

Musharraf's proposal By Balraj Puri

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Indo-Pak Peace Process and Musharraf's Proposal on J&K(Published in Times of India)

On the eve of the Indian Foreign Minister's visit to Pakistan, which hopefully will be followed by the visit of the Prime Minister to that country, both had series of discussions with the leaders of Jammu and Kashmir state. The Prime Minister had a cordial meetings with the leaders of the principal opposition Bhartiya Janata Party and the left allies. Both supported -with varying emphasis-the peace process with Pakistan initiated by former Prime Minister A.B. Vajpayee.

Presumably Pakistan President General Pervez Musharraf's latest four point proposal on Kashmir also figured in these consultations.

In my meeting with the Prime Minister I discussed implications of all the four points in Musharraf's proposal. I hold the view that while Pakistan owes clarifications and explanations on a number of points, India need not take onus of breaking the dialogue process.

The first point of Musharraf's proposal defines the state as comprising five regions, two on the Pakistan side viz "Azad Jammu and Kashmir" and Northern Areas and three on the Indian side viz Kashmir, Jammu and Ladakh. Two years ago, the General had proposed that the peace process should make up of the seven regions of the state, to be followed by changing their status. The change in status could be independent status or joint control.

Earlier Musharraf had held that there were two regions in Pakistan part of the state and five regions on its Indian part. Besides the three well defined regions on this side, the two more could be formed by dividing Jammu and Ladakh. On what basis except religion?

The US state department had hailed Musharraf's earlier as well as the present proposal without bothering to know the difference between the two proposals. The vital difference is that the former proposal was based on religious identities which defied ground realities. A solution of Kashmir on religious basis was unacceptable to India as it would threaten not only secular basis of India but also unique Kashmiri identity and peace in the subcontinent.

That Musharraf has given up his definition of the state as of seven regions in favour of five ethnic regions and ruled out independence for the state or a part of it, should, therefore, be welcome.

The second point in his proposal that relates to self-government of the two parts of the state and the regions therein has been subjected to different interpretations by the National Conference, the PDP and the Hurriyat. Musharraf himself does not mind if it is called autonomy of the two parts of the state within their respective countries and regions within the two states or by some other name. Already one of the working groups, setup after the second round table conference at Srinagar, is entrusted with the job of working out centre-state and state-region relations. In any case irrespective of final agreement with Pakistan, India cannot ignore the internal problems confronting the people of the state.

In fact the proposal would create far more formidable problems for the two regions of the Pak held part of the state. The "AJK" is constitutionally not a part of Pakistan. But it is neither independent nor autonomous. The election laws and the final authority of the federal ministry of Kashmir affairs, hardly allow the people to elect the government of their choice. The situation in Northern Areas is far worse. It is neither a full part of Pakistan nor a separate state. It has neither a legislature nor its citizens have a right to vote for the federal legislature.

The real bone of contention could be the other two points in the proposal. One regarding demilitarisation and the other about joint management. How much Indian army should remain within the state would primarily depend on its threat perception. There are some militant groups like Lashkar-e-Tayyeba and Jaish-e-Mohammad which apparently are not under the control of the ISI. They treat not only India as a whole its enemy but also pose a threat to Pakistan. The most important militant group viz Hizb-ul-Mujahideen was originally sponsored by the ISI. Its chief and president of the United Jihad Council, Syed Sallahuddin, has clearly stated that Pakistan government's offer to associate Indian agencies to jointly monitor terrorist activities in Pakistan which are directed against India does not cover Pak held Kashmir and its operations in Indian Kashmir. More specifically Yousef Nasim, covenor of the Hurriyat Conference in AJK (Pak held part of the state) quoted the Pakistan foreign secretary who told its delegation that Kashmir freedom movement was not part of the decisions taken during the Indo-Pak talks to share intelligence to counter terrorism. How would Indian forces agree to withdraw from the state in this context? The Indian Foreign Minister should take up this question with Pakistan government.

However, if Musharraf could persuade Hizb to enter into a dialogue with India on cease fire without pre-conditions, the proposal for real demilitarisation and its various stages would be worth consideration.

Lastly, the proposal for a joint management of the state raises more question than it answers. What would be the machinery to take up this task? What subjects it would deal with? Would it encroach upon the subjects that the two sovereign

countries are dealing with or would be entrusted to the states on the two sides of the LoC? How would it enforce its decisions? According to Prime Minister of PAK, Attique Ahmed Khan, "the concept of joint management need not be defined at this stage as that could create obstacles in the process". He said "these concepts would acquire clarity as the process continued". At a later stage, when the relations between India and Pakistan become normal and cordial, a purely advisory body, comprising representatives of the two national governments and two parts of the state on either side of the LoC and the regions within them could be considered to share information and give advice on subjects like environment, trade, cultural exchanges and travel in general across LoC. This is almost akin to North Ireland formula with which Mirwaiz Umar Farooq is very much impressed after his visit therea