the Kashmir Relief Committee, I have been coordinating the relief work of over a dozen NGOs from different parts of the country.

Eventually plenty of relief material did reach the affected people. But its distribution exposed the real weaknesses of the system.

### **Weakness of the Administrative and Political System**

The local administration was at places almost non-existent and, in any case not up to the task. At many places relief trucks were surrounded by mobs where the principle of “might is right” prevailed. Stronger persons got two to three times the relief compared to the weak. According to press reports, some senior government leaders were booed when they tried to speak at the meeting addressed by the

Prime Minister. Elsewhere people demanded that the task of distribution be handed over to the army instead of the local administration. Of course, after the initial rush for getting relief was over, the situation became manageable.

But a lesson that the state government must learn, which it should have learnt when it was hit by the worst snow storm last year, is to set up a Disaster Management Authority. Even though the Union government had also advised the state to do so, it did not set up such a committee till about 1,300 persons had died. The Jammu & Kashmir High Court, however, described the disaster management committee's work as unsatisfactory on a Public Interest Litigation, and ordered a committee of lawyers to suggest improvements.

The tragedy not only exposed administrative weaknesses, it also exposed the weaknesses of civil and political society. There was no civil society organization to discipline quake victims and ensure the equitable distribution of relief material to them. The political parties either had no local cadres or quarreled with one another to get the maximum share of relief for their favourites. A popular leader from Srinagar was reported to have visited the area with eleven trucks out of which only one truck carried relief material. The rest were filled by his followers from Srinagar to demonstrate the strength of their leader.

The new Chief Minister, Mr. Azad, admitted that there were lapses on the part of the administration with respect to relief work and declared that the problem of relief and rehabilitation would receive his top priority. He ordered about 200 PWD engineers, who had been given training to deal with such situations but were playing truant, to join their respective duties within two days or face suspension. He celebrated Id with the quake victims and addressed them in their local dialect, Pahari. His other advantage was that by the time he assumed office, the worst was over.

The affected people, too, by now had learnt their lesson. They have formed an Earthquake Victims' Association to help and coordinate the work of NGOs and government departments, and to articulate and highlight their problems and priorities. Their leaders bemoaned the fact that relief organisations were unaware of the cultural bindings of the quake-hit areas of Uri and Tangdhar.

### **Ethnic Bonds across the Line of Control**

Meanwhile, news of the far greater disaster across the Line of Control had reached victims on this side. Essentially the people of Uri and Tangdhar in the Kashmir

valley, Poonch in the Jammu region, and in Pakistan-administered Azad Kashmir belong to the same ethnic stock. Apart from their own rehabilitation, people on the Indian side of the Line of Control had a deep longing to find out the fate of close relatives on the other side and meet them.

The tragedy, above all, emphatically demonstrated the irrelevance of the borders between the two parts of the state. The Pakistani President, General Pervez Musharraf, reminded us in his interview on the 10th of October that the phrase used by India, “to make borders irrelevant,” had become a reality. As nothing unites people more than their hour of grief, the people of India and Pakistan had rarely come closer to each other than they were after the disaster of October 8.

Quake diplomacy did have a promising start. There was spontaneous popular sympathy in India for quake victims in Pakistan, followed by official and non-official efforts to supply relief material. Some relief was also sent by Non Resident Indians. General Musharraf specifically mentioned the name of Manmohan Singh, the Prime Minister of India, when he thanked foreign governments for their supply of relief to Pakistan. He thanked non-official agencies, including the leader of the Indian Parliamentarians for Peace with Pakistan, for their help. The Pakistani media also expressed its appreciation to India for coming to the aid of Pakistan in its hour of calamity. Indeed, as Khurshid Mehmood Kasuri told the BBC, this was the best Confidence-Building Measure specifically on Kashmir.

### **Hiccups in Quake Diplomacy**

However, quake diplomacy also faced some hiccups. First installments of relief material were held up at the Wagah border for forty-eight hours as Pakistani officials had no instructions to accept them. When the response came, it was with the condition that it would be distributed by Pakistanis. Similarly, when Pakistan was facing a serious shortage of helicopters to send relief and rescue teams to far-off affected areas, India offered to supply them. But Pakistan was not willing to accept them with Indian pilots. Though this condition was only for Indian helicopters and did not apply to helicopters from other countries, Musharraf retorted that it was on account of political sensitivities.

For the people of Jammu & Kashmir, on both sides of the Line of Control, as also for the people of India and Pakistan, the immediate and final solution of the Kashmir issue had ceased to be the primary issue and the humanitarian problem

was foremost in their mind, but General Musharraf refused to forget the Kashmir dispute. In an interview to the BBC on October 21, he reminded us that the “October 8 earthquake has provided a life-time opportunity to resolve the dispute.”

Meanwhile, persistent reports from Pakistan and foreign sources suggest that rescue, relief and rehabilitation work in the Pakistan administered part of the state has been taken over by the militant organizations, and the volunteers of their religious patrons from the inefficient government. Even international relief organizations like the Red Cross, WHO, UNICEF and the World Food Programme are forced to work with the militants.

According to *The Sunday Times* of London, November 13, “terror outfits are taking children orphaned by the earthquake in Pakistan occupied Kashmir off the streets to train them to carry out militant activities in Jammu & Kashmir.” The paper quoted Pakistan’s leading human rights organisation, the Ansar Burney Welfare Trust, which had evidence that sympathetic government officials were passing children on to the jihadis. The paper further noted that the popularity of the Islamic militants had risen sharply since the earthquake, as they were among the first to arrive with aid at the some of the worst-affected villages.

These reports, and the spurt in militant attacks on civilians in Jammu & Kashmir, including the slaying of Minister Lone, workers of the National Conference, Congress and the Communist Party of India-Marxist, as well as the brutal killings of ten people in Rajouri, have led to apprehensions in India that the threat from “cross-border terrorism” has increased.

### **Spurt in Terrorism**

Meanwhile serial blasts in Delhi on the 29<sup>th</sup> of October, on the eve of Diwali, taking a toll of 71 innocent civilians and causing widespread destruction, further tended to vitiate the goodwill created by quake diplomacy. Police investigations have revealed the hand of the Pakistan based Lashkar-e-Ta’iba in this inhuman act. Some hectic efforts were made by the governments of India and Pakistan to rescue the situation. On the day of the blast, a representative of the Indian Foreign Office agreed to Pakistan’s identification of five spots on the Line of Control for the exchange of relief materials and meetings of divided families. General Musharraf not only condemned the Delhi blasts but also offered to cooperate with the investigation of this heinous crime. Pakistan’s Prime Minister, Shaukat Aziz, admitted at the

South Asian Association for Regional Cooperation (SAARC) summit in Dacca that there is a lack of trust between the two countries. Manmohan Singh frankly told his counterpart in Pakistan that terrorist attacks in Delhi impacted public opinion in India and the peace process, and reiterated India's demand for ending cross border terrorism and infiltration. However, both leaders also agreed that the peace process should not be deflected by terrorist attacks.

This agreement was reflected by the opening of five points on the Line of Control to exchange relief supplies for the quake affected people of Jammu & Kashmir. The first crossing was opened at Chakan Da Bagh in Poonch on the 7<sup>th</sup> of November, the second at the Kaman Post in Uri on the 9<sup>th</sup> of November, the third at Teetwal in Tangdhar on the 12<sup>th</sup> of November, the fourth at Mendhar on the 15<sup>th</sup> of November, and the fifth at Hajipur in Uri. Earlier, India had offered to supply relief material and set up mini hospitals at three points. But Pakistan insisted that relief be supplied at points it had identified, and be reciprocal. India agreed to this suggestion. Though the relief materials sent by Pakistan for quake victims on the Indian side of the Line of Control is token in nature, and is taken from relief material donated by foreign countries to Pakistan, Indian officials accepted the reciprocal arrangement to respect the prestige of Pakistan.

However, people were more interested in meeting each other and knowing whether their near relatives on the other side were alive. At Poonch, the Pakistani Rangers had to use force to stop people crossing to the Indian side. One Pakistani, Shaukat Ali, crossed the Line of Control and started offering Namaz, and took a handful of Indian soil in his pocket before he was caught and forced to return.

There is a strong urge in "Azad Jammu & Kashmir" to open more crossing points in the Jammu region and allow freer movement for people across the Line of Control. Farooq Sikandar, son of the Prime Minister of "Azad Jammu & Kashmir" said that "as far as Kashmir is concerned, there are only a few Kashmiri speaking families who have their relatives on the other side whereas there are millions of separated families in Jammu region who have their blood relatives on the other side."

One hopes that the governments of India and Pakistan will be guided by their self interest and ground realities, and the urges of people who are victims of this disastrous earthquake. Apart from attending to the immediate problems which might be aggravated due to the severe winter, their emotional urges should also be

respected. A humanitarian approach may prove to be a more realistic and practical way to resolve the long-term political problems that have bedeviled relations between India and Pakistan.

**Balraj Puri** is a senior human rights activist and commentator on Kashmir affairs.

# Opportunities Lost and Found

**RADHA KUMAR**

**I**t is almost two months since the earthquake struck divided Jammu & Kashmir and the North-West Frontier Provinces (NWFP) of Pakistan. Images of the dreadful ruin of Azad Kashmir pour in daily, a whole region crumbled to dust and a whole people left shattered and homeless. 80,000 dead and still counting, they say (some articles in this collection put the figure at 100,000), 3 million in acute need of shelter before winter sets in. The UN is making ever more urgent appeals – until the donors' conference of November 19, they had only around a quarter of what they need to see people survive the winter. And the major task will come after the winter, to get underway one of the most massive reconstruction efforts that South Asia has ever faced underway.

## **Crisis and Response**

A lot has been said about the different responses of India and Pakistan to the earthquake. The Pakistan army's relatively sluggish response was compared unfavorably to the Indian army's rapid reaction in Uri-Kupwara; India's aversion to aid from international agencies was compared unfavorably to Pakistan's appeal for international aid (except from the one country best placed to offer it, India).

To some extent, though, these comparisons are unfair. The fact is that Pakistan-administered Azad Kashmir and the North West Frontier Provinces (NWFP) bore the brunt of the disaster. The quake's epicenter was in Azad Kashmir and neighboring areas of the NWFP. It is not surprising that the Pakistani army, which lost a large number of troops in the earthquake, was stunned by the scale of the disaster and

took some time to respond. Pakistani civil society did rise to the occasion; but though liberals donated generously, it was the radical Islamic groups that provided the first distribution network, so much so that many of the international organizations used (and still use) them to channel relief.

Here is another potentially bitter harvest we are waiting to reap – groups like the Jaish e Mohammad and the Lashkar e Ta'iba will acquire a new lease of support based on gratitude for their rescue and relief work, and they are better networkers than pretty much anyone else, so they will have a large new supply of recruits when – if? – they decide to expand militancy.

On the Indian side of the Line of Control, the earthquake hit parts of Uri-Kupwara and Poonch, but its impact was considerably smaller in scale, though not, obviously, in intensity. Around 1,400 people died, and around 33,000 families lost their homes. The Indian army was thus better placed to rise to the immediate needs of relief, especially medical aid and evacuation, despite losing some troops in the quake and post-quake relief and reconstruction.

The Indian army's rapid response, together with the fact that the scale of relief and reconstruction needed on the Indian side of the Line of Control was manageable, meant that initially there was no need for international help here. The issue of international help arose only when the army was asked to take a back seat in order to let the civilian aid effort kick in, a politically correct but impractical step given that the local administration was unable to rise to the occasion (despite being allotted Rs. 650 crores, or around \$140 million, by the federal government). The vacuum that the local administration's failure created was filled by Kashmiri and Indian NGOs, as well as local Islamic groups (a development which is beginning to ring some alarm bells here too). Today immediate relief has reached almost everyone on the Indian side of the Line of Control, but the provision of shelter for the winter is only just beginning to get going.

The transfer of the post of Chief Minister from the People's Democratic Party to the Congress also meant a time lag in the shelter effort, though the new Chief Minister, Mr. Ghulam Nabi Azad, says he has put it on priority footing, offering resources and incentives to repair damaged homes or construct temporary ones before the onset of winter. The task of ensuring shelter for 33,000 families is one that the Indian and Jammu & Kashmir governments are capable of handling if they put a coordinated effort in place – with suppliers and distributors, including NGOs and the army, working together.

For Pakistan, the humanitarian crisis is acute, made even more acute by the short time that is left before winter sets in. Indian aid could help plug the urgent relief gap – there is easier access to parts of Azad Kashmir from this side of the Line of Control. India has doctors and nurses that could be there in hours, we have civilians with experience in disaster relief and humanitarian aid. Can India and Pakistan do together what they have not been able to do alone, put the needs of Kashmiris first?

### **Opportunities to Cooperate**

As several contributors to this issue have stressed, the two countries have missed many opportunities to cooperate on earthquake relief. So why should we hope that they will do better now?

This argument is in danger of missing the point. Look at the facts. The overwhelming damage is on the Pakistani side of the Line of Control, and most Indians are acutely conscious that offers of aid and volunteers could be taken amiss – as was the Indian offer of military helicopters. Pakistanis have variously construed this offer as mischievous (designed to cause the Pakistani army embarrassment because they would have to refuse at a time when they were sorely in need of heavy-lift helicopters), or as petty (surely India could have let non-Indian pilots fly the aircraft?). I have to say I find the latter criticism breathtaking, for the casual acceptance that Indian equipment is acceptable, but living breathing Indians are not. How much more communal, or xenophobic, than that can you get?

On the other hand, the Indian government was definitely insensitive – could they not have offered to paint white flags on the helicopters, or Indian and Pakistani flags together, or attach the helicopters to one of the international NGOs, such as the Red Cross or Red Crescent? And the Pakistani government was churlish – if they could not accept Indian military helicopters as emblems of peace, why could they not have thought of an acceptable compromise?

Looked at in a comparative perspective, however, these criticisms highlight what a long way the two countries have come, from the hostility that dominated them only a short while ago. India and Pakistan have been locked in a bitter conflict over the territory of Kashmir – now they have a chance to compete for the hearts and minds of Kashmiris through relief and reconstruction. In other words, each side can derive tangible benefits through showing up the flaws in the other side's care for Kashmiris. The stakes for India and Pakistan to compete negatively are high.

Yet, despite the high stakes that India and Pakistan have in making the most of each other's failings, the two countries are beginning to lay competition aside in order to cooperate on relief and reconstruction.

### **Accelerating the Peace Process**

In fact, several pending Kashmiri confidence-building measures were implemented after the quake. India and Pakistan restored long-severed telephone links to allow families to seek relatives across the Line of Control two weeks after the earthquake – a suggestion I first heard made by Gilgiti participants at a conference in Srinagar this July, then Mirwaiz Umer and Chief Minister Mufti both made it, and finally the two governments accepted it as a humanitarian gesture during this crisis.

Similarly, India and Pakistan are now exchanging aid consignments through five newly opened crossing points on the Line of Control, and have allowed families to use them – again a suggestion that was made by Kashmiri and Indian civil society groups as a measure to forward the peace process, and put on the Indian agenda for foreign secretaries' talks over a year ago, but not agreed until two months after the quake.

The two governments say they hope these crossing points will outlast the relief and reconstruction effort – in other words, the people of divided Jammu and Azad Kashmir will at long last be directly connected. Let us hope it will not take another earthquake to open the third set of routes that has been requested, between Ladakh and the Northern Areas.

This is as much as, if not more than, the much trumpeted “earthquake diplomacy” between Greece and Turkey. Under international persuasion, Turkey accepted Greek aid following the earthquake in the 1990s, and the rapprochement that developed led the two countries to begin a peace process over Cyprus. Neither country was able, however, to instill the peace process in Cyprus, as the Greek Cypriot's vote against re-unification of the divided island showed.

By contrast, India and Pakistan's “earthquake diplomacy” is in Kashmir, and at a time when one whole part of the region lies in ruins. In other words, the India-Pakistan peace process has not only entered Kashmir and been fundamentally affected by the quake, it is now dependent on what happens after the quake.

## **Immediate Next Steps**

With crossing points opened along the Line of Control, India, Pakistan and the UN, together with international and national NGOs, can more easily ensure a voluminous steady supply of aid. International aid can reach affected areas that are more easily accessible from this side of the Line of Control, for example Teetwal for the Neelum valley, as could medical or other volunteers.

India has no shortage of medical personnel, and our doctors have been amongst the first to volunteer for the disaster or conflict-stricken, as I know firsthand. But they can only go if they are given permission; and the Pakistani government is reluctant to give permission. Or at least, was reluctant till now – after the donors’ conference, the Pakistani government has made very cooperative statements, including the offer to buy materials from India for reconstruction, so they may well accept Indian medical personnel.

There has been a lot of criticism of the Indian and Pakistani governments for putting the same procedures in place for people using crossing points as they have for the Srinagar-Muzaffarabad bus. What happened when the Bagh crossing point was opened — Pakistani troops firing tear gas at local residents who ran to cross — was dreadful and I am sure will not happen again; but it does show that neither country is willing for an unregulated Line of Control. It is also true that at this point of time an unregulated flow of people could pose a logistical nightmare for relief work, especially in Azad Kashmir.

Yet an immediate way can surely be found for families to mourn their lost together. India’s suggestion that people be allowed to cross only twice a month (at each crossing) because daily crossings will be difficult to organize, undermines the whole point of opening the crossings and is crassly inconsiderate of the immediate needs of families and friends to find each other. Accepting the need for regulation, and for security against militants, daily crossing should still be possible. There could be a simple registration at the crossing points — with the new technologies we have, this could include hassle-free photography and fingerprinting — or people crossing over could leave their ID cards at the gate to be collected on return, that might be a sufficient guarantee. Social workers with experience in dealing with trauma could handle registration or collect IDs or NGOs with experience in family reunion, such as the ICRC and Red Cross/Red Crescent, could work along with local administration.

These are immediate humanitarian steps that will bolster the peace process, because they show that the two governments are willing to consider each other's constraints while attempting to put relief for Kashmiris first.

## **Rising Violence**

Meanwhile there is a rising graph of violence in, and related to, Jammu & Kashmir. Before the Delhi bombings, in which 71 people were killed while festival shopping, a Jammu & Kashmir state minister was assassinated; there have been several militant attacks since, that have left over a dozen dead and around 70 injured in Jammu & Kashmir. President Musharraf's offer of help in investigating the Delhi bombings (through, for example, following up leads to Pakistan) has not been taken sufficiently seriously in India, though I hope it has or will be quietly accepted by the time this is published, so that we can see the culprits brought to book soon.

More than ever before, this earthquake has brought home the imperative for Indians, Kashmiris and Pakistanis to work together against terrorism. Maybe I'm being paranoiac, but I can't help thinking that the widespread and tireless relief work that the radical Islamic groups have done has been a shot in the arm for militants. Indeed, I can't imagine a better strategy from their point of view than to combine relief in Azad Kashmir with violence in Jammu & Kashmir – it drives the wedge back both between India and Pakistan, and between India and the valley Kashmiris.

The difference is that this time the strategy threatens Pakistan too. After their difficulties with the MMA government in the NWFP, the Pakistani government and President Musharraf's army would not wish to see Islamic parties in control of Azad Kashmir. It is in their interest, therefore, to work with India against militant groups. The recent South Asian Association for Regional Cooperation (SAARC) summit's ratification in Dhaka of the additional protocol to the SAARC Convention on Suppression of Terrorism provides an avenue, since the South Asian countries have agreed to stop terrorists' funding, and to exchange information on terrorism, and coordinate between their intelligence agencies.

While these are critical nuts and bolts for containing violence, what the two countries really need is an imaginative leap that will bring the militant groups on board. Yasin Malik, the leader of the Jammu and Kashmir Liberation Front, who is the only Kashmiri leader to have visited – or been given permission to visit – Azad

Kashmir after the earthquake, told me his conclusion was that a revival of the 2000 cease-fire negotiations is possible. In fact, the Hizbul Mujahedeen did declare a humanitarian cease-fire soon after the earthquake, but terminated it within a couple of weeks; many Kashmiris believe that the rising trajectory of violence is a signal from the militant groups that they are still a potent force, and should therefore be negotiated with.

This is a relatively benign interpretation of the militants' intent which is worth probing nevertheless – if the Hizbul could be persuaded to enter into a cease-fire with Indian security forces, supported by the Pakistani Jamaat-e-Islami, and the Lashkar could be persuaded not to attack or violate the cease-fire, we would all be one step closer to a lasting settlement of the Kashmir dispute.

The question is, will the Pakistani army and ISI back a cease-fire? It is no secret today that they brought the cease-fire of 2000 to an abrupt end. But the “trust deficit” between the two countries that Pakistani Prime Minister Shaukat Aziz referred to in Dhaka is narrower in 2005 than it was in 2000; the earthquake provides an overriding moral as well as strategic imperative for a cease-fire to both countries; and the international community is present as never before in Azad Kashmir, so could act as a monitor on the militant groups if there is a cease-fire.

In other words, the conditions for a cease-fire are better than they have ever been before. Why then is it being held up?

### **Misunderstood CBMs**

The message from Pakistan over the past few years has been that they will make a sustained effort to close down support for militant groups if India will discuss concrete settlement of the dispute. India has thus far been reluctant to tie settling the dispute to an end to violence, believing that confidence-building measures would pave the way both for an end to the violence and to a lasting and mutually acceptable settlement.

Pakistani analysts as well as the army and government suspect that the confidence-building measures which India keeps proposing (only a few of which have been agreed and even fewer implemented) are a substitute for settling the dispute. So the Pakistani government has dragged its feet, counterproductively as it turns out, because the sluggishness of the peace process has played into the hands of Pakistani naysayers. In actual fact, if the confidence-building measures had

been implemented – especially if more crossing points had been opened and a sustained effort made to curb support for militant groups – India and Pakistan would have been poised to discuss a settlement before the earthquake. And they would have cooperated far more readily on relief and reconstruction after the quake.

India too, has been slow on a key confidence-building measure, the dialogue with Kashmiri separatist or independence groups. One extremely significant meeting did take place, between the Hurriyat A and the Indian Prime Minister, but it has yet to be followed up on, through meetings with other important independence leaders, such as Yasin Malik and Sajad Lone, and a second round with the Hurriyat A.

In the meantime, the earthquake offers a unique opportunity to bring one of the most powerful constituencies into the battle for peace – the civil societies of India, Kashmir and Pakistan.

Nothing would reduce the potency of the radical Islamic groups more effectively than to see Indians, Kashmiris and Pakistanis work together in divided Kashmir. It is probably too late for a coordinated influx of these three civil societies into relief work before the winter, but such an effort could be got together for post-winter reconstruction.

The potential for strengthening the peace process through reconstruction is immense. New infrastructure could provide better opportunities for more freedom of movement, and intra-Kashmiri trade as well as investment. The Jammu & Kashmir Chamber of Commerce could, with its counterparts, prepare a blueprint for joint investment and reconstruction projects. As dams are rebuilt, they could be planned for better and mutually helpful water and energy management. The universities in Jammu & Kashmir could twin with the shattered university of Azad Kashmir, to rebuild fallen buildings and libraries (and through this perhaps start joint research on common cultures), and could offer scholarships to students from Azad Kashmir. Kashmiris could rediscover the many identities that make life bearable. All of this would marginalize the militants who want to spoil the peace process. And it would make India and Pakistan's task of finding an acceptable settlement that much easier.

### **Settling the Kashmir Dispute**

In general it would be counterintuitive to suggest that a settlement can be arrived at if confidence-building measures cannot be agreed and implemented. Yet the

earthquake appears to have made the counterintuitive realistic. General Musharraf's offer to discuss maximum self-rule for Kashmiris is as rich an olive branch as any I've seen, and I doubt it would have been publicly offered had the quake not shattered Azad Kashmir. Combined with the Mirwaiz's extremely thoughtful comments in this collection, that internal devolution or self-governance for the different regions of divided Kashmir could go hand in hand with self-rule from India and Pakistan, we have the broad framework of an interim solution at hand. Pakistan is at present, willing to discuss self-governance only in the context of Azad Kashmir and the Kashmir valley, but once discussion on this issue begins it will inevitably entail devolution for Jammu and Ladakh within Jammu & Kashmir, and Gilgit and Baltistan within Pakistan. It is what almost all political groups within divided Jammu & Kashmir (including Ladakh and the Northern Areas) want.

We are, it would seem, at another turning point in the tangled history of India, Pakistan and Kashmir. India, Pakistan and the people of Jammu & Kashmir can snatch a peace agreement from the maw of the earthquake, or the radical Islamic groups will establish their predominance in the region, with consequences we cannot as yet foretell – except for this one, that the Pakistani army will be pushed back into their arms. Perish the thought.

**Radha Kumar** is a trustee of the Delhi Policy Group, and Director of the Mandela Center for Peace and Conflict Resolution at Jamia Millia University.

# Interview

**Mirwaiz Umer Farooq**, the All Parties Hurriyat leader spoke to **Ajai Shukla & Sonia Shukla** about his vision for the way forward in Kashmir

*Where, in your view, is the peace process now?*

We are losing opportunities and there is a genuine desire in Kashmir that things should move on now. It has been 15 years now. People have seen a lot. There is pain and suffering. There is frustration also in India and Pakistan, at the people's level and at the governments', that there is a problem that needs to be addressed (but is not being addressed).

I would say, especially after the earthquake, this was an opportunity for both countries to get together and work together for humanity. It is ironic that even in loss and pain we were united with our brethren across the ceasefire line. We thought there was an opportunity when a lot could have been done. In the name of humanity political issues could have been picked up, and some progress could have been made.

A lot of politics was played when the earthquake struck. India offered helicopters and Pakistan said we will accept only helicopters, without pilots. Pakistan also said we will accept aid from India only on a reciprocal basis.

So at that juncture, when we went to Uri and Tangdhar – it was so ironic, we were in the last village before the check point, and the damage was hardly 30-35 kms. away – there were a lot of volunteers who wanted to go and help, unfortunately they could not. So opportunities are being missed. There doesn't seem to be a genuine desire to move ahead.

*Can you elaborate on that?*

I speak from what I see. In Delhi, the only concern that people have is the violence in Kashmir. Violence is not the only issue. There are causes for the problems in Kashmir. The impression that one gets here in Delhi is that once violence is over

there is no issue to be debated on Kashmir. That is the impression, and it is not helping our efforts to set things right.

When we started talks with the NDA and then the Congress... (their focus was always on violence). The gun must stop. Of course violence has to stop, but what about the role of the hearts and minds of the people even if the gun stops? Unless that is worked upon by both India and Pakistan, I don't think we can act in terms of real peace.

In the last few days, we have seen an upsurge in militant activities. I guess these people are trying to give a message that we are still here. What was said about camps being destroyed and people having died is not true... They want to show their presence and to show that they have the capability to strike.

*You mentioned a lack of motivation to take things forward, is it a problem only in New Delhi or in Islamabad as well?*

I would say both sides. It's just that New Delhi has always been hesitant to deal with the resolution part of the problem. Yes, confidence-building measures are fine – as long as they don't disturb the overall structure, they will go ahead with that. But that will not set anything right.

In Pakistan also, I would say that there is lack of clarity on how they want to pursue this. One day they have one suggestion, the other day they have another set of suggestions. There is no continuity in Pakistan on what approach they want to take in the settlement of Kashmir.

*Specifically, in your view, what is the missed opportunity? What could have been done?*

When the earthquake happened there could have been joint India-Pakistan operations to help the victims. Most of the victims live on the ceasefire line, on the Line of Control. At that time it would have been easy for the Indians to tell the people of Azad Kashmir (that they care), and it would have been easy for people like us to go to Azad Kashmir and help those people. There was an urge in Kashmir also at the level of the people. When I went to Uri, there was a lot of damage there but the people were more worried about the people on the other side of the Line of Control. People were ready to go and help if they were allowed. The other thing is their late response, it took them a lot of time to decide about the checkpoints.

Now, they have opened the five checkpoints. Everybody welcomed it. But the mechanism is still very difficult. How can you expect somebody who lives in Tangdhar to first come to Srinagar, go to the passport office, file an application, fill a form, and then it takes ages to verify the application.

*Are you suggesting the checkpoints should be empowered to deal with these problems?*

Yes, because most of the people will go from those areas. Most of the divided families are along those areas. Also, why do we need to go to the passport office? Both India and Pakistan recognize the “state subject.” Everybody has a state subject certificate given by the government. They could have gone on that.

*What about the issue of security fears? That this could be used as a way by the militants to enter?*

We are not suggesting that you open the mountains and the rivers and so on. You should open only five points, and there you check people and see who is going in and who is going out, and what they are bringing. I am not suggesting that you let people move around like cattle.

*A fidayeen was caught recently who had entered without any arms from the forest, he could easily have walked in through the kind of checkpoint you are suggesting?*

He has walked in any case. But what I am saying is that it is not difficult to streamline the process. We have a list of divided families on the other side. Also, you can check that people are not carrying arms. I am saying that there are ways in which it could have been done better by both India and Pakistan. I think they still have an opportunity.

*Apart from easing the mechanism at the checkpoints, is there something more that could have been done?*

All the talk that we hear in Delhi and Islamabad seems to be focusing on steps like easing the movement of the people. When we met the Prime Minister he said that I want a situation where a Kashmiri does not feel the difference whether he is in Srinagar or Muzaffarabad. Those were his words. Musharraf said, we want

invisible borders and we don't want the line to stop people from meeting each other. I think this was an opportunity for that.

I don't think that if India and Pakistan had opened the Line of Control or ceasefire line now, there would have been any hue and cry in Delhi or any other part of India. Nobody is bothered if you open the ceasefire line, or the border, or open five points. I don't think people in India feel that Kashmiris should not be allowed to come and go. I think politically, it was an opportunity that nobody would have objected to on the basis of the earthquake crisis.

*You don't think that if there was a free flow followed by a fidayeen attack, it would have caused a lot of questioning from the Opposition in India?*

It has to be understood that those people have been crossing over for the last 15 years, whether it is through difficult terrain or mountains. They are still coming. But I think there are ways to check. Also, you could start with women and children, and then allow people over a certain age.<sup>1</sup> There are ways of getting around it so the Kashmiri feels that things are easing up. Symbolism is very important.

They have now opened these five relief points. It was only for relief (to start with), and whatever relief is going on is on a government to government basis. We saw the emotions earlier on the Poonch side when the Pakistani police had to teargas them. Emotions are high on both sides and if this is the way we have to work – with open borders, open economy, open trade – I would say these would be things that would be instrumental in addressing the political aspects of the problem also.

*When General Musharraf spoke to you did he indicate that there would be a stage when taking action would be difficult? The low hanging fruit have been picked and now every step is a struggle.*

Exactly, we do acknowledge that Kashmir is a complex issue, and we don't believe it will be a cakewalk. But I still think there are measures which, if they are taken, will not really disturb the mechanism that has been put in place. Even if you open the checkpoints, then the relief or the opening is not limited just to the earthquake. It could be permanent. As the next step, we could think about trade, as

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<sup>1</sup>This proposal appears to have been accepted, if the recent crossing by a group of Kashmiri women and senior citizens through the Teetwal crossing is anything to go by (ed.).

in pre-1953, on the Rawalakot-Poonch road. These are things we could think about that will give the message down in Kashmir that things are improving.

Even the groups like Lashkar-e-Ta'iba and Jaish-e-Mohammad don't operate in thin air. They operate because they have the support of the people, whatever the percentage of those people is.

When we started talks with the National Democratic Alliance (NDA) government in 2004, everybody – the Jaish, the Lashkar, the Hizbul – said nothing will happen. But now after one year, (when) we started talks with the Congress, we went to Pakistan, we met people in the Hizbul, we met others, we made them understand. You have to take the people of India and Pakistan with you.

When we started talks there was no opposition, only a little from the indigenous groups. Everybody was waiting and watching to see how things go, to see what these people will achieve or get from Delhi. Even those who are hardliners and have taken an extremist view, even they are watching the situation to see what is happening at the ground level.

*The main reason for New Delhi to hold the dialogue was that you would be able to bring those groups to the table. Do you think there is an inadequacy structurally in the dialogue or in the Hurriyat's position?*

We told New Delhi that it would not be easy to bring everybody on board. We said we will try. But to get them on board we have to show them something. We talked to the NDA and we talked to the Congress and the Prime Minister and this is the highest level we can go and nothing has happened. Not a single political prisoner has been released. Unless people see the change on the ground nobody is going to believe the Hurriyat or Delhi or Islamabad.

Which is why it is difficult for the Hurriyat, people like (Syed Ali Shah) Geelani are on our backs. Even on the issue of restraint of security forces we are facing problems.

*What are the specific steps on the ground which you believe will strengthen your hand with the extremists?*

We have said one is the gradual release of political prisoners. Second is the issue of the accountability of paramilitary forces and armed forces. Some action has to be taken if there is an incident. You can't dismiss it. There has to be a clear cut policy that this will not be tolerated.

Then there is the issue of the Valley. I don't think the number of militants is more than two thousand, but maybe it is as many as five thousand. Even if you were to stretch it to ten thousand, which I don't believe, I don't think you need four lakhs' forces to deal with these ten thousand.

Also, the way the police and the security forces are dealing with released militants is not acceptable. Every Sunday they have to go and face humiliation. There was an incident where a militant who was in jail for four years came out of prison and then fled to Pakistan with twenty-five others because the agencies were after him. These incidents are countering all our efforts.

*What do you see as the future role for the Hurriyat in the dialogue?*

When the Hurriyat talks in terms of dialogue on Kashmir we know that Kashmir is not only the Valley, it is also Jammu and Ladakh. We know there are different ideologies. When the next round of dialogue happens, we don't know when that will be, but we have suggestions to put before the Indians and for the Pakistanis.

In Kashmir the problem is not administrative only or about governance, it is about political identity. What is the relation that Kashmir will have with Jammu, Ladakh, the Northern Areas, these are questions that are unanswered. There has to be a mechanism to answer them. India is saying it won't change the borders. Pakistan is saying it won't accept the ceasefire line. Then what is the way out. There are ways and we are studying different models.

Even on the issue of violence I believe Musharraf when he told us that everything is going to stop. It was in New York, he said that he has stopped the groups and the rest will stop too. When I met Musharraf in Amsterdam last year, he told me that there was a time when Pakistan was looking at Kashmir only from its own point of view. But now we acknowledge that the primary interest is of the people of Kashmir. If the people of Kashmir are satisfied then Pakistan is satisfied.

We know that it will be gradual but the people on the ground must feel that their lives are changing.

*Do you see the peace process floundering?*

No. Even in New York Musharraf told us, although the meeting has not gone well I trust Mr Manmohan Singh. He was very optimistic, and of the view that change will have to be step by step.

But you are right in asking the question when it comes to taking the big decisions. The Srinagar-Muzaffarabad bus has been the only confidence-building measure for the people of Jammu and Kashmir. Increasing its frequency will not be seen as a big decision. People want more opening up trade, opening the Line of Control, opening air services between Srinagar and Muzaffarabad. These are the decisions which need to follow.

*Do you think India is in no hurry because it has no concessions to make?*

I think India needs to decide what the way forward is. The Prime Minister says India will not change borders. Then without changing the borders what are the possibilities of satisfying the people of Kashmir and Pakistan in the peace process? There are ways, there are possibilities. I'm sure there are.

New Delhi will have to decide what they want to do. They can't drag it on. Negotiations happen on the basis of give and take. We are ready to contribute.

*Do you think after the earthquake the militants have taken over the ground from the political forces with their relief efforts?*

I would not say that, but the militants' relief work in the quake hit areas is far, far better and more impressive than the work by Pakistan and the U.S. army combined.

New Delhi, November 17, 2005.

**Mirwaiz Umer Farooq** is Chairman of the All-Party Hurriyat Conference, an umbrella group of Kashmiris seeking self-determination, and a hereditary religious leader of Srinagar.

# Does the Earthquake Impact the Kashmir Peace Process?

**OMAR ABDULLAH**

Ever since the tragic events of the morning of October 8, a question all Kashmir watchers have been asking themselves is what effect, if any, will this earthquake have on the nascent peace process between India and Pakistan? Almost all of them quote the example of Aceh and the effect the tsunami had on pushing forward a settlement while wondering if the same is going to happen between India and Pakistan.

I have always been reluctant to take the successes (or failures) of peace processes in other parts of the world and be enthused to try and sell them as possible outcomes for the Kashmir imbroglio. The Middle East, Ireland and Aceh have all been unique, and success or failure in dealing with them means little for us in Kashmir.

Since the Aceh peace process is the one most people immediately link to Kashmir it is worth going over some of the salient points. In 1976, The Free Aceh Movement (GAM) was set up. What followed was an almost continuous attempt by the Indonesian Government to put down the movement by any means possible. In 2002, a Swiss NGO negotiated a cease-fire but the cessation of hostilities was to be short lived. In May 2003, martial law was imposed in the province. The peace process was written off but nature was to intervene – the December 26<sup>th</sup>, 2004, tsunami struck causing massive destruction in the province. 200,000 people are believed to have died and 400,000 rendered homeless in Aceh alone. GAM immediately declared an end to military activities and the Indonesian military scaled back activities considerably.

In April of the following year Lars Erik Lundin, the Acting Director in the External Relations Directorate General of the European Commission, wrote an information note to the council in which he noted “it appears that the readiness to negotiate by both parties, in the context of massive assistance to the rehabilitation of the province after the tsunami, provides a window of opportunity to find a lasting solution to the conflict in Aceh. It is essential to seize this opportunity by supporting, rapidly, this on-going initiative towards a possible agreement this summer.”

The tsunami, coupled with a new government in Jakarta, was just the push the stalled peace process needed. Five rounds of discussions were held under the auspices of the Crisis Management Initiative, an NGO chaired by President Martti Ahtisaari, Former President of the Republic of Finland, based in Helsinki, Finland. The result was a comprehensive agreement in the form of a Memorandum of Understanding (MOU) signed on the 15<sup>th</sup> of August, 2005, by representatives of GAM and the Government of Indonesia. GAM agreed to drop their demand for a sovereign Aceh state, and the Government of Indonesia agreed to make some far reaching concessions covering areas like the governance of Aceh, political participation by local political parties, rule of law, human rights and an amnesty for GAM fighters to allow their reintegration into society. The MOU also set up a dispute settlement mechanism and established the Aceh Monitoring Mission, consisting of the European Union and contributing ASEAN countries. The monitoring mission began work a month later on the 15<sup>th</sup> of September, 2005.

The change in mindsets and perceptions was sudden and sharp. In 2003, Edward Aspinall and Harold Crouch wrote a monograph, *The Aceh Peace Process: Why it Failed*, which was published by the East West Center, Washington DC. In it they started by discounting the successes of Aceh as some sort of example for others to follow. By August 2005, there was a comprehensive MOU and a month later, a monitoring agency on the ground in Aceh. The change can be traced to that one fateful morning when the killer tidal wave struck. If ever a dark cloud were to have a silver lining this would have to be it.

So is the dark cloud hovering over Jammu & Kashmir since the 8<sup>th</sup> of October going to have a similar silver lining? I would like to say yes, but I have my doubts and let me try and explain why. Let’s look at the similarities first before I list out the factors that I believe will make similar developments in Jammu & Kashmir impossible. We have a violent uprising in Kashmir that seeks to establish an

independent sovereign state. It has been going on for more than a decade and a half now. In attempting to put down this uprising violent means have been used more often than not, and accusations of human rights violations have been rife. A peace process has been initiated and attempts at a cease-fire have been made although they have been short lived. A natural disaster struck the violence prone region, requiring massive aid mobilization cutting across international borders. A militant leader, following the earthquake, announced a temporary halt to militant activities in the effected area.

So much for the similarities, let me now list out the differences that I believe are critical. Unlike in Aceh, where it was an internal matter for the Government of Indonesia, Jammu & Kashmir is a dispute between two sovereign states – India & Pakistan – with the state of Jammu & Kashmir caught in the middle. No agreement on Kashmir is possible unless both countries agree and both countries have promised to keep the feelings and aspirations of the people of Jammu & Kashmir uppermost in their minds whilst seeking a solution. The Indonesian Government had to open channels of communication with only one organization – GAM, who were all Acehese.

In Jammu & Kashmir there is no clear idea how many organizations are operating on the ground and what their relative strength and support levels are. Added to this is the fact that the majority of militants in Kashmir are no longer Kashmiri so this begs the question of who do the Governments talk to, and what, if any, credibility will any agreements arrived at actually have? The cease-fire announcement is a case in point. Political assassinations continued, including a provincial state minister, car bombs and other militant attacks continued and infiltration attempts were reported. In fact, New Delhi saw its deadliest militant attack **ever** after the earthquake, thereby underlining the need to be cautious in our expectation. India and Pakistan have fought three and a half wars over Kashmir – the history of mistrust and bitterness cannot be forgotten overnight.

Finally, and I believe crucially, the presence of third party moderation worked in Aceh. India has firmly ruled out any third party mediation, facilitation is fine, but nothing beyond that. All these factors make it virtually impossible for an Acehese type of solution to work in Jammu & Kashmir.

This does not mean that we have nothing to be sanguine about. I believe we do, but our optimism needs to be tempered with a healthy dose of pragmatism. It is

baby steps we should be looking for, small developments that will all add up in the long run. In this context the recent opening of the Line of Control at a few places for aid to cross, and to enable people to cross, is a small step in the right direction.

When the Srinagar Muzaffarabad road was thrown open and the bus service started, it was accompanied by calls for opening all those routes that were closed by the events of 1947. Progress was slow and there seemed little desire on either side to actually do anything in this direction. Suddenly, nature forced our hand and we have three crossing points and people have a choice to either take the bus from Srinagar (once the Aman Setu or peace bridge is rebuilt) or alternatively to walk across from Teetwal or Poonch. The extent of public involvement in these developments was so clearly highlighted by the dramatic television footage, Pakistani troops had to fire tear gas to keep the crowds from surging across the Line of Control. It is impossible to imagine the crossing points being closed in the future without massive public resentment and possible unrest.

This is just what a peace process needs – a healthy dose of public involvement. The people need to feel that they have a stake in improving relations, and that confidence-building measures do not just build confidence among governments but also have a direct, positive impact on their lives. The next step in this direction is to make the actual process easier. The paper work required to go across the Line of Control is more like an intelligence gathering exercise with the number of questions that have to be answered and the number of names and addresses that have to be furnished. Small irreversible steps that bring about a direct improvement in peoples lives are the need of the hour not giant steps leading nowhere.

It would be wrong to underestimate the opportunity provided as a result of the earthquake, but opportunities have to be recognized and taken advantage of. The window of opportunity is time bound and does not last very long. It won't wait for us to get the diplomatic niceties addressed, nor will it wait for us to prepare our domestic audience for the changes in policy, and it most certainly won't wait while we do the i's and cross the t's.

It is easy in such situations, to sit and pontificate about what the two governments should do vis-à-vis joint relief efforts and joint reconstruction plans. Sadly none of this is going to happen. Pakistan prefers to have American helicopters flying around and NATO troops on the ground, rather than have Indian service personnel assisting in relief and reconstruction efforts. They would like to have Indian helicopters but

without Indian pilots and ground support staff. We have a curious situation where a Pakistani minister wants to lead a convoy of more than a dozen aid trucks to the Indian side of Jammu & Kashmir while his President berates the international community for not doing enough to assist his country in its moment of need. There are not going to be any joint reconstruction efforts because generations of mistrust have not been shaken up by the earthquake, tragic but alas true.

So where do we go from here? Obviously the first priority has to be to see out the impending winter months as best as possible. The biggest challenge is going to be ensuring that those left homeless by the earthquake do not add to the number of casualties by dying of cold or hunger. It would be an even greater tragedy if those spared by the earthquake were to die needlessly because we have been unable to provide them with the necessary shelter and food supplies to see out the winter period. In the areas struck by the earthquake, particularly the Karnah valley (Tangdhar to Teetwal) and the upper reaches of Uri, people stock up for the winter because they remain cut-off on account of the heavy snowfall. This year, all their winter supplies lie buried under the rubble. Both the central and state governments need to plan restocking activities on a war footing.

Another area of concern is, damage assessment. People whose homes have been damaged or destroyed by the earthquake are reluctant to move in to sheds and community centers being erected by the government. The residents believe that damage assessment will be carried out by the authorities in their absence, and will be far below what they should receive. There have been widespread complaints of relief being distributed on political lines; we need to avoid similar complaints about damage assessment by ensuring a transparent system of damage assessment and compensation distribution. It is a pity that more than a month after the earthquake, no effort has been made to call an all-party meeting. It is necessary to review the work already done and to devise means to further improve and streamline efforts for relief and reconstruction.

To expect any sort of reduction in levels of violence on account of the earthquake will be too much to expect. Premature media reports about the casualties suffered by the militant ranks on the Pakistani side of the line of control have in fact had the opposite effect. The militants went out of their way to discount such reports in the only way they know how – massive and audacious strikes in Srinagar and Delhi. The Delhi bomb blasts and the assassination of Minister Lone in Srinagar, should

silence those who believed that the earthquake would afford a respite or decline in violence. The true test of the militants' ability to mount infiltration bids will be in the New Year, after the snow has melted and the passes have reopened.

The earthquake has had an unexpected positive development across the Line of Control for the militants and other jihadi organizations. The complete failure of the civil and military administration to cope with the scale of the tragedy left a vacuum that these organizations rushed to fill. Whether it was assisting in digging out the dead and injured or getting aid and relief supplies to people, these groups were able to play a part and the impact of this on the population should not be underestimated. The Pakistani President has talked about marginalizing and regulating these groups but this earthquake has done a lot to rehabilitate the fundamentalist jihadi forces. The effect this has on recruitment and local support from the population will have to be gauged but should not be dismissed off hand.

Militancy is going to have to be dealt with, regardless of the earthquake and in this the role of the new state government lead by Ghulam Nabi Azad is crucial. A lot has been written about how Mufti Sayeed was crucial to the peace process. I risk sounding politically biased when I say that the process is not the creation of any one individual. It has been largely institutionalized, and while the results have so far been disappointing, the process is not threatened by one replacing another. Dr. Manmohan Singh took the process forward from Atal Bihari Vajpayee, and Ghulam Nabi Azad will take it forward from Mufti Sayeed.

I mentioned that the results have been largely disappointing and I will explain why I feel that way. On the international front, between India and Pakistan we have made progress; there is no doubt about that. We now have four points to cross the Line of Control where this time last year there were none, but what next? What is the next step towards our end goal of resolving the Kashmir issue? India wants an end to violence and infiltration. Pakistan says they have done a lot and must have something to show in return to assuage criticism back home that only India is getting something out of the ongoing dialogue. A view that U.S. Secretary of State Condoleezza Rice seems to share, if her request made to Dr. Manmohan Singh in New York, been reported in the Indian press, is anything to go by.

What about the internal dialogue process? Where is that heading? It seems, from the outside, to be heading nowhere. There have been three rounds of Hurriyat discussion with then Deputy Prime Minister L.K. Advani, followed by a round of

discussions with Prime Minister Manmohan Singh, but what do we have to show for it? Are we any closer to bridging the gap between the Government of India and the moderate fraction of the All Party Hurriyat Conference? It would seem not, but no one seems to be concerned that failure is not an option, now that the dialogue is being held directly with the highest elected office in the land and not some moderator or self appointed committee. The acting Chairman of the moderate faction of the Hurriyat, Mirwaiz Umar Farooq, is on record saying that they will have to rethink the dialogue because none of the demands put before the Prime Minister have been acted upon.

Under the circumstances it is difficult to imagine how the dialogue process can be widened and made more inclusive, rather than exclusive. How will the Hizbul Mujahideen be encouraged to lay down arms and come to the dialogue table, as was done a few years ago in Srinagar? What of the mainstream political parties? When will the process of dialogue begin to include them? So far the Government seems to have put all its eggs in the basket of the All Party Hurriyat Conference, and that too one fraction of it. This is a recipe for disaster. The Government of India needs to widen the scope of its dialogue, make it more inclusive rather than exclusive and make space at the table for mainstream political parties and groups that do not have a separatist agenda. Only then will the peace process begin to produce the sort of results we all hope it will.

So, in a nutshell, the earthquake has created opportunities along with the accompanying challenges. The peace process can be the direct beneficiary of these opportunities if we are flexible enough to recognize them and act upon them. The window of opportunity will shrink over time as the earthquake becomes a distant memory and people get on with their lives. At the same time, the dialogue process between India and Pakistan and between New Delhi and the Hurriyat is at a delicate stage, and needs very careful handling lest one of the participants feels too much domestic pressure to continue in the same manner. Above all, while failure is not an option, let's not expect miracles.

**Omar Abdullah** is Chairman of Kashmir's largest political party, the National Conference.

# Indo-Pak-Kashmir: Restraint and Wisdom Needed

NAJAM SETHI

The India-Pakistan peace process has been buffeted in recent times. Indeed, despite the best efforts of General Pervez Musharraf and Dr. Manmohan Singh to stick firmly to their declared objectives and keep the process on track, the rough weather is likely to continue in the foreseeable future.

The terrorist bombings in the bazaars of New Delhi last month, came on the eve of talks in Islamabad, aimed at opening up the Line of Control. The Indian delegation in Islamabad went into a sullen huddle until it was nudged by Dr. Singh to complete its mission and return home. This “soft” response, followed a strong statement from General Musharraf condemning the “terrorist” incident. More significantly, General Musharraf explicitly offered to help India investigate the crime and pin down the terrorists. This stopped India from immediately accusing any particular Pakistan-based jihadi groups of complicity in the bombings or demanding that the Musharraf government take action against them. Much the same sort of nuanced response was forthcoming a couple of weeks later from India following the suicide attempt on the life of the new Chief Minister of the government of Indian-held Kashmir, Mr. Ghulam Nabi Azad, in which at least five people died.

But both countries are struggling to keep the process on track, often having to juggle with contradictory positions and tackle new and unexpected situations. This is best exemplified by their mutual stance on opening up the Line of Control and “softening” the “divide.” For instance, when Mr. Atal Behari Vajpayee, India’s Prime Minister in 2003, offered to open up the Line of Control at several points, the

unthinking response in Islamabad was not terribly encouraging. Indeed, it was even suspected that the Indian proposal might be geared to making the Line of Control a de facto “border” with Pakistan. Hence, the long drawn out negotiations over which “documents” travelers from both sides would be obliged to carry. Clearly, even at that time, the Indo-Pak dialectic was largely a sum zero game. If one country proposed something, the other was obliged to discern some hidden agenda and reject it.

As against this, we now have General Musharraf boldly asking for a complete “demilitarization” of both Kashmirs and the free movement for Kashmiris across the Line of Control. In the old paradigm, the Indians would have looked askance at this proposal, suspecting it of being insidiously linked to Pakistan’s old stance of rejecting the Line of Control as a “sacrosanct” political and geographical feature. Equally, an acceptance would have implied a contradiction with India’s old position that the Line of Control was an established “dividing line” between the two countries rather than a controversial one between two communities. Similarly, on the Pakistan side, the UN-only approach has been officially abandoned in favor of exploring a multiple-option agenda. In other words, an acceptable and welcome level of “reinterpretation” is developing on both sides.

The bus service between the two countries is being beefed up with new routes and greater frequency. “Moderate” Kashmiri leaders from India have been allowed to cross the Line of Control and visit Pakistan – Mr. Yasin Malik was in Pakistan following the quake for the second time in three months – while Islamabad hasn’t shed any tears about the isolation of the hardliners in Srinagar. The same leaders have also had meetings with Dr Singh, a long outstanding demand.

The remarkable thing is that, an increasing number of opinion-makers in Pakistan support the idea of opening a trade route across the Line of Control and the border at Amritsar. Then, there is the Pakistani government’s position on this issue which seems to be changing slowly. Until recently, Islamabad was insistent on linking progress on trade liberalization – which benefits India more than Pakistan because it will lead to a huge trade surplus for India – with palpable movement on the core issue of Kashmir. But now the Pakistani government has unilaterally allowed Indian foodstuffs to be imported in order to combat food-inflation at home – which shows that there are benefits for Pakistan too beyond the cold statistics of the trade equation. More significantly, in pursuit of the same self-serving objective, the Pakistani

commerce ministry has quietly decided to allow the import of dozens of consumer, industrial and intermediate goods from India. These developments square with India's desire to normalize relations and build a degree of trust before coming to grips with the Kashmir dispute.

Meanwhile, the earthquake has raised the question of transforming a national calamity into an international opportunity to diminish the trust deficit. However, it is unfortunate that the Indian offer of helicopters for relief was spurned by Pakistan for purely military reasons and equally regrettable that India could not bring itself to allow neutral Russian or Arab pilots to fly them. Pakistanis are also upset about the lack of an appropriate response from civil society in India. Maybe, the terrorist bombings of civilians in Delhi have something to do with this lack.

Now comes the unsettling news, that India's foreign minister, Mr. Natwar Singh, has been stripped of his portfolio for dubious involvement in the UN oil-for-food program. If he is incapacitated and Dr. Singh doesn't take on his portfolio, the new appointee is not likely to fully share the Indian prime minister's personal insight and commitment to peace.<sup>1</sup> This would naturally slow down things. Equally, if jihadi-inspired terrorist attacks in India continue to rock tactical or strategic assessments, there could be pressure on Islamabad to deliver on the anti-jihadi agenda as a precondition for further movement by India, something that General Musharraf may not be in a position to comply with quickly.

Several questions remain to be answered. Now that the Indian media has claimed at the prompting of India's intelligence agencies that the Delhi bombs were planted by Pakistani-based Lashkar e Ta'iba terrorists guided by Mr. Tariq Ahmad Dar, the Srinagar-based Kashmiri salesman, the Indian government may feel obliged to put Pakistan under pressure to help track down the Lashkar e Ta'iba connections. Under the circumstances, having committed his government to assisting the Indian investigations, General Musharraf's options may run out on him. He can drag his feet and deliver nothing, in which case the Indian media and hawks will put Dr. Singh on the spot to take a tough line with Pakistan, thereby hurting the peace process and jeopardizing the new openings on the Line of Control and other planned initiatives. Or he can risk clamping down on the Lashkar e Ta'iba in Pakistan and provoke a militant uprising against him by all the jihadi groups, thereby undermining

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<sup>1</sup> This worry has subsequently been resolved by Dr. Singh's retention of the portfolio (Ed).

his political position and destabilizing Pakistan. This raises the critical issue of the relationship between the military and the jihadi groups and religious parties in Pakistan.

The fact is that Pakistan army generals helped strategize the historic military-mullah alliance in Pakistan with two broad objectives: to keep power firmly in the hands of the military rather than mainstream politicians, and to justify military expenditures by keeping the “threat from India” theory alive. Thus, they spawned the jihadis and the resistance in Indian Kashmir. If they were to consider taking a strategic decision to end them for all times to come, they could do so only on the basis of a radical change of their original objectives. That is, by agreeing to share power with the mainstream parties, allying with them, creating a different national consensus regarding peace with India and jettisoning the mullahs and jihadis. But that moment hasn’t arrived in Pakistan. Right now, the military’s alliance with the mullahs and jihadis is in “abeyance” or suspended, as it were, while attempts are being made to co-opt the mainstream parties into office rather than into power. It is a transitional situation. General Musharraf’s hands are still tied by the compulsions of his personal and institutional needs.

The media too can create problems. I have always said that the Pakistani media has been more critical of Pakistani positions regarding India and Kashmir than the Indian media is regarding Indian positions on Pakistan and Kashmir. That may be because the Pakistani media has had to be rebellious to retain its identity under long periods of dictatorship, while the India media has succumbed to the manufactured consent of democracy in the last fifty years. But what is required is a conscious effort by the media on both sides to unequivocally advocate peace and reconciliation and insist that all hurdles – bureaucratic or political – be removed from the equation, instead of each trying to extract “news” mileage from acts of terrorism perpetrated by those who want to derail the peace process. Unfortunately, however, this is exactly what is happening in India at the moment. Delhi’s newspapers are screaming about the Lashkar e Ta’iba connection, about Dar’s doings and undoing, and for good measure the Indian intelligence agencies have dragged the Mumbai bombings of 1993 into the equations too by successfully extraditing and putting “Don” Salem and his girlfriend in the dock. Suddenly, the dreaded hand of the Pakistani Inter-Services Intelligence (ISI) is all over the front pages of the media. Obviously, this is not designed to help the peace process. Indeed, it is likely to play into the hands of the hardliners on both sides as well the terrorists because

it would lead to a hardening of prejudicial positions both in the people and in the government of both countries.

It is true that the Pakistani public is fatigued with the Kashmir issue, just as people in Kashmir and India are fatigued by it. Everyone in Pakistan wants a “realistic” settlement that satisfies the Kashmiris and enables them to rebuild their lives and homes. This view has been reaffirmed in the wake of the quake. A generation of Kashmiris in Indian-held Kashmir has been lost due to the conflict. Now a generation of Kashmiris has been lost in Pakistan-held Kashmir due to the quake. It was hoped that the earthquake would bring together the two nations. But that, unfortunately, has not happened, even if five points at the Line of Control have been opened for foot crossing for humanitarian aid. So while everyone wants this calamity to create opportunities for peace, I don’t think the establishment in either country is quite ready to articulate the “big” moment. Indeed, even the five points on the Line of Control are going to be tightly controlled by the militaries and intelligence agencies on both sides. Relief goods from one military to another military, but I don’t see too many people from either side moving across those points freely in the short term.

Finally, it needs to be stressed that the Pakistani people and intelligentsia are upset by the lack of support from India in connection with the relief efforts. They say the Indian offer of helicopters with pilots was a “loaded” one. Given the military distrust between both sides and the fact that conflict is far from over, how could the Pakistan military have allowed Indian helicopters to fly over the Pakistan military’s bunkers and positions along the Line of Control? What was needed was money and goods from public and private sources, but there is very little evidence of that. What effort has Indian civil society made to join the international relief effort in Pakistan? How many planeloads of relief goods from India have landed at Lahore or Islamabad airport so far? Equally, however, people say that General Musharraf’s plea for demilitarization is also “loaded” since this can hardly be done without first putting an end to jihadi-inspired violence in Kashmir.

In short, the Indo-Pak peace process is moving into unexplored territory. Much restraint and wisdom will have to be exercised by both sides to keep it on track.

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# Prospects of Peace after the Earthquake

YUSUF TARIGAMI

The peace process between India and Pakistan, and their resolve to settle the Kashmir issue through dialogue, has somehow sustained itself despite many uphill struggles during the past two years. The tradition of proposing and disposing, agreeing and disagreeing has ultimately ended up making the problem manageable to the minimum level of satisfaction of all involved parties. There are new Confidence-Building Measures such as pre-information of ballistic missile tests, and the cease-fire along the International Border and the Line Of Control in Jammu & Kashmir is holding; there has been a drop in cross-border infiltration, talks on a Nuclear Restraint Regime have commenced, there is interaction at selected points between people on both sides of the Line of Control, and there will be pilgrimages from both sides to shrines such as the Sharda temple, Pir Chinasi and Gurdwara Chatti Patshahi.

There is cultural interaction and cooperation, the consulates-general in Karachi and Mumbai are to be reestablished, and the two countries have also agreed on the release of apprehended fishermen, permission to Indian companies to invest in telecom projects in Pakistan, opening branches of nationalized banks each other's country, exchange of artists, writers, poets, musicians, painters and sculptures, and a liberal visa regime for performing artists and film personalities. Theatre groups from Pakistan participated in the 7<sup>th</sup> Bharat Rang Mohotsav organized by the National school of Drama on 5<sup>th</sup>-20<sup>th</sup> January, 2005, and there is an ongoing exchange of exhibitions – paintings, sculpture, photographs, handicrafts, musical instruments, publications, and recordings.

The national museums have begun to interact, and there is cooperation amongst libraries, joint seminars in the field of elementary education, interaction between the University Grants Commission and the Higher Education Commission of Pakistan, joint research in the field of medicinal and aromatic plants, cooperation and exchange between institutions of excellence, exchange of youth delegations, sports persons, teams and coaches, a removal of the ban on Indian TV channels in Pakistan and on Indian newspapers and periodicals.

The two countries have established joint working group to tackle the piracy of Indian films and music in Pakistan, and encouraged annual seminars between groups of journalists. They have introduced a special 14-day visa for tourists, and agreed on exchange/cooperation between the Travel Agents' Association of India ( TAAI) and their Pakistani counterpart. These measures will help bring the two nations much closer.

There are, too, Kashmir-specific confidence building measures, such as the opening of the Srinagar-Muzaffarabad Bus Service, the establishment of direct phone links between divided-Kashmir in the wake of the devastating 8th October earthquake, the establishment of five relief counters across the Line of Control to help the quake hit people, and the visit of a few Hurriyat leaders to the quake-struck areas in Pakistan Administered Kashmir. These measures, in particular, will help to push forward the ongoing peace process between the two countries.

This in fact is the general feeling in Kashmir. The way that the government of India offered assistance in cash and kind to the Pakistani government, and the positive response of Pakistan in accepting the relief – above all their acceptance of India's proposal to open the Line of Control at various points — is appreciated by the vast majority in the subcontinent. Confidence-building measures and disaster management could together have a great impact on the ground situation, and it is expected that such measures would help bring the two nations to a new level of friendship and reconciliation after a long gap of fifty-six years, and would help avoid confrontation, at least at the level of the people, in the future.

Yet, there is confusion too. The measures that the two countries have taken were instrumental in reaching out to the thousands of victims in Jammu & Kashmir *but the approach that the two nation states bordering each other – with a common history, culture and heritage – ought to espouse in such a disastrous situation was not seen, and hence there is a question mark over the sincerity*

*of the two nations.* It was regrettable that despite all the confidence building measures, friendship and ongoing peace process, a trust deficit prevailed throughout the period since 8<sup>th</sup> October, 2005.

The range of measures demanded that in this hour of desperate need, to meet the challenges of this disaster, General Musharraf's first point of contact should have been New Delhi and Beijing, not Washington and London. Similarly the Indian premier, Dr. Manmohan Singh, should have offered full support, including a large fleet of helicopters to General Musharraf, which would have genuinely driven Washington to the back seat. (The U.S. presence in the region, regardless of the circumstances, poses a great threat to the sovereignty of the two nation states).

But because of India and Pakistan's deep rooted suspicions, it was preferred to let people die but not to seek/offer help to/from the neighbors. This provided the U.S., a role in the affairs of this region which could have implications of its own.

Furthermore, the two countries took an alarmingly long time to chalk out strategies and scrutinize the proposals either side put forth, which again gave much room to apprehension. The Kashmir-specific gamut of measures, and the scale and timing of terror in the wake of the Diwali bombings in the Indian capital, will inevitably raise familiar arguments on whether India can trust President Musharraf, and vice versa. The trust deficit, which came to the forefront on the sidelines of the SAARC summit in Dhaka, is largely because of a classical link between progress in the peace process and terrorist acts, as is evident from the terrorist acts that were timed to coincide with the inaugural ceremony of the Srinagar-Muzaffarabad bus service, and many other developments, including the recent killing of a minister in Srinagar, which came before the serial blasts in Delhi.

The question now is – what makes India and Pakistan go ahead with the composite dialogue when frequent acts of terror and counter terror are directly related to their progress in the peace process? Actually, there is no alternative to engagement in peace, and realizing this the Indian premier, Manmohan Singh, and Pakistani President, General Musharraf, declared the peace process was irreversible during the cricket summit in Delhi in April 2005, notwithstanding the fact that the structures of terror and counter terror continue to exist in the region with the patronage of religious fanatics and intelligence agencies.

Acts of insurgency and counter-insurgency, with their dimensions of damage and destruction, can definitely hinder the peace process. Together with the trust

deficit at the political level, they could derail the peace process by paralyzing political and diplomatic initiatives. People to people interaction alone has the potential to sort out this state of affairs in a way that addresses the aspirations of the millions of people in the subcontinent; especially in a situation where the killing of innocents goes on unabatedly and there is disbelief in the respective governments, despite the whole machinery at its disposal.

The tragic earthquake that played havoc in the whole of Pakistan Administered Kashmir had dramatically expanded the political space for both India and Pakistan to make a proactive political intervention, but unfortunately the two countries have not yet acted promptly enough to get much out of this opportunity. True, both India and Pakistan have observed maximum restraint militarily on their borders, and diplomatically in the corridors of their respective foreign ministries, but the situation demands proactive and vigorous efforts based on sincerity and trust.

The decision to sustain the peace process and have a purposeful dialogue on Kashmir was a long overdue attempt to address the genuine political concerns of the parties involved, but the results have not been entirely satisfactory, though they have not been meager either. Somehow, both India and Pakistan have to work out a mechanism to abandon the insurgency and counter insurgency; this is a prerequisite for substantive progress on Kashmir. The most visible form of such a mechanism would be the complete demilitarization, or rather de-weaponization, of the region, which would inevitably pave the way for a better understanding and, in turn, a political settlement of the Kashmir issue.

In other words, the huge disaster that has struck Kashmir has also provided a unique opportunity that should be used not only to help victims but also to build bridges of understanding and friendly relations, so as to strengthen the peace process and create an atmosphere which is conducive to working out suitable strategies for the future – a peaceful settlement of all bilateral problems between India and Pakistan, including that of Jammu & Kashmir.

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# Nature's Way and Government Responses

SAJAD LONE

An earthquake wreaked havoc and devastation in Kashmir. Large swathes of population were buried under the debris leaving more than 100,000 people dead and millions without shelter. With a nation shattered, the victims were left battling desperately for survival. The ravaged areas presented a picture of gloom, strewn with dead bodies amongst a sea of rubble and grief. The catastrophic plight of hundreds of thousands of survivors worsened further with the setting in of winter.

Human suffering is not alien in this region of the world, plagued with violence for the last fifteen years. This region is a conflict zone with geography and politics under dispute. It is not surprising to see distinct reflections of the dispute in the relief and rehabilitation efforts. If India was accused of not doing enough, Pakistan was accused of being incapable of doing enough. Did India and Pakistan exhaust all the avenues at their disposal in response to the disaster? Was politics an impediment in providing relief? For all the pain inflicted by the quake, it is a milestone in disaster management and politics of the region. Three facets stand out for deeper analysis:

- a) Scope for improvement internally in India and Pakistan in ongoing relief and rehabilitation efforts.
- b) Scope for external improvement by synergistic cooperation between the two countries.
- c) Spill over of the quake on the current peace process between India and Pakistan.

## **Internal Improvement**

The concept of crisis management in both countries may not be optimally geared for swift response to a disaster of such a scale. Rescue operations carried out indicate a lot of room for improvement. The absence of preparedness to face a natural calamity may have cost many lives. While rescue operations were relatively prompt in the accessible towns, government aid was virtually non-existent for days in the far-off villages. Thousands may have perished waiting in vain for rescue.

There seems to be little evidence of a long-term plan to rehabilitate the victims. Most of the relief money is being utilized to provide short-term assistance. Although it is very important to provide short-term assistance, getting stuck in ad hoc assistance without a concurrent long-term plan may not be a sustainable response. The hilly areas of Jammu & Kashmir are widely spread and sparsely populated. For decades, the government could not afford to provide basic amenities such as roads, schools, clean drinking water and dispensaries. The earthquake provides a chance to bring clusters of villages closer, to manageable distances.

Should the government step in and build townships with seismic provisions and modern civic facilities, it would be difficult for the villagers to refuse an offer of better and safe standards of living. In the long run, the government could save huge amounts in building roads, schools, dispensaries and other civic amenities in remote, sparsely populated villages located over a vast spread. The total assistance announced by Government of India is probably enough to provide short-term assistance and build relatively modern, seismic-resistant townships in Uri and Karnah.

This assistance has unfortunately been converted into doles and every household is being given some compensation, which is neither enough to build a new house nor repair the damage. These areas are far off and the cost of raw materials is already very high due to the transportation costs. Most of the material has to be transported from Srinagar. The cost of transporting a truckload of bricks to Karnah is approximately Rs. 8,000. Try calculating the extra costs for other raw materials and we get an exorbitant hike in the costs of construction, as compared to Srinagar. Rebuilding efforts need to be made economically feasible. Mass building contracted out to professional builders can cut costs drastically. The dole handed out to the victims may not be enough to cover even 30% of the cost of building a house individually, yet the same dole credited in a collective building effort may get him a

decent and a seismic resistant house. It might be prudent to resist the temptation of exciting or pleasing victims by handing cash, and in the process laying the foundations for a future disaster. We should be looking at building houses not electoral constituencies.

Tragically, the assistance is also being used for electoral purposes. In a disdainful display of expensive populism a minister managed a dole of Rs. 30,000 for every household in a town in the mainland. This was irrespective of whether any damage had been caused or not. The bill for the electoral extravaganza is expected to be in the region of about Rs. 80 crores. Inhabitants of other areas aren't so lucky. There has been a lot of collateral damage in other areas apart from Karnah and Uri. Mercifully, there have been no fatalities. Most of them continue to suffer in the shivering cold. The government has sent some teams to survey the damage and already tales of corruption are circulating in these areas.

A lot needs to be done to improve the response to natural calamities. We are out of the crisis phase. The abruptness of the calamity has been absorbed. Nature can no longer be blamed for any mess. It is administrative malaise which is impeding facilitation.

### **External Improvement**

The apocalyptic sight of death and destruction seems to have done little to alter the hostile political equation between India and Pakistan. Both countries seemed keen to battle each other out rather than fight the natural disaster. A joint relief operation would have certainly alleviated the suffering of the victims and it could have been carried out within the constraints of the security concerns of both countries.

At the outset it did seem that the severity of the earthquake may change the cruel divide along the Line of Control. However it didn't take very long for both countries to revert back to their traditional pedantry. The earthquake provided a real chance to compensate the people of Kashmir for keeping them in a state of conflict for decades. Instead, what we saw was a return to the primitive era. Relief could not be provided to an individual because he or she was located on the wrong side of the Line of Control. Once again, politics overtook the sanctity of human life. Grieving for near and dear ones, or even knowing their fate, was a luxury and happens to be a luxury even today. Movement across the Line of Control on foot, so graciously permitted by the two countries, is a tragic maze of procedures. It is

difficult to assess whether procedures or facilitation of relief and humanitarian efforts is the objective of this gracious permission.

Nature's fury is not expected to respect the geographical and political divide erected by humans. Neither should humans expect to respond to natural calamities strictly within the constraints erected by them. This is perhaps one of the most important lessons to be learnt by India and Pakistan. Some areas in Pakistani administered Kashmir could have been more accessible to India, and vice versa. The cooperation exhibited by India and Pakistan, was too little too late. The synergistic scope of cooperation between the two countries has been overtaken by tokenism and an utter mismatch of priorities. Aid is flowing in both the directions comprising of same articles. Who is helping whom? And is the whole exercise a media event or a desire to provide relief? India and Pakistan seem to be obsessed with scoring brownie points. There is no effort to reach out and ascertain real needs on the ground and complement each other in rebuilding devastated areas. A truly humanitarian rebuilding effort requires joint long term strategy in sync with the topography of the place. Rebuilding efforts spread over large areas across the Line of Control and free movement across the Line of Control is bound to increase economies of scale and reduce costs. It is imperative that we gain advantage of collective rebuilding across the Line of Control and facilitate the creation of an interim economy within the devastated areas so that the people of these areas get the maximum economic benefits of reconstruction.

### **Spillover On The Current Peace Process**

Ironically the only positive aspect of the earthquake is nature's rejection of political and geographical variables across the Line of Control. Impediments erected against nature may have been instrumental in thousands perishing, but this cruel act of nature is likely to strengthen voices for peace and civilized coexistence. It provides the perfect alibi for a natural evolution of the peace process. The natural instinct was certainly missing from the peace process, with a perception that the peace process was externally flavored. Diplomatic compulsions rather than desire seemed to define the rationale behind the peace process. The harsh face of nature may redefine the peace process and provide much needed impetus from within – a natural urge for peace as against a cosmetic, dictated or imported urge for peace.

The earthquake does provide a relatively natural canvass for peace and may set the stage for a more vigorous pursuit of peace. This could also be complemented

by the changes in the variables in the existing peace process. A continued state of conflict is physically and ethically untenable in the new scenario. The region is truly satiated with grief and may have touched peak levels. It would be difficult to explain further grief arising out of fatalities in a conflict. The bargaining clout and the capacity to hold out in the negotiation process, is likely to be reduced. This could catalyze the peace process, and that could mean a faster pace. Impediments erected against nature could be a reference point in determining the new variables along the Line of Control.

Presaging prosperity and peace in South Asia is an analytical risk. Till date, both countries have not given any indication which would suggest a change in strategy. Obsessed with tactics, they are still trying to outmaneuver each other. Pakistan is keen to define India's self reliance as an attempt to stop aid from reaching the Kashmiris. India is keen to portray Pakistan as a state incapable of responding to a natural calamity and dependent on foreign aid. And to complete the circle of shame, both countries tried desperately to showcase their superior abilities to provide relief. The respective proxies of both countries unleashed a media war, marketing the abilities of their respective patron countries. In a place ravaged by nature, local dailies carried photos of leaders alongside a bag of rice or flour, or a blanket. Charity, if any, was politicized at the cost of human suffering. The victims of the earthquake were depicted as sorry recipients, while the leaders depicted themselves as gracious donors. Statements with explicit malicious intent emanated from both sides of Kashmir. In a crisis, when the glare of the media should have firmly staid on progress in relief and rehabilitation, the spotlight shifted to unproductive political blame games. The spoilers are there and they are likely to try and spoil the peace party. I am however convinced that nature has provided the culminating nail in the coffin of hostility. The earthquake will facilitate the peace process, and the new political and geographic architecture will blend the lessons learned in impeding nature.

**Sajad Gani Lone** is Chairman of the Jammu & Kashmir Peoples Conference

# Fact File: Who Is Doing What in Earthquake Relief

**RAJNEESH VERMA**

- **United Nation's Children's Emergency Fund (UNICEF)**
- **United Nations High Commissioner for Refugees (UNHCR)**
- **World Food Programme (WFO)**
- **World Health Organisation (WHO)**
- **International Federation of the Red Cross**
- **International Committee of the Red Cross (ICRC)**
- **International Organization for Migration**
- **International Medical Corps (IMC)**
- **Disasters Emergency Committee (UK)**
- **Oxfam International**
- **Kashmir International Relief Fund**

## **United Nation's Children's Emergency Fund (UNICEF)**

UNICEF is working to provide clean water, sanitation, food, shelter and adequate health care for the growing numbers of children and families arriving in relief camps.<sup>1</sup> It has sent large quantities of water and sanitation kits to help reduce disease outbreaks and is supporting government immunization teams to reach 4 million children with vaccines against measles, tetanus and polio. More than 300,000 children have already been protected against measles.<sup>2</sup> A water treatment plant in Muzaffarabad has been repaired and pit latrines are being dug in camps.<sup>3</sup>

Other items sent by the Supply Division over the past week include 68 tons of high-protein biscuits, 21,000 blankets and 100 emergency health kits to cover the basic health needs of 1 million people for three months. More supplies will be sent out from the Copenhagen warehouse, UNICEF's emergency supply hub in Dubai and directly from suppliers in the coming days.<sup>4</sup> UNICEF has been able to provide urgently needed items including 300,000 water purification tablets, 375 cartons of nutritional biscuits, 500 tents, 12,000 rolls of tarpaulin, 100,000 blankets and 12,000 sweaters.<sup>5</sup>

UNICEF is taking measures to reconstruct the education system. It will send a total of 1,740 school-in-a-box kits and 100,000 textbooks to nearly 140,000 children affected by the earthquake<sup>6</sup>. This not only keeps breaks in education to a minimum, it provides the affected children with a place where they can feel safe, receive immunizations and get access to clean water, and where some of the damage caused to vulnerable minds can be addressed.<sup>7</sup>

### **United Nations High Commissioner for Refugees (UNHCR)**

Since the earthquake struck Pakistan, UNHCR has brought more than 20,000 family tents, 271,895 blankets, 32,840 jerry cans, 28,242 kitchen sets, 4,331 stoves, 83,291 plastic sheets and thousands of other items into Pakistan. But lack of funding remains a major obstacle for UNHCR to purchase additional goods.<sup>8</sup> From 16<sup>th</sup> November 2005 onwards, three British Chinook helicopters are airlifting 238,460 kg. of UNHCR supplies to Dherian and Mandal in the Leepa Valley near Muzaffarabad. UNHCR teams are on the ground to receive and distribute the items. The UNHCR has provided more than 2,000 tonnes of relief supplies by air and surface transport so far.<sup>9</sup>

UNHCR and UNICEF are deploying a team to the affected areas to demonstrate to the army and NGOs running these camps some basic ways to maintain hygiene and.<sup>10</sup>

UNHCR has provided the Pakistan government with technical support to set up organized camps and hundreds of spontaneous settlements of varying size and condition. UNHCR-funded mobile teams are being deployed, with a total of 32 teams – 20 technical teams plus 12 camp management teams – planned in Mansehra, Bagh and Muzaffarabad.<sup>11</sup> UNHCR has also deployed a dozen national and international staff members in and around Balakot to oversee the relief activities.<sup>12</sup>

## **World Food Programme (WFO)**

The WFP is mobilizing urgent relief, including a planned airlift to Pakistan of 120 metric tons of high energy biscuits which will provide life-saving energy and strength to victims. It has sent teams to the worst-affected areas as a part of the three interagency rapid assessment missions dispatched by the UN Disaster Management Team (UNDMT).<sup>13</sup> The WFP has so far been able to deliver nearly 6,000 tons of food – using planes, helicopters, trucks, rafts and pack mules – to 750,000 people affected by the earthquake.<sup>14</sup> Out of the 90 camps administered by the Pakistan army, 48 are supplied with food by WFP, which has been coordinating its relief efforts with the Army.<sup>15</sup> It is currently deploying 17 helicopters including a giant Russian-made MI-26, to transport tents, blankets and medical supplies on behalf of other aid agencies and to bring seriously injured people off the mountains.<sup>16</sup> To date, the WFP has deployed only eight MI-8s and only one MI-26 and has confirmed only an additional four MI-8s and one MI-26. Funding for the helicopter operation, which will require U.S. \$100 million is still desperately needed, with less than US\$14 million received so far.<sup>17</sup>

The WFP is working to pre-position and then lift or drop sufficient food for 200,000 people in remote, hard-to-reach areas for one month, and then to resupply each month. Over the next six months it aims to transport 500 tonnes of food a day to distribution points across the earthquake zone.<sup>18</sup>

## **World Health Organisation (WHO)**

A total of 170 staff of which 52 are internationals are now working for the WHO in Islamabad and the 6 field offices in the affected areas. The WHO is supporting 125 Lady Health Workers in Batagram to carry out health promotion and consultation activities. It has provided a total of 27 New Emergency Health Kits to various NGOs in remote areas and to Cuban brigades working in Abbas Hospital (AIMS) in Muzaffarabad and Batagram. It is providing tents and drugs to restore TB health facilities in the earthquake affected areas.<sup>19</sup>

The WHO is providing lab kits and technical guidance to laboratory facilities at the Pakistan Islamic Medical Association Hospital in Muzaffarabad, to expand it to a full fledged public health laboratory. It is focusing on surveillance and increased access to primary health care of the affected population. It is rapidly mobilising

diphtheria anti-toxin and tetanus/diphtheria (Td) vaccine. It is refurbishing and rehabilitating all earthquake-affected water treatment plants, pumping stations and supply lines. A water chlorination system will be placed in Rawalakot, in addition to necessary training activities to provide safe drinking water for a population of 150,000 within two weeks.<sup>20</sup>

An environmental health campaign focusing on the improvement of personal hygiene and a total clean up of the main tent camps is currently being carried out jointly between the Ministry of Health and the WHO. To prevent further outbreaks of water-borne diseases in Chenari, a joint WHO/UNICEF mission is being carried out to assess the water supply in the area. Chlorine tablets, buckets and soap have been distributed.<sup>21</sup>

### **International Federation of the Red Cross**

Since 19<sup>th</sup> October, when the International Federation of the Red Cross (IFRC)/Pakistan Red Crescent (PRCS) started relief distributions, aid has reached nearly 117,000 beneficiaries in quake-affected areas. On average, 1,500 tents have been distributed daily to families. Through the helicopter relief operation, the IFRC has reached about 2,700 families in Jared and Paras in the Kagan Valley with tarpaulins, blankets and jerry cans/buckets.<sup>22</sup> The helicopter operations provide aid to 30,000 people in a week in mountainous communities.<sup>23</sup>

Teams of Red Cross water engineers as well as doctors and nurses have established field hospitals and water distribution points. The IFRC has provided basic health care services to over 36,000 patients so far, with the health Emergency Relief Units (ERUs) continuing to treat patients and set to expand its operations shortly. A team of 30 doctors at the 100-bed PRCS hospital established at Al Shifa Eye Trust has so far operated on 365 patients with critical injuries, performing some 30 operations daily. The basic health care facility alone has seen over 500 patients since it opened. For the next six months, the IFRC aims to meet the basic shelter and food needs of some 500,000 people.<sup>24</sup>

To date, the ICRC water sanitation ERUs have reached about 26,000 people. The hygiene promotion teams, currently based in Balakot and Batagram are planning a long-term hygiene promotion campaign.<sup>25</sup> In addition, the Austrian and Swedish Red Cross societies are running an emergency water and sanitation response unit. They are able to produce safe water for 40,000 people a day, transport 75,000 litres

of water a day and provide latrines for 40,000 people.<sup>26</sup> The IFRC appealed for \$152 million for assistance, but less than half this amount has been secured.<sup>27</sup>

### **International Committee of the Red Cross (ICRC)**

The total ICRC aid delivered now stands at 1,270 tonnes. The ICRC aid has so far reached over 61,000 of the 200,000 earthquake victims the organization intends to assist before the end of the year. The ICRC distributions of emergency food and shelter materials have been completed after more than 219 tonnes of rice, split peas, sugar, ghee, tea and salt were handed out to over 6,000 beneficiaries. The villagers were also given more than 6,500 warm blankets and 2,300 tarpaulins to address their immediate shelter needs. The ICRC helicopters are also involved in evacuation and have evacuated 6 patients on their flights out. Additional human resources (ICRC and National Society staff) have arrived in the region.<sup>28</sup>

In the coming days, the ICRC will dispatch and distribute shelter, food and clothes assistance to cover the needs of 15,000 households in India and 30,000 in Pakistan. In India, shelter, household and clothing assistance will include 15,000 kitchen sets and 60,000 blankets. In Pakistan, shelter, household and clothing assistance will include 30,000 family tents, 30,000 kitchen sets, 120,000 blankets, 150,000 sets of clothing, 150,000 pairs of footwear, 30,000 stoves, 60,000 lanterns, 120,000 bed sheets and 150,000 towels. Food assistance (for three months) will include 5,400,000 kg of rice, 3,600,000 kg of lentils, 900,000 kg of ghee, 900,000 kg of mustard oil, 450,000 kg of sugar, 225,000 kg of tea and 67,500 kg iodised salt. The ICRC is establishing a field hospital in the area of Muzzaffarabad. It will also airlift medical supplies into the affected areas.<sup>29</sup>

### **International Organisation for Migration (IOM)**

As part of its “Operation Winter Race”, the IOM has airlifted 180 tonnes of shelter repair materials and blankets and plans to airlift upto 20 teams to deliver 10,000 shelter repair kits to mountain communities which are going to help 20,000 people in 11 villages.<sup>30</sup> The IOM has also sent six trucks carrying 500 mattresses and 6,300 blankets today to the towns of Rawalakot, Bagh and Dhir Kot<sup>31</sup> and winterized tents and blankets to other relief organizations like the WHO and Islamic Relief. As part of its operations in Pakistan, the IOM is providing transport assistance to other

organisations sending relief items. IOM trucks are being used by Oxfam, World Vision, Islamic Relief and Action Aid to provide tents, water and engineering equipment.<sup>32</sup>

The IOM is providing emergency medical supplies for the children's hospital at the Pakistan Institute of Medical Sciences in Islamabad. Surgical instruments and furniture will also be provided to the Pakistan Medical Association (PMA) in order to establish an evacuation centre in Rawalpindi with beds for up to 60 patients. In addition, the IOM will provide medical kits or food rations to PMA volunteers going to remote earthquake-affected areas to treat the wounded. It is also gearing to begin medical evacuations of wounded people from Islamabad and Rawalpindi.<sup>33</sup>

### **International Medical Corps (IMC)**

More than 80 IMC workers are providing emergency relief and more are being deployed. The IMC is preparing two fixed clinics. An IMC mobile health team comprising doctors, nurses, and support staff, established a clinic at a local school in Manur-Balasari, and with the army's continued assistance the mobile team will establish a regular clinic. IMC teams have treated more than 4,100 earthquake survivors, including 1,200 infants. The IMC is also providing measles vaccinations for children under age fifteen, tetanus vaccinations for pregnant women and routine childhood vaccinations.<sup>34</sup>

The IMC plans to work with Pakistan's Department of Health to rehabilitate the country's severely damaged health infrastructure over the next two years. It will also provide Department of Health staff with training and supplies. It will also obtain more four-wheel drive vehicles to facilitate the relocation of those needing specialized care.<sup>35</sup>

The IMC will distribute 10,000 blankets, 4 generators, 5,000 jerry cans, 1,350 cooking sets, 10,000 hygiene kits and 700 tents. IMC has also procured an additional five tons of medical supplies – enough to help 40,000 survivors over the next three months. It will also provide clothes, cooking utensils, jerry cans, water containers and hygiene kits. It plans to participate in a coordinated effort to provide emergency shelter assistance to at least 3,800 affected families by building adequate housing. It will implement cash-for-work programs where residents will use corrugated galvanized iron sheeting, plastic sheeting and salvaged debris to construct appropriate winter shelter.<sup>36</sup>

## **Disasters Emergency Committee (UK)**

The DEC comprises 13 member agencies, of which the more prominent are:

**Action Aid:** In Pakistan, Action Aid aims at providing shelter to 4,500 families within the next month. Action Aid teams of volunteers are supporting communities to build their own houses and is mobilising the communities to help each other in the camps and villages and to take care of the children. It is running one fully functioning medical camp and is in the process of opening more medical camps.

In India, Action Aid has reached 1,800 families in Baramullah, Tanghaar, Uri and Kupwara. It has provided 3,000 blankets, 930 family kits, flour, rice and cooking oil, 525 winterized tents and 3,169 tin sheets in addition to building material. Action Aid and Medecin Sans Frontieres are carrying out a psychosocial support orientation programme for 40 volunteers.

**CAFOD:** CAFOD is working in earthquake hit regions through their partners Caritas Pakistan, Caritas India, Catholic Relief Services and Islamic Relief. CAFOD has also sent an emergency team to the affected areas to support Caritas Pakistan. CAFOD's partners in Pakistan are aiming to provide relief to 10,000 families – about 60,000 people in areas around Muzzafarabad.

CAFOD's partners in India are providing health care, food, cooking utensils, blankets and warm clothes to at least 4,000 families or about 22,000 people. They are also providing medical care and distributing medicines. CAFOD has given an additional \$1 million to their partner Catholic Relief Service, which has worked in Pakistan for fifty years and is aiming to provide 60,000 tents.

**CARE International:** In India, CARE International is concentrating aid efforts in Uri and Tangdhar, supporting 10,000 households in 70 badly damaged villages. 8,000 blankets and 4,000 water containers are being distributed in the affected areas.

In Pakistan, working with Action Aid, it has sent a generator, tents, blankets and plastic sheets to 500 families in the hardest-hit cities of Mansera and Muzaffarabad. A further 2,000 shawls, 1,000 plastic sheets and 1,000 metal buckets have arrived at relief distribution centres. Eight members of staff have been flown to the remote hills of Allai (west of Balakot).

CARE is bringing in bottles of Safe Water Systems. One small bottle is enough to purify water for a family of five for a month and will be distributed to households without safe water. CARE is also taking measures to resume the education of

children, re-establishing water and sanitation systems, and counseling for women and children suffering from psychological trauma.

**Christian Aid:** In India, Christian Aid's partner, the Voluntary Health Association of India (VHAI), has so far distributed over 1,400 tents, 740 blankets, 340 tarpaulins, 1,420 drinking water packages, food supplies and utensils to households in the Baramulla district. VHAI has sent two medical teams of doctors and volunteers to affected areas. In Poonch, another partner, SEEDS, has distributed 100 tents and 500 blankets. A third Indian partner, COVA, is supplying 100 toolkits and 2,000 traditional heating systems to construct temporary winter shelters out of salvaged materials from earthquake wreckage.

In Pakistan, Christian Aid has responded through Action by Churches Together (ACT). Christian Aid is partly-funding the work of fellow ACT member, the Church World Service-Pakistan/Afghanistan (CWS-P/A). The CWS-P/A has distributed food packages to 1,600 families in the most affected and remote areas of the North Western Frontier Province and Pakistan Occupied Kashmir. The next phase of CWS-P/A's work is to set up medical camps which will treat 50,000 to 100,000 people.

**Concern:** Overall, Concern's program will benefit 20,000 families in the affected districts of Azad Kashmir and the NWFP. So far, 8,000 tents have been distributed. Both food (flour, rice, pulses, cooking oil, salt, sugar, tea, biscuits and dates) and non-food packages have been distributed. The latter packages are different to suit the needs of each family, varying from kitchen sets, blankets, quilts, hygiene sets, winter shawls, plastic sheets, mattresses and stoves. Concern teams are working in partnership with other international NGOs in the emergency camps in Muzaffarabad, providing technical support and laying the groundwork for planned water and sanitation interventions with internally displaced people in the city.

**Help The Aged:** Help the Aged has sent three Mobile Medicare Units (MMU) each with a team of doctors to Uri in India. To date, over 300 people have been treated in the surrounding villages. The MMUs provide medicines, food, clothing and other basic essentials to cater to injuries, exposure to the cold, food, water and shelter. Around 100 – 200 woolen blankets and tents have been distributed

**Islamic Relief:** Islamic Relief has distributed 1,000 tents and 2,000 plastic sheets in 14 suburbs of Muzaffarabad. The tents benefited 7,000 people and the plastic sheeting 8,750. In addition, 110 mattresses and 101 pillows have been

distributed to 110 families. Three villages (Sar Syeeda, Galian, and Nala Swang) in Bagh district have been supplied with mattresses, blankets and food packs. In total, 239 households benefited.

**Save the Children:** Save the Children is targeting 45,000 people in India and 200,000 people in Azad Kashmir. It is addressing short-term needs by providing essential relief materials including food, safe play areas, temporary shelter, temporary education, and health care and protection services.

**World Vision:** World Vision (WV) is providing relief packs, winterised tents, sleeping mats, utensils warm clothing and hygiene materials. It has provided approximately 10,000 tarpaulins and 4,094 tents. 1,000 tents are being airlifted from Sri Lanka as well as 3,000 tents and 2,000 cooksets. WVUK has committed a further \$100,000 to the response. World Vision is also running Child Protection Workshops for UN and other partners and the first of 20 Child Friendly Spaces have been set up in Bissian near Balakot in NW Frontier Province.

### **Oxfam International**

Oxfam has provided 4,321 tents, 31,093 blankets and 11,311 pieces of plastic sheeting to more than 43,000 people in the districts of Mansehra, Abbotabad, Shangla, Muzaffarabad and Dheer Kot and plans to distribute a further 20,000 tents to affected areas. It has also distributed winter clothes for children and buckets, and is looking to provide materials for the construction of 2,000 traditional 'bandi' shelters in the districts of Mansehra and Bagh. Since public health is emerging as a major concern, Oxfam is increasing its water and sanitation operation and plans to provide clean water, sanitation, solid waste collection and hygiene items to around 600,000 people.<sup>37</sup>

In Jammu & Kashmir, Oxfam has already supported over 5,000 people with blankets and plastic sheeting. Through additional distributions, Oxfam plans to support 20,000 people. In India, Oxfam has designed and built a shelter that ordinary people can put together from locally-available materials. Oxfam has been investigating alternative shelter options-both for high-altitude and for low-altitude areas.<sup>38</sup>

### **Kashmir International Relief Fund**

The KIRF has accepted responsibility to provide shelters for villages surrounding the city of Bagh, Kashmir, and will build emergency housing for more than 1,150

families (approximately 8,000 people), in addition to five other villages with 1,500 families, or around 10,000 people.<sup>39</sup>

The KIRF has started to construct semi-permanent shelters with metal sheeting that will allow cooking and heating inside. KIRF has shared the design of these shelters with other charities and NGOs on the ground with the hope of maximizing the number of people that can be given shelter prior to the snows.<sup>40</sup>

### **Domestic Aid Agencies**

The prominent domestic agencies providing relief are Association for the Development of Pakistan, India-Pakistan Earthquake Relief Fund, EDHI Foundation (Pakistan), Ansar Burney Foundation (Pakistan), Fatimid Foundation (Pakistan), Pakistan Relief (Pakistan), Rajiv Gandhi Foundation (India) and Sadbhavana Trust (India) but these relief organisations and foundations have to date released fact sheets on the quantity of relief work and the areas of their operations.

### **International Donor Pledges**

International donors have pledged some \$5.6 billion to help Pakistan recover from last month's devastating earthquake. The figure exceeds the \$5.2 billion Pakistan had been asking for.

The pledges, much of them in the form of low interest loans, came at an international donor conference in the Pakistani capital, Islamabad. Pledges include:

- \$1 billion from the Asian Development Bank including \$300m for transport, power, health, education and governance
- \$1 billion from the World Bank
- \$510m from the United States
- significant sums from the Islamic Development Bank, Saudi Arabia, China and the International Monetary Fund

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