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ENDEAVOURS FOR RESOLVING KASHMIR ISSUE- AN ESTIMATE OF PAK-INDIA PEACE PROCESS DURING MUSHARRAF GOVERNMENT (2003-2007)

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ABSTRACT

This is an analytical study and deals with the Pak-India peace process and efforts for resolving the Kashmir Issue during the Musharraf government (2003-2007). After an extremely tense phase in Pakistan-India relations during which India mobilized troops against Pakistani border, the process of normalization began in April 2003. Initiation by Pakistan of Confidence Building Measures (CBMs) led to improvement in the atmosphere between the two countries. At a rally in Srinagar on 18th April 2003, the Indian Prime Minister Vajpayee announced that he was willing to extend a hand of friendship to Pakistan. Since Pakistan had always advocated resolution of all issues between India and Pakistan including the core issue of Jammu and Kashmir through peaceful means. Prime Minister of Pakistan Zafarullah Khan Jamali welcomed the announcement and called the Indian Prime Minister on telephone inviting him to visit Pakistan. A formal invitation was also sent hereafter which led to the resumption of dialogue between the two countries and as usual remained without results.

KEYWORDS

Peace Process, Pakistan India Relations, Kashmir Issue.

1. ROAD TO NORMALIZATION

It was on 6 May 2003 that Pakistan took some encouraging measures to normalize peace process with India and initially Prime Minister of Pakistan Mir Zafarullah Jamali, with immediate effect, offered the resumption of train and bus service, restoration of air link between India and Pakistan,

immediate release of all Indian fishermen, 22 Sikh youth, resumption of sporting ties between the two countries beginning with cricket and hockey, restoration of full strength of diplomatic missions in respective capitals and convening of the 12th SAARC Summit in Islamabad well before the end of that year. Thus, Pakistan initiated a process of Confidence Building Measures which resulted in significant improvement of relations between the two countries (Ministry of Foreign Affairs Government of Pakistan, n.d., p.15). Following the suitable atmosphere that was created by some initial steps towards the restoration of peace, Pakistan went a step ahead by removing its unilaterally imposed restriction on trade between the two countries. Islamabad and New Delhi also decided to exchange new High Commissioners thereby paving the way for full resumption of diplomatic ties at the highest level. Thus, in the following months during 2003, Indian and Pakistani leaders showed flexibility on Kashmir issue.

2. PEACE PROPOSALS OF PRESIDENT PERVAIZ MUSHARRAF

Peace process between Pakistan and India further moved forward when President of Pakistan Pervaiz Musharraf gave some peace proposals in the United Nations General Assembly (UNGA). President, Musharraf, addressed the Assembly on September 24, 2003. He:

1. Invited India to join Pakistan in a sustained dialogue to resolve Kashmir dispute;
2. Invited India to observe, jointly with Pakistan, a complete cease-fire along the Line of Control;
3. Conveyed Pakistan's preparedness to encourage a general cessation of violence within Kashmir, involving reciprocal obligations and restrains on Indian forces and the Kashmir freedom movement;
4. Stated that if India is genuinely concerned about cross-LoC infiltration, it should agree to a viable mechanism to monitor this on both sides. The UNMOGIP could be enlarged for this purpose (Ministry of Foreign Affairs Government of Pakistan, n.d., pp.15-16).

Following President, Musharraf, peace process was also initiated by New Delhi. Indian Foreign Minister, Yaswant Sinha, proposed a set of '12 CBMs' on 22 October 2003 for the normalization of relations between the two countries. He proposed to:

1. Resume talks to restore civil aviation links including over flights.
2. Discuss a resumption of rail links following the aviation talks.
3. Resume bilateral sporting encounters, including cricket.
4. Issue visas in cities outside the two countries, national capitals, to shorten travel.
5. Permit individuals aged at least 65 years to cross into India on foot. Previously only groups could walk across, while individuals had to board a bus.
6. Run more buses on the New Delhi to Lahore route than now operate
7. Establish links between the two countries' coast guards before and after the fishing season
8. India and Pakistan should stop arresting each other's fisherman within certain sea areas.
9. Provide free medical treatment to 20 Pakistan children
10. Have India and Pakistan increase the staff of their respective embassies
11. Consider a ferry service between Mumbai and Karachi
12. Start new bus services: one between Srinagar and Muzaffarabad; the other would be a bus or rail between Khokrapar in Sind and Munabao in Rajistan (Nabiha Gul, 2007, pp.57-58).

Pakistan responded positively to the Indian proposals on 22 October but declared that these were not sufficient because the core issue of Kashmir was not included in them. Pakistan announced on 29 October 2003 the holding of second round of technical level talks for the resumption of air links between the two countries on 1-2 December 2003 and holding talks for the resumption of train links between Pakistan and India in the first half of December 2003. Pakistan also welcomed India's acceptance of Prime Minister's offer for the resumption of sporting links including cricketing ties. We stressed the need to revive Samjhota Express at the earliest by de-linking it from resumption of air links and proposed to start Lahore-Amritsar Bus Service. We also announced that establishment of Bus / Rail link between Khokrapar and Munabao would be discussed in the composite dialogue.

In addition, Pakistan for the benefit of Kashmiri people, offered 100 scholarships for the Kashmiri students in its professional institutions at graduate and post-graduate levels, treatment for disabled Kashmiris and compensation for widows and victims of rape through international human rights organizations.

3. PROPOSALS OF PRIME MINISTER MIR ZAFAR-ULLAH KHAN JAMALI

To further strengthen the relations between Pakistan and India, Prime Minister of Pakistan, Mir Zafar-ullah Khan Jamali, on November 24, 2003 announced the following proposals:

1. Observance of a cease-fire by Pakistani forces along the LoC with effect from Eid-ul-Fitr i.e. 26 November 2003.
2. Pakistan's readiness to host talks on the revival of Khokhrapar-Munabhao route.
3. Pakistan's preparedness to establish a bus service between Muzaffarabad and Srinagar.
4. Need for full restoration of the staff strength of the two High Commissions.
5. Immediate resumption of air-links between the two countries.
6. Issuance of notification regarding permission for the senior citizens (65 years) to cross at Wagah on foot.
7. Proposal for commencement of a Lahore-Amritsar bus service.
8. Pakistan proposed to hold technical talks for the resumption of Samjhota Express between the Railway authorities in Pakistan in the first half of December 2003.
9. The feasibility of ferry service between Karachi and Mumbai could be discussed between the two sides.
10. Pakistan proposed that the Interior/Home Minister of Pakistan and India work out a mechanism to resolve the problem of prisoners in each other's jails, who have completed their sentence term but have not been released nor repatriated.

4. INDIAN REACTION AND VISIT OF PRIME MINISTER VAJPAYEE

The initial reaction of the Indian Ministry of External Affairs to the Prime Minister's offer of unilateral cease-fire was that of "guarded welcome". Indian Foreign Minister stated on 24 November 2003 that "we responded to the Jamali offer in a very, very positive manner". The Indian electronic and print media was also generally positive to the Prime Minister's initiative. Moreover, Prime Minister, Vajpayee, speaking at Lucknow on 27 November announced that "he would travel to Pakistan for SAARC Summit and meet everyone there" (Ministry of Foreign Affairs Government of Pakistan, n.d., pp.15-16).

Indian Prime Minister, Vajpayee, visited Islamabad from 4-6 January to participate in the 12th SAARC Summit. It was the historic moment on January 6, 2004 when President of Pakistan, Pervaiz Musharraf, and Indian Prime Minister, Vajpayee, met on the side-lines of the SAARC Summit in Islamabad and decided to resume the long-awaited process to normalize relations between the two countries. In the historic Islamabad, in a joint statement, they agreed to “commence the process of the Composite Dialogue in February 2004”, to carry the process of normalization forward. They expressed confidence that “the resumption of the composite dialogue will lead to peaceful settlement of all bilateral issues including Jammu and Kashmir to the satisfaction of both sides”. The two leaders also agreed that “constructive dialogue would promote progress towards the common objectives of peace, security and economic development for over peoples and for future generations”.

5. MEETINGS OF FOREIGN MINISTERS AND FOREIGN SECRETARIES

In February 2004, Pakistan’s Foreign Secretary, Riaz Khokhar, met his counterpart Mr. Shashank in Islamabad. In a joint statement, they agreed to approach the composite dialogue with “sincere desire to discuss and arrive at a peaceful settlement of all bilateral issues including Jammu and Kashmir to the satisfaction of both sides”. The composite dialogue was to cover eight unresolved issues including:

1. Peace and Security
2. Jammu and Kashmir
3. Siachen
4. Sir Creek
5. Terrorism and Drug Trafficking
6. Wullar Barrage / Tulbal navigation project
7. Promotion of friendly exchanges
8. Trade and economic cooperation.

Apart from this, during the meeting, the both sides were agreed on the basic schedule for composite dialogue process as follows:

1. March / April 2004: Meeting between the Director General of the Pakistan Rangers and the Inspector General of the Indian border Security Force.
2. May / June 2004: Talks between Foreign Secretaries of Pakistan and India on Kashmir and Peace and Security in New Delhi.
3. May 2004: Expert level talks on nuclear CBMs.
4. June 2004: Talks on Drug-trafficking and smuggling.
5. July 2004: Talks on issues such as Siachen, Wullar Barrage/Tulbul Navigation Project, Sir Creek, terrorism, economic and commercial cooperation and promotion of friendly exchanges at the already agreed expert or technical levels (Musa Khan Jalalzai, 2005, pp.213-14).
6. August 2004: The Foreign Ministers meeting.

On 16 February, the peace process over Kashmir received further impetus when the Foreign Ministers of the two Countries met at Islamabad. Indian Foreign Minister, Natwar Sing, and his Pakistani counterpart Khurshed Mehmood Kasuri agreed to start a landmark Bus Service across the

LoC between Srinagar, the capital of Indian-administered Kashmir, and Muzaffarabad, the capital of Pakistan-administered Kashmir. Meanwhile the elections in India brought a new Congress-led government in power with Manmohan Sing as Prime Minister. Despite that the Indo-Pak peace continued. On April 7, 2004, the Kashmir Bus Service resumed as scheduled, reuniting Kashmiri families divided ever since India and Pakistan fought their first war over Kashmir.

On 26-27 December 2004, Foreign Secretaries of Pakistan and India met for a two-day “evolution of peace process” at Islamabad. After the first day of talks the Indian camp announced that Pakistan’s senior citizens and children wishing to visit India would be given visa at Atari. Indian Foreign secretary, Shyam Saran, rejected the idea of involving Kashmiris in the talks claiming “Indians represent Kashmir.” He further said that “Pakistan must adhere to the commitment made in the statement by Pakistani President, Musharraf, and Indian Prime Minister, Vajpayee, of 6 January 2004 in US regarding stopping cross border terrorism.” Reacting to this, Pakistani Foreign Secretary, Riaz Khokhar, while talking to the media categorically stated that “we are clear about having implemented the assurances given in the January 6 joint statement. Nothing is happening across the LoC, but regrettably human rights violations have increased in Kashmir” (Rizwan Zeb, 2009, p.11).

6. PRESIDENT MUSHARRAF’S VISIT OF INDIA AND JOINT STATEMENT

On April 16, 2005 President, Musharraf, went to India for a talk on Kashmir issue. In talks held later with President of Pakistan, Musharraf, Indian President, A. P. J. Abdul Kalam, asked him to place all the confidence building measures (CBMs) in an incubator or a goodwill basket and see the eggs nurture. “It is essential for India and Pakistan to place all their acts (CBMs) in one incubator or good basket and then watch the eggs nurture in this basket of goodwill and see that no one kicks it over”, Kalam was quoted as saying by his spokesman, S. M. Khan, and “We should harness or direct all our energy to nurture this goodwill and no third party should be allowed to enter and damage it”. After three-day visit to India of President Musharraf, a Joint statement was issued under the following lines.

1. The President of Pakistan, His Excellency General Pervaiz Musharraf, visited New Delhi as guest of the Prime Minister of India and Sharimati Gursharan Kaur on April 16 to 18.
2. While in New Delhi, the President of Pakistan called on the President of India. He also had a meeting with the Prime Minister of India, who hosted a dinner in his honour. The President also watched the last one-day international cricket match between India and Pakistan.
3. The President of Pakistan and Prime Minister of India used the opportunity provided by the visit to review progress in India-Pakistan relations. They assessed positively the progress that had been made so far through confidence building, people-to-people contact and enhancing areas of interactions and determined to build on the momentum already achieved.
4. They reaffirmed the commitments made in the joint press statement of January 6, 2004, and expressed satisfaction on the progress in the peace process and the improvement of relations between the two countries that has since been realised.
5. Conscious of the historic opportunity created by the improved environment in relations and the overwhelming desire of the peoples of the two countries for durable peace and

recognizing their responsibility to continue to move forward towards that objective, the two leaders had substantive talks on all issues. They determined that the peace process was now irreversible.

6. In this spirit the two leaders addressed the issue of Jammu and Kashmir and agreed to continue these discussions in a sincere and purposeful and forward-looking manner for a final settlement. They were satisfied with the discussions and expressed their determination to work together to carry forward the process and to bring the benefit of peace to their people.
7. They also agreed to pursue further measures to enhance interaction and cooperation across the LoC including agreed meeting points for divided families, trade, pilgrimages and cultural interaction.
8. They condemned attempt to disrupt the Srinagar-Muzafarabad bus service and welcomed its successful operationalisation. The two leaders pledged that they would not allow terrorism to impede the peace process.
9. They decided to increase the frequency of the bus service and decided that trucks would be allowed to use this route to promote trade. They also agreed to operationalise additional routes including the route between Poonch and Rawalakot. They also looked forward to an early start of the bus service between Amritsar and Lahore and to religious places such as Nankana Sahib.
10. They agreed to re-establish the Khokhrapar-Munabao route by January 1, 2006.
11. They agreed that the Consulate General of the two countries in Mumbai and Karachi respectively would be opened before the end of the current year.
12. They endorsed the decision taken in the meeting of the Foreign Secretaries of the two countries on December 27-28, 2004, and of the Foreign Ministers on February 15-17, 2005, on the schedule of meetings later in the year, and the agreements to be worked upon through these meetings and the measures to be alleviating the situation of prisoners.
13. On the issues of Sir Creek and Siachen, they instructed that the existing institutional mechanism should convene discussions immediately with a view to finding mutually acceptable solution to both issues expeditiously.
14. It was agreed that the Petroleum and Natural Gas Ministries would meet in May to explore cooperation in the sector including on the issue of pipelines.
15. Both leaders agreed that enhance euphoric and commercial cooperation would contribute to the wellbeing of the two countries and bring a higher level of prosperity for the region. The two leading economies of South Asia should work together for the greater prosperity of the region.
16. The leaders decided to reactivate the Joint Economic Commission as early as possible. They also agreed that the Joint Business Council should meet soon (Musa Khan Jalalzai, 2005, pp.75-80).

7. MUSHARRAF MEETING WITH INDIAN PM, MANMOHAN SING, IN NEW YORK

The process of talking moved on though at a slow pace in 2005. However, President Musharraf and Prime Minister Manmohan Sing met in United States in September 2005, but at that time Manmohan Sing adopted a tougher approach regarding Pakistan and the peace process. What was

more alarming than the Prime Minister, Manmohan Sing, threatening to suspend peace efforts if Pakistan did not curb militant infiltration into the Indian zone of divided Kashmir? Speaking in an interview to CNN, he further added that he was worried that militants might seize Pakistan's nukes. Pakistani Foreign Office termed such statements as unfortunate and misleading.

Perhaps it was the lack of result for both India and Pakistan that made the New York meeting end without any breakthrough. During his address to the UN General Assembly, Manmohan said:

“India has faced cross-border terrorism directed against its unity and territorial integrity. We shall never succumb to or compromise with terror in Jammu and Kashmir or elsewhere. We must not yield any space to terrorism. We must firmly reject any notion that there is any cause that justifies it. No cause could ever justify the indiscriminate killing of innocent men, women and children”.

On the other hand, in his address to the General Assembly, President Musharraf reminded the Indians that UN resolutions on Kashmir remained unimplemented. Later, both sides agreed to continue the hard work and carry forward the peace process. President Musharraf expressed the hope that with the flexibility, sincerity and boldness the two sides would be able to take the peace process to its logical conclusion (Rizwan Zeb, 2009. pp.11-12).

In October 2005, a devastating earthquake hit both sides of the LoC, especially the Pakistan-administered Kashmir. This was a humanitarian tragedy, which provided both countries an opportunity to move beyond their respective realpolitik interests and resolve the dispute urgently. While the entire world came to Pakistan's help, India offered to provide helicopters flown by Indian Air-Force personnel. Pakistan refused to accept the Indian offer, citing security reasons. Pakistan asked India to open five points on the LoC to facilitate the earthquake relief effort, an offer it, only reluctantly, accepted. President also proposed the idea of “demilitarisation” and “self-governance” of the disputed region.

8. FOUR-STAGE PLAN OF PRESIDENT MUSHARRAF

Many efforts had been made to resolve the Kashmir issue; in this regard, another strong step was taken by the President of Pakistan, Pervaiz Musharraf, on 5th December, 2006 when he proposed a four-stage plan as under:

1. Kashmir will have the same borders but the people will be allowed to move freely back and forth in the region.
2. The region will have self-government or autonomy but not independence.
3. Troops will be withdrawn from the region in a staggered manner.
4. A joint supervision mechanism will be set up with India and Pakistan; and Kashmir represented in it.

Regarding the implementation of the four-stage peace plan, Pervaiz Musharraf said, "My view is that it is easier said than done. I mean it is not as simple as put in across four stages or four aspects of it. This could be left for trial for 5 years, 10 years and 15 years and then we can get together again to see its efficiency"(Syed Riaz Ahmed, 2007, p.2).

Although there was no remarkable progress on Kashmir issue in the second round of talks between the secretaries of both countries held in early 2006, it did produce additional CBMs, especially in

the field of conventional arms ties between the two countries. At the third round of the Pakistan-India Expert Level Dialogue on conventional CBMs in Islamabad in April 2006, the two countries agreed to the four point CBMs package in the conventional fields aimed at avoidance of conflicts between them. The package included finalization of Border Ground Rules for implementation along the international border; elaborating consistent with its intent, the agreement reached on no development of new posts and defence works along the LoC of Jammu and Kashmir; and finalizing and accord on speedy return of inadvertent line crossers (Khan, 2009, p.104).

Indian Foreign Minister, Parnab Mukharjee, and his Pakistani counterpart, Khurshed Mehmood Kasuri, met in Islamabad and New Delhi in January and February 2007 under the auspices of the Pak-India Commission. In their New Delhi meeting they concluded an agreement on “Reducing risk from Accidents Relating to Nuclear Weapons.” They also agreed to “use hotline links between Foreign Secretaries or Director-Generals of Military Operations (DGMOs) to share urgent information in the event of an accident.” The two Foreign Ministries acknowledged that the progress was being made on Siachen and Sir Creek issues. On Siachen, Pakistan has presented a comprehensive package of proposals, and India and Pakistan have agreed to undertake a joint survey of Sir Creek. On 17 January, Thar train also started operating between the two countries. The fourth round of Foreign-Secretaries-level talks in New Delhi in March was followed by defence-secretaries level talks on Siachen and the debut session of the joint counter-terrorism mechanism in Islamabad.

An important achievement regarding the Track 2 Diplomacy was the process of composite dialogue 2005-2007. In this regard 15 rounds of composite dialogue were conducted on different time and occasions from 2005 to 2007. It was the most important governmental back channel. Presidents and Prime Ministers of both countries were also playing their role for the progress of these meetings. During these meetings at one stage it was going being said that the composite dialogue is on the last stages and nearly a solution would be taken of Kashmir issue. This was also explained by the Foreign Minister of Pakistan, Khurshed Mehmood Qasuri, in his talks and interviews.

9. PROPOSALS OF PRESIDENT MUSHARRAF

The proposed steps for the solution of Kashmir issue were consulted by the Pakistani, Indian and Kashmiri leaders. Following proposals were presented by the President of Pakistan:

1. Jammu and Kashmir should be divided into 7 regions
2. Army should be removed from these regions especially from Sirinagar, Baramula and Kapwara.
3. There should be self-governance or the government of Kashmiri people in Jammu and Kashmir.
4. Pakistan and India should be made a common executive system for the state (Jammu & Kashmir) and run it.

10. PROPOSALS OF PRIME MINISTER MANMOHAN SING

On the other hand, Indian Prime Minister, Manmohan Sing, proposed the following points:

1. The boundaries could not be made again, but it has made it so ineffective that it's become only lines on the map.

2. People should be allowed to move in on the both sides of LoC.
3. Facilities should be provided to the people of both sides for trade.
4. In these conditions, it's could be thought that both Pakistan and India made a common mechanism, through which all the social and economic problems of the people of both sides could be solved.

Foreign Minister of Pakistan, Khurshed Mehmood Qasuri, was consistently speaking till 2007 that Pakistan and India had reached on the beginning of the solution of Kashmir issue, if the government of Pervaiz Musharraf was not ended. Its results were coming on front (Mirza, 2013, p.6).

CONCLUSION

This study reveals that some serious efforts have been made by the government of Pervaiz Musharraf not only for the restoration of peace in South-Asia but also to resolve the Kashmir issue that is a core issue between Pakistan and India. In this regard the meetings of the Foreign Ministers and Foreign Secretaries of both countries resulted in the CBMs which were signed by the both countries and were a good achievement of Musharraf government. Moreover, the meetings and visits of the head of the States paved the way for reaching on a conclusion to solve the issues including Kashmir. The most important achievement that was made by the Pervaiz Musharraf was presenting the proposals to solve the Kashmir issue that was followed by the proposals from the Indian Prime Minister, Manmohan Sing. In this regard, it could be said that some marvellous efforts have been made by the Musharraf government for the restoration of peace and resolving the Kashmir issue.

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