

## CENTRE FOR DIALOGUE & RECONCILIATION & DELHI POLICY GROUP

### **Intra-Kashmir Dialogue Report**

SKICC, Srinagar, Kashmir

**July 28-31, 2005**

#### **1. Evaluation of the Peace Process & the CBM's**

The peace process means different things to different people from Uri to Poonch. For people living near the LOC the ceasefire has brought peace and the families who had gone away from their homes have been able to return. The Srinagar-Muzaffarabad bus service is addressing an emotional need for wanting to be part of a larger community. However, the effect of the bus the participants felt is limited and does not address the problem of maximum number of divided families in the Jammu region and Kargil. There was underlying resentment in some of the expressions that the peace process is Kashmir centric and enough attention is not given to the concerns and grievances of the other regions. People need to be made aware of what does softening of LOC really mean?

#### **Recommendations:**

- Open the Kargil-Skardu, Poonch-Rawlakot and Jammu-Mirpur roads. The latter connects five districts – Mirpur, Kotli, Bhimber, Rajouri and Nowshera. One deadline of end-July has already been missed and should be put on the priority.
- Until the Kargil-Skardu route is opened give people from Gilgit and Baltistan access on the permit system to the Srinagar-Muzaffarabad bus service. There are 6-7000 divided families between Kargil and Baltistan.
- Allow telephone calls between the different parts of the divided regions.
- Allow all state subjects including the Hindus and Sikhs and not just the members of the divided families to travel across the LOC.

Most felt if all travel routes are opened and people allowed to travel and interact it would help in removing misunderstandings caused by the separation of fifty-seven years. The participants from Gilgit & Baltistan felt that this was the first time that they were recognized as the equal stakeholders in the Kashmir dispute. They pointed out that they had to travel 1500 k.m. to come to Srinagar. At the moment they were not allowed to come across the LOC. Most also agreed that the key confidence building measure would be to begin consultations with the people of all communities and regions of the two divided parts of J&K. Some suggested that CBM's should be developed directly with the stakeholders.

The Srinagar-Muzaffarabd bus has produced both hope as well as confusion in Kashmiris. Hope because a Kashmiri thinks he will be heard and a solution to Kashmir problem will now be found. Confusion in the Kashmiri mind comes from the fact that the present peace process has its limits and there is no appropriate response according to Kashmiris from the other side. Some Kashmiris felt that the India-Pakistan peace process was only to gain time and while he waits many continue to suffer. One participant suggested that 1) the CBM's along with the Indo-Pak focus should also have J&K focus. 2) There should be slow shift from the valley to the entire state but with care

that the widening the scope of the CBM's should not defuse the entire issue. He strongly suggested that the peace process needed to be transparent as the people did not know what was being discussed. This is causing suspicion and the feeling of non-involvement.

Today the Kashmir dispute has cultural, geographical, sub-national and regional dimensions and has become combination of conflicting aspirations. All agreed that the key confidence building measure would be to begin consultations with people from all regions, communities, and shades of opinion on how to sustain the peace process to get real change on the ground with an assurance that their inputs would go into negotiations for a settlement, when they begin.

Participants felt that dialogue over Kashmir has been going on for a longtime but has remained inconclusive because of distrust. One participant stated, "There is a group that does not want Kashmir issue to be resolved or India-Pakistan to become friendly." Peace process is a human need. Participants felt Indian civil society could do a lot to create atmosphere of trust to convince Kashmiris. Several expressed that the Srinagar dialogue was a civil society initiative that needed to be strengthened as this would go a long way in people of the divided state understanding one another and exploring solutions.

## **2. Ending the Violence:**

Most participants felt that India-Pakistan peace process has not produced change on the ground for the common man in the Kashmir valley. As long as gun prevails one cannot discuss peacefully about the future or the solutions. Participants from the valley felt that Pakistan was not doing enough to reign in the militants. There was concern expressed at the changing nature of present day violence – suicide bombs that hit at busy cross-sections causing maximum civilian casualties and have larger impact. This is different to violence in early 1990. A senior Kashmiri journalist said, "As long as there is no sense of security and right to life, we can not talk about peace. Why does Musharraf not control those on whose 'ishara' gun prevails here?" One participant stated that use of bombs and landmines in public places are crimes against humanity. One-woman participant spoke with conviction about the need to end violence. Addressing participants from across the LOC, she said, "Militancy is a mindset. Stop moral or logistical support to militants and we can stop local support."

### **Additional Suggestions**

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

The participants from AJK, Gilgit and Baltistan held that 'there were no training camps in their areas and these had been closed down.' While some AJK participants were of the view that Pakistan has done a lot to contain militancy and there is perceptible change in the mood and deeds of Musharraf regime and that New Delhi should also reciprocate some concrete steps that may change ground situation in the valley. This will encourage Islamabad to go further. Some argued that the roots of the militancy and its just cause should be stressed, where as others said

the situation has changed and so have the roots. A participant from AJK felt if the Kashmiri leadership and civil society do not get involved they are the losers. He saw a big problem for the peace process. If ground realities inside Kashmir do not change, anti-India lobby gains and peace lobby is sidelined. CBM's and HR violations cannot go together.

There was divided opinion on whether the peace should be established first or talks on the settlement should start now. Some suggested that negotiations for a settlement and end to violence were connected. If negotiations for a settlement were started it would strengthen President Musharraf's hand at a time when he is vulnerable. As against this many felt that to begin negotiations for a settlement when people are "psychologically disturbed" would stimulate more violence. What emerged from the discussion was that Delhi was stalling the political process where as Islamabad was rushing it. There was need to find the middle path between them.

All participants, however, agreed that more could be done to re-deploy security forces and bunkers away from crowded areas, end human rights violations, ensure that there are no more custodial deaths and speedy and fair trials for political prisoners, or their release. Some participants from Azad Jammu & Kashmir felt if there are troops' reductions and release of political prisoners then the militant groups might consider a cease-fire; others felt that for rule of law to be restored - fair and speedy trials would be better. There was need for taking such remedial measures that gives some relief so that a common man can live his life without fear.

Many Kashmiri participants expressed their resentment at New Delhi's double standards – if Gurgaon caused the Indian government anguish, they said, what about the death of the 3 boys in Kupwara? One participant said, "The local support to militants has not disappeared." He wanted the participants to reflect on the following incident. He described how local people came out to claim the bodies of the two dead militants for burial, when they saw the security forces dragging the bodies after the Lal Chowk encounter ended which had lasted for 24 hours.

### **3. Devolution and Federalism**

One participant felt non-resolution of Kashmir dispute has helped the fragmentation in the state. Politics of identity has degenerated and today the 'Kashmiri' in the state is demonized. Each region of the former state has its own problems. On paper and at a symbolic level, Azad Kashmir has more rights than any other region, but it continues to be controlled from Islamabad. Gilgit and Baltistan want the same powers as Azad Kashmir, they do not want to be controlled by either Islamabad or Muzaffarabad. Rajouri-Poonch and Doda want Hill Councils along the Ladakh-Kargil lines. "Economically satisfied people are not driven to violence. Trade and commerce do not know religion but are binding people. Two parts of J&K are natural trading partners just as India and Pakistan are," stated one participant from Ladakh.

#### **Preliminary Recommendations:**

- \* Islamabad and Srinagar should separately address the issue of devolution with regional leaders.
- \* Cross-regional cultural initiatives – to preserve Pahadi, Gojri and Balti languages – should be supported through writers' exchanges.
- \* Cross-regional environmental initiatives – cooperative development of mountain tourism by Gilgit, Baltistan and Ladakh – should also be encouraged.

#### 4. Migrants and refugees

Over the past decades the dispute has displaced communities in different regions of the divided state. There are four regions of the undivided J&K State – Kashmir, Jammu, Gilgit and Ladakh. All are divided causing separation of families and displacing people and communities. Many of the displaced persons continue to live in migrant or refugee camps and some have lived this way for several decades. All loss cannot be fulfilled. But some remedial measures can be taken that would give some relief and unite families.

In Ladakh there are refugees from the 1971 war. If the plight of the Kashmiri Pandit migrants in Jammu/Delhi is more known, less is known about the struggle of the Kashmiri Pandits living in the valley or the migrants/refugees in Azad Jammu and Kashmir. A valley Pandit participant described the struggle of his people and pleaded that unless their position was strengthened the prospects of the Kashmiri Pandit migrants' return to the valley was bleak. Participants from AJK informed us that there are about 19 refugee camps and about 24,574 displaced persons on their side. The biggest camp houses 2227 persons. Other camps are smaller. Around 10,000 are also staying with their relatives. One participant, migrant himself, described the mental trauma and agony suffered by the migrants. Separation and inability to visit relatives has caused deep anguish. He also complained that the migrants of 1990's are not allowed to travel on the Srinagar-Muzaffarabad bus. They have relatives in the valley.

##### **The problem falls into three categories:**

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

All three categories have their specific problems affecting their day-to-day living.

#### **Follow Up**

Participants agreed that this meeting was just a beginning and follow-up meetings are required in all the regions. It was suggested that a contact group of around 5 people be appointed to plan for follow-up meetings; it was also agreed that the next meeting should be in AJK or Gilgit or Baltistan.

Sushobha Barve & Radha Kumar  
August 16, 2005

