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A “Roadmap” for Kashmir?

Christian Wagner

The commencement of bus services between the Indian and Pakistani parts of Kashmir on April 7, 2005, and the visit to India by the Pakistani President Pervez Musharraf from April 16–18 have given a definite boost to the process of rapprochement between the two countries. In their joint final communiqué, both sides emphasized that they considered the peace process irreversible. They also discussed new approaches to resolving the Kashmir conflict which show signs of an emerging “roadmap.” These developments give cause for hope that the spirit of reconciliation that has existed since April 2003 will bring about a lasting improvement in Indian-Pakistani relations. The success of the initiative will depend on whether Musharraf can push it through against domestic resistance in Pakistan.

In the summer of 2002 India and Pakistan stood on the brink of armed conflict, but in the last three years relations on the sub-continent have shifted distinctly toward rapprochement and cooperation. Both countries had attempted to use the international “war on terrorism” to further their foreign-policy agendas in Kashmir, but this did not bear fruit. In a speech in April 2003 in Srinagar, the capital of the Indian state of Jammu and Kashmir (J&K), the then Indian Prime Minister Atal Bihari Vajpayee offered Pakistan a resumption of dialog. After the abandoned Lahore Process in 1999 and the failure of the Agra summit in 2001, this was the third attempt to bring about a long-term easing of tensions in the Indian-Pakistani relationship.

Since then, both sides have proposed numerous measures to build trust and have

set up joint working groups to resolve various bilateral problems, among which Kashmir has highest priority for Pakistan and the issue of terrorism for India. Despite slow progress in negotiations, the two countries have gradually extended the opportunities to travel, cultural and sporting exchanges, as well as economic relations. The change of government in India in the early summer of 2004—the Hindu nationalist Bharatiya Janata Party (BJP) was succeeded by the United Progressive Alliance (UPA) led by the Congress Party—did not interrupt the process of rapprochement.

The cease-fire along the Line of Control, proposed by Pakistan in 2003, has held despite minor incidents. The fence erected by India along this line has reduced the infiltration of militant groups substan-

tially. The decline in violence in J&K allowed India to withdraw some of its security forces from the state. Also in the fall of 2003, India suggested starting a bus service between Srinagar in J&K and Muzaffarabad in Pakistani-controlled Azad Kashmir. In the negotiations both countries argued long and hard about the travel documents, since Pakistan considers the whole of Kashmir a disputed territory in accordance with the resolutions of the United Nations (UN), whereas India claims that the whole of Kashmir belongs to the Indian Union. In February 2005 the new Indian Foreign Minister Natwar Singh visited Islamabad, and the two sides finally found a compromise.

Bus Link and Cricket Summit

Since 1947, conflicts over Kashmir have caused three of the four Indian-Pakistani wars and innumerable political and military crises. Against this background, the starting up of the bus link on April 7 should be seen as a turning point and the expression of a new quality of bilateral relations. The Line of Control laid down in the Simla Accord of 1972 has now been opened for Kashmiris and citizens of both countries for the first time. As expected, militant groups tried to prevent the bus's maiden voyage at the last minute by launching an attack in Srinagar. The militants announced that they would "turn the bus into a coffin," so for the time being security is tight and only a limited service is being offered, despite great demand.

Attending a match of the Pakistani national cricket team in Delhi from April 16–18, President Musharraf used the opportunity to hold talks with Prime Minister Manmohan Singh, representatives of the opposition BJP, and delegates of the All Party Hurriyat Conference (APHC) from Kashmir. The communiqué issued on April 18 was preceded by lengthy debate between the delegations which was only brought to a head by the intervention of the two heads of government. A repeat of Agra 2001,

which failed to bring forth a joint declaration, would have been a painful setback for the process of rapprochement. The April communiqué not only strengthened this process but also enlivened public debate with new ideas for settling the Kashmir problem.

Firstly, both sides reaffirmed that the peace process was irreversible. We can assume on this basis that the cease-fire will hold and the trust-building measures already introduced will be continued.

Secondly, both parties emphasized that they would not allow terrorist attacks to derail the process. Pakistan thus categorized the actions of militant groups in J&K as terrorist acts for the first time, and thus withdrew its backing for them. India, in return, can now refrain from blaming Pakistan for possible future attacks by these groups.

Thirdly, the communiqué mentions a "final settlement" of the Kashmir problem as the ultimate goal of the peace process. This amounts to a real concretization compared with previous agreements, and is a concession to Pakistan. But no time frame has been defined, which in turn is in India's interest. *Fourthly*, the communiqué affirms that the Line of Control should be made more permeable, and also opened up for trade. Further agreements concern the extension of road and rail links between the two countries and the appointment of joint economic commissions to expand official trade. In the long term, Pakistan could grant India Most Favored Nation status in accordance with World Trade Organization rules. Proposals such as the opening of consulates in Mumbai and Karachi have been under discussion for some time, and their implementation should now be given a new boost.

Musharraf held talks not only with the Indian government, but also with a delegation of the APHC, which Pakistan regards as the representative of the Kashmiris. Subsequently he voiced his displeasure at the disunity in the APHC. While the radical wing of the APHC under Syed Ali Geelani takes a critical view of Pakistan's

rapprochement with India and demands inclusion in the process as a third party, the moderate faction led by Mirwaiz Umar Farooq is open to dialog with the Indian government. Musharraf's hope for the future, however, is that the process will be pushed ahead by the political leadership of both countries, which would reduce the significance of Kashmiri groups such as the APHC. Equally as significant as Musharraf's criticism of the APHC, if not more so, was his hint that he also considered the elected state government of Indian J&K to be a voice of the Kashmiris.

A "Roadmap" for Kashmir?

In recent months India and Pakistan have repeatedly stated which potential solutions to the Kashmir problem were out of the question for them. Pakistan, for example, rejected the idea—advanced time and time again by India—of transforming the Line of Control into an international border. India, for its part, refused Islamabad's suggestions about re-dividing Kashmir, emphasizing the immutability of the existing borders. Both sides have demanded flexibility in this regard—that proposals go beyond the all-too-familiar positions. This new mood began to materialize following Musharraf's talks with the Indian government and the APHC, revealing the outlines of a "road-map" for Kashmir.

The aim of building closer relations between the two parts of Kashmir and furthering public discussion—for example on forms of autonomy or the possibility of joint control of the region—is obviously to make the Line of Control more open and defuse it as a potential source of future conflict. Ideas of this kind, which have been discussed by experts for years in various combinations and permutations, envisage a "soft border" for Kashmir—the Line of Control would not be an official border, nor would existing borders be changed. At the same time, appropriate constitutional amendments could be made so as to considerably extend the autonomy of the

Indian and Pakistani parts of Kashmir—a concession to Kashmiri demands for increased self-government. The Kashmiris themselves will be able to have input, but groups such as the APHC have forfeited their claim to be a (self-appointed) third party.

Proponents, Opponents, Supporters

The joint communiqué and new proposals met with a largely positive response in both countries. In India there is broad consensus between the government and the opposition on the rapprochement with Pakistan, the process having been initiated by the opposition Hindu nationalist BJP in 2003. All Indian parties hope that this process will develop in a similar way to the dialog between India and China, where a joint working group sidestepped the contentious issue of border demarcation in favor of extending economic and political cooperation.

Reactions in Pakistan are more mixed. Large sections of the press have responded positively, but there is also skepticism about the new developments. Leading politicians of the opposition Islamist coalition Muttahida Majlis-i-Amal (MMA) criticize that the agreements push the Kashmir problem into the background. Some sections of the English-language press complain that Musharraf is abandoning Pakistani positions without receiving anything from India in return. Militant groups in Kashmir accuse the Pakistani president of selling out Kashmir's interests and have announced that they will continue their campaign of violence. If the new bus service comes under attack, families in Pakistani-controlled Azad Kashmir would be affected for the first time. It is hard to predict what effect Pakistani victims would have on support for the militants.

At the same time, reactions in Pakistan show that the process of rapprochement with India is intimately tied up with the person of President Musharraf. Although he successfully torpedoed the Lahore

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process with his Kargil military offensive in 1999, he and his politics are now increasingly becoming the target of militant groups. Militants from Kashmir were involved in the last attempts on his life, together with members of the armed forces. In view of such opposition in Pakistan, the window of opportunity for further initiatives between the two countries is limited. Musharraf will hardly be able to continue his current dual role as president and supreme commander of the army after the next elections in 2007. It is unlikely that the next government composed of the major parties will be able to continue the rapprochement with India against domestic opposition in the same way, without commensurate backing of the military. Delhi can strengthen Musharraf's position in this period through further agreements that improve bilateral relations coupled with progress on the Kashmir problem, e.g. reductions in India's security forces and improvements in the human rights situation in J&K.

The international community and the major powers have long been urging India and Pakistan to begin bilateral negotiations to settle the Kashmir conflict. This has now been achieved, with Pakistan no longer referring to the UN resolutions or the right of self-determination of the Kashmiris and demanding an internationalization of the conflict, as it did for years.

Cautious international support for this process can be given along various avenues. *Firstly*, economic relations with both countries can be extended so as to boost the domestic actors that advocate "change through trade." *Secondly*, since President Musharraf has to overcome far greater domestic resistance in this process than Prime Minister Singh in India, the reform process in Pakistan must be supported more vigorously. Priorities should be reforming the education system, above all the religious schools, stemming religious violence, and delimiting the future role of the armed forces in the political system. *Thirdly*, improving the human rights situa-

tion in Kashmir is a central requirement that can be addressed in political dialog with both countries.

Outlook

The events of April 2005 have unquestionably put a new lease of life into Indian-Pakistani relations and the Kashmir question. The outlines of a compromise between the different positions of Pakistan, India, and the Kashmiris are gradually beginning to emerge. Avowals as to the irreversibility of the peace process—and, indirectly, that a military solution to the Kashmir conflict can be renounced—should help ease tensions in the long-term.