

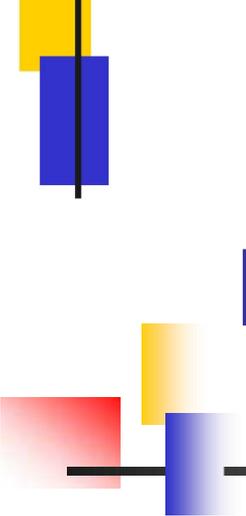
AZAD JAMMU & KASHMIR
(AJK)AZAD JAMMU & KASHMIR
(AJK)
TODAY

Ahmad Faruqui, Ph. D. Ahmad
Faruqui, Ph. D.

Columnist, Dawn

Carr Center for Human Rights Policy
Harvard University

February 23, 2010February 23, 2010

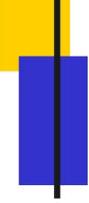


Pakistani-administered Kashmir

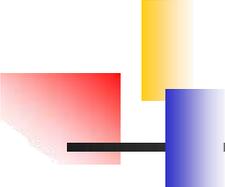
AJK is one of two areas administered by Pakistan in the former princely state of Jammu and Kashmir

The other area is Gilgit-Baltistan
The other area is Gilgit-Baltistan
(formerly called the Northern Areas),
which is much bigger but less populated
which is much bigger but less populated

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Geography

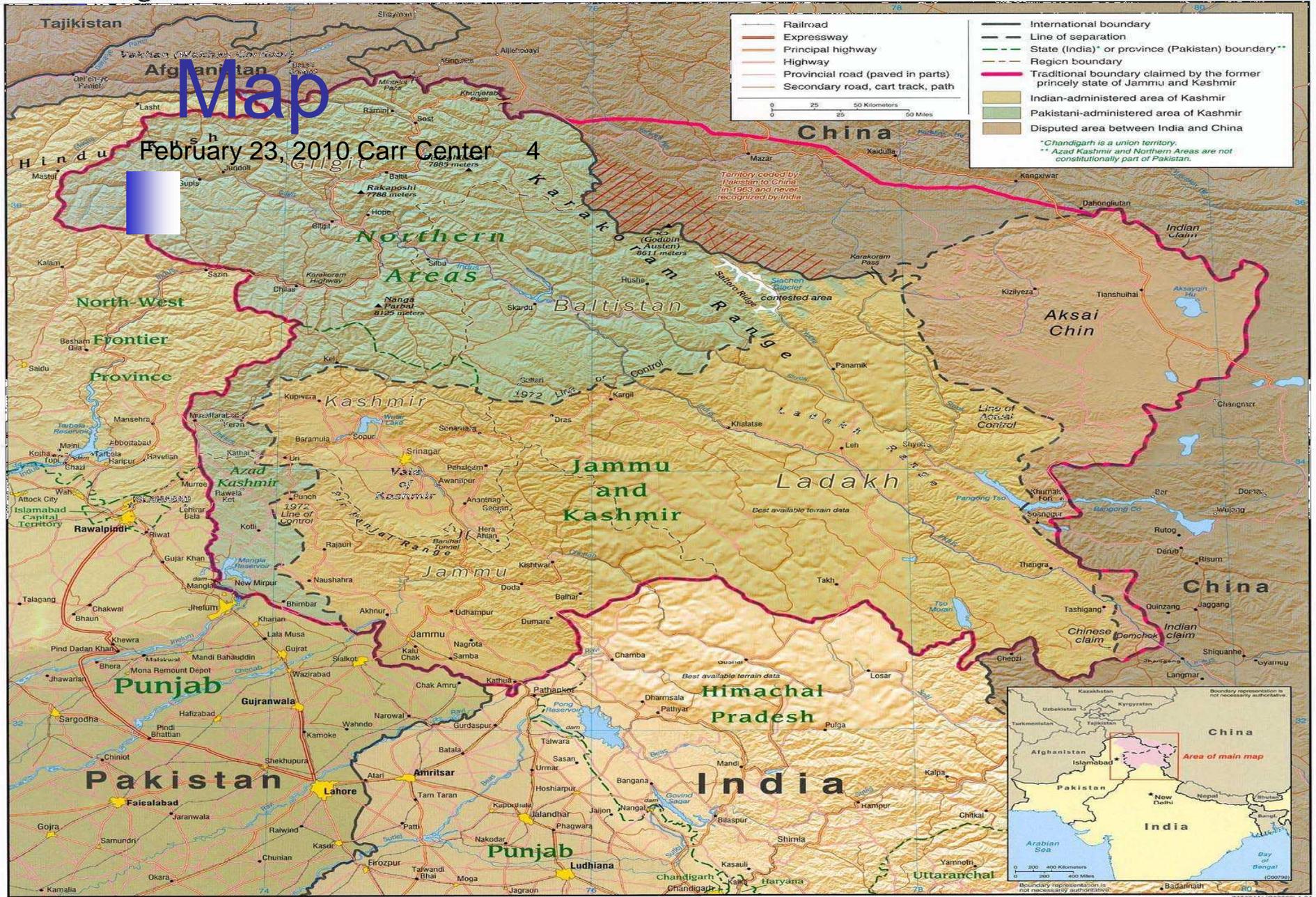


5,134 square miles spread out in the shape of an archer's bow, 250 miles long and 10-40 miles wide

AJK abuts the Indian state of Jammu & Kashmir

At the south-eastern end, it contains a huge water reservoir which is formed by Pakistan's Mangla Dam on the Jhelum River

Kashmir Region





Demographics

million in Jammu & Kashmir) AJK is home to 5 million people (versus 12

Population growing at 2.4 % per year

Nine out of ten people live in rural areas
members A h h l d i d A v e r a g e
h o u s e h o l d s i z e
e x c e e d s s e v e n

Pakistan Literacy rates are higher than
those in Literacy rates are higher than
those in

A large expatriate population lives in the UK a

ge e pat ate popuato es t e U

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Governance

Unicameral legislature with 49 seats

Prime minister is the chief executive
Prime minister is the chief executive

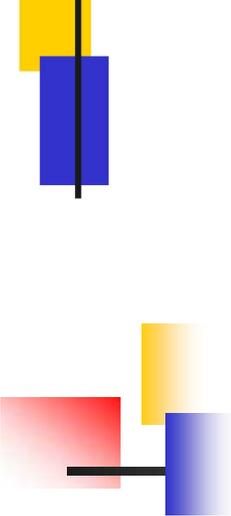
President (elected by the legislature) is the titular head of state
the titular head of state

Has its own High Court

Two administrative districts and eight

divisions

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A pocket history

Kashmir from Indian occupation Created in October 1947 with the sole aim of liberating Jammu and

adjacent “occupied” state adjacent occupied state Meant to be a “free” model state that would inspire rebellion in the

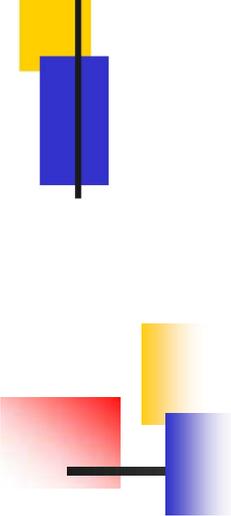
accede to India and allowing India to fly-in troops the Pakistani side, prompting the ruler of Jammu and Kashmir to To catalyze the rebellion, raiders were interjected into Kashmir from

Kashmir lay in Pakistani hands and two-thirds in Indian hands When a UN-sponsored cease-fire took effect in January 1949, a third of When a UN sponsored cease fire took effect in January 1949, a third of

forces left the region A plebiscite would decide the future affiliation of Kashmir once all armed

refugees and the plebiscite In March 1949, A J K signed a power-sharing arrangement with , g p g g Pakistan ceding all authority related to defense, foreign affairs,

asset Pakistan created a Ministry for Kashmir Affairs to look after its newest

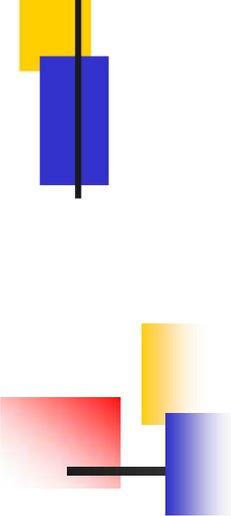


Pocket history (continued)

of AJK to suppress street violence In 1955, Pakistan declared martial law in some parts to create a united Kashmir In 1957, Pakistan resorted to police action in AJK to quell a public meeting that was seeking direct action with the people of AJK.legally only applied to Pakistan, further straining ties in AJK through a Basic Democracies Ordinance which In 1961, President Ayub carried out indirect elections , y movement for creating a unified Kashmir Subsequently, faced with Islamabad's dominance in their day-to-day

affairs, several AJK leaders started a

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Pocket history (concluded)

~~Kashmir, once again hoping to instigate a rebellion~~In August 1965, Pakistan interjected guerillas into Indian

an all out attack on West Pakistanan all-out attack on West PakistanThis did not happen, instead India upped the ante by launching

was limited action along the cease-fire line In the 1971 war that led to the secession of East Pakistan, there

AgreementThis was converted into the Line-of-Control as part of the Shimlap

India seized the Siachen Glacier in 1984

Both countries exploded nuclear bombs in May 1998

In 1999 Pakistan attacked Indian positions at KargillIn 1999, Pakistan attacked Indian positions at Kargil

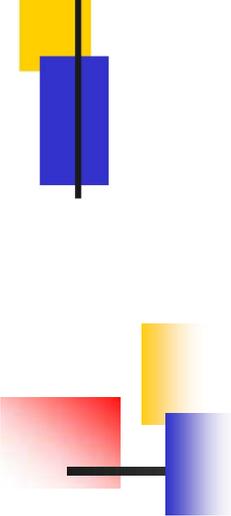
forces in SiachenThis was designed to cut off India's lines of communication with its

Ultimately, the move back-fired



A brief electoral history

A legislative assembly was set up in 1970 constitution within a year of Pakistan adopting its within a year of Pakistan adopting its In 1974, an interim constitution was adopted, consider them free and fair for the assembly, though few observers Three rounds of elections have taken place p political parties Muslim Conference (MC) are the two main Azad Kashmir People's Party (AKPP) and the Azad Kashmir Peoples Party (AKPP) and the

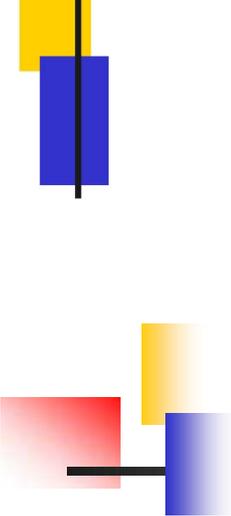


Electoral history (continued)

voting amid accusations of fraudvoting amid
accusations of fraudIn the 1996 elections, AKPP
emerged with a majority of seats after the MC
boycotted the
Muhammad Anwar Khan)weeks Gen. Pervez
Musharraf installed his In 2001, the MC won the
elections, but within hi f id t(MjGSdown
choice of president (ex Maj.-Gen. Sardar
which the MC won a majorityIn 2006, 369
candidates from 15 parties 006, 369 ca
ddates o 5 pa tescontested the 41 directly

elected seats, of

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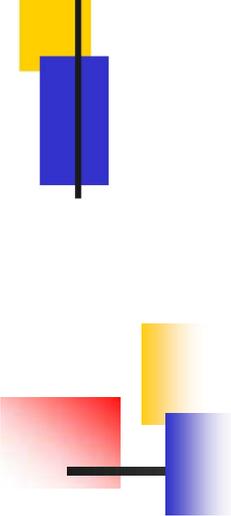


Electoral history (concluded)

analysts” widespread charges of poll rigging by opposition political parties and independent The elections were flawed and “greeted with in the wake of the 2005 earthquake in the wake of the 2005 earthquake did hit candidates or their supporters, possibly featured few instances of physical violence However unlike the 2001 elections the polls However, unlike the 2001 elections, the polls because of the greater international presence and harassment—aside

from threats—against

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Political status marked by status marked by ambiguity

not "dependent" state but the UN does
not recognize it as an independent state
Pakistan considers AJK to be an
agency of Pakistan
Nominally, AJK is
not a province or
territory
Islamabad the Ministry of Kashmir Affairs
and Jammu and Kashmir
in In reality, AJK is under the tutelage of



Living in Pakistan's shadow

legislation Islamabad's approval is required to pass

The Pakistani Minister for Kashmir affairs handles the daily administration of the state Pakistani decision makers The Kashmir Council is dominated by The Kashmir Council is dominated by on issues of politics and governance The Pakistani military retains a guiding role The Pakistani military retains a guiding role



Pakistan's Kashmir
Command
Command
contains the largest corps

Infantry Div.,
Murree y,

X Corps — headquartered at Rawalpindi

12th

19th Infantry Div., Jhelum

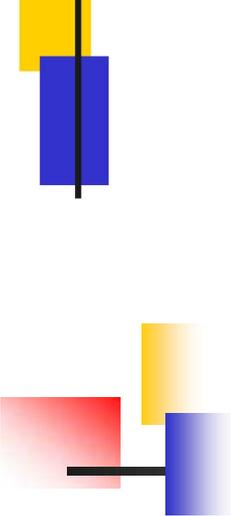
23rd Infantry Div., Mangla 23rd Infantry Div., Mangla

111th Infantry Brigade, Rawalpindi

8th Armored Brigade Kharian 8th Armored Brigade,
Kharian

Independent Artillery Brigade

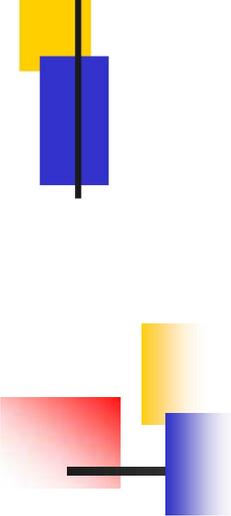
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Case in point – Sardar Ibrahim's Case in point Sardar Ibrahims presidency

2003) and four time president The founder of
AJK (passed away aged 88 in
Kashmir on the Swiss model to create a neutral
state of Jammu and Favored accession to
Pakistan but also sought Favored accession to
Pakistan but also sought
Gen. Ayub during this second term Ge

yubdu gt sseco dte Created a parallel government in AJK in the mid-1950s and was dismissed in May 1959 by term Dismissed in 1978 by Gen. Zia during his third



The Freedom House 2009 The Freedom House 2009 assessment

and 7 being worst), civil rights a score of 5
Political rights gets a score of 6 (with 1 being best)
Status not free
Status – not free

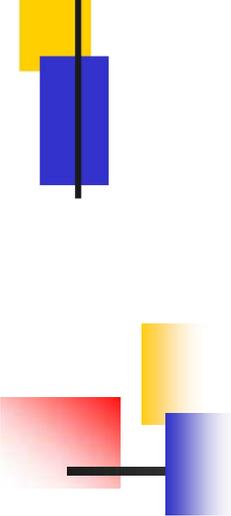
to Pakistan The constitution of Azad Kashmir forbids
individuals and political parties from taking part in activities
that j d i i l t t h i d l f t h t t ' i a r e p r e j u d i c i a l t o t h e i d e o l o g y o f
the state's accession

detentions in 2008 but there were no reports of deaths or
lengthy P o l i c e i n r e c e n t
y e a r s h a v e r e g u l a r l y

s u p p r e s s e d

y g y p p antigovernment demonstrations,
sometimes violently,

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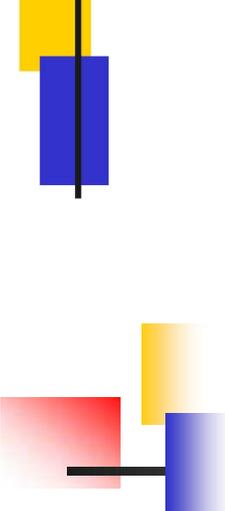
The Human Rights Watch (HRW) The Human Rights Watch (HRW) assessment

Individuals and political parties who do not support Kashmir's accession to Pakistan are barred from the political process, government employment, and educational institutions

In general, anti-accession parties and individuals are subject to surveillance, harassment and sometimes imprisonment

by harassment, and sometimes imprisonment by
Pakistani intelligence and security services

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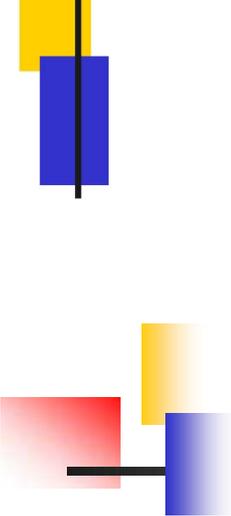
The Human Rights Commission of The Human Rights Commission of Pakistan (HRCP) assessment

pro-independence groups and
the media p p g p Pakistan's Inter-Services
Intelligence (ISI) operates throughout AJK and engages in
extensive surveillance

Arbitrary arrests and detentions are commonplace
in custody have been reported in custody have been reported the
security forces are tortured, and several cases of death In some
instances, those detained by the ISI, the police, or
remains the norm remains the norm of civilians by the

military and intelligence services Impunity for acts of torture and other mistreatment

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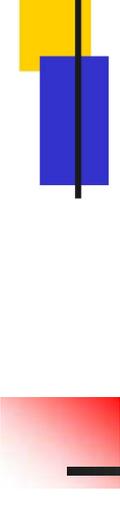
Torture and imprisonment of Torture and imprisonment of political opponents

of 12 small pro-independence Kashmiri groups of 12 small pro independence Kashmiri groups have been less tolerant of groups that espouse have been less tolerant of groups that espouse support to armed militants fighting in India, they Kashmiri self-determination, including primarily the All Parties National Alliance (APNA), a conglomerate While the Pakistani authorities have readily provided

representation Gilgit Baltistan United Movement and others Gilgit-Baltistan United Movement, and others,

Jammu and Kashmir Liberation Front (JKLF), the continued in 2007 to agitate for increased political Nationalist and pro-independence groups such as the

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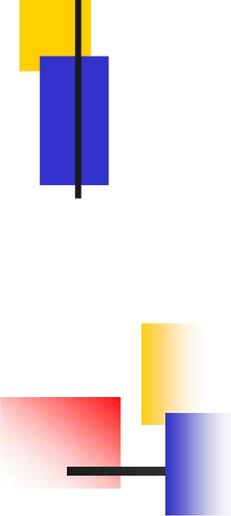
A deadly new import

~~AJK~~In June 2009, a suicide bomber killed two soldiers in
come under pressure in the northwestThe attacker targeted
military barracks raising questionsThe attacker targeted military
barracks, raising questions whether the militants had opened a
new front just as they

the Pakistani army in the FATAon the Pakistan Taliban,
which has been hit hard by Nobody claimed responsibility
but suspicion centeredNobody claimed responsibility but
suspicion centered

ever since the attacks in Mumbaiiever since the attacks in
Mumbai Another candidate is the banned outfit Lashkar
eAnother candidate is the banned outfit, Lashkar-e-Taiba,
which has long operated on the Indian side of Kashmir and
is being restrained by the Pakistani state

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AJK is a pawn in the Indo-AJK is a pawn in the Indo Pakistan conflict

is about territory and water resources Some
have argued that the Kashmir dispute
Others that it is about ideology Others that it is
about ideology

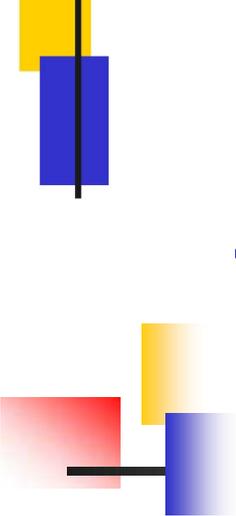
Secular versus religious

just the most visible symptom just the most visible
symptoms saying that Kashmir is the primary cause
of Indo-Pakistani tensions and others saying it is
Cause and effect are often blurred, with some ,

the resolution of the Indo-Pakistan conflict

Regardless of cause, AJK's future hinges on

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The crux of the dispute

Both sides claim all of Jammu and Kashmir

India wants to discuss all issues with Pakistan besides Kashmir

Pakistan regards the core issue as Kashmir

India seeks a bilateral solution, Pakistan has

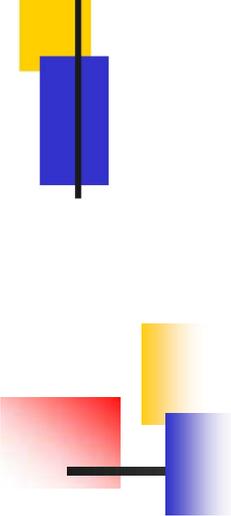
long sought a multi-lateral solution

Impossibility of finding a win-win solution in

Kashmir cited in Fisher-Ury's book, "Getting to Yes"

to Yes”

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The “Back Channel,” as narrated --- The Back Channel, as narrated by Steve Coll

India in 2004 called “The Back Channel” force, Musharraf, the architect of the 1999 Kargil Convinced that Pakistan could not wrest Kashmir by incursion began to pursue a negotiated solution withincursion, began to pursue a negotiated solution with

It envisioned that Kashmir would become an autonomous region in which Kashmirs would moveautonomous region in which Kashmirs would move

freely across the Line of Control and conduct trade
demilitarization of the region d li i i l d ll d ldeclining
violence would allow a gradual Over time, the LoC
would become irrelevant, and

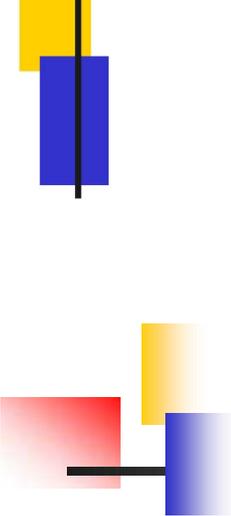
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Musharraf's "paradigm shift"

~~them:them:~~The general gathered his formation commanders at GHQ in Rawalpindi and told borders and our economic development. security And what is security? Safety of our security. And what is security? Safety of our The raison d'être is not permanent enmity with India. The raison d'être is Pakistan's permanent both have nuclear weapons.both have nuclear weapons. War is no longer an option for either side since a settlement with Indiaa settlement with India Put your hand here--on your heart-- and tell me that Kashmir will gain freedom without negotiating

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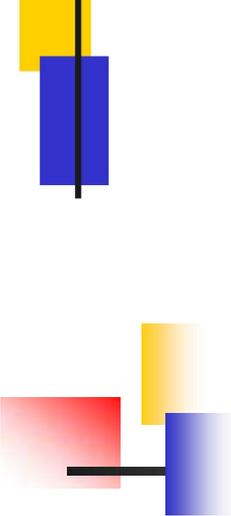


Peace is rational and war is irrational, said Musharraf

could strengthen Pakistan--and its military could
strengthen Pakistan and its military with India would
produce economic benefits that Musharraf told the
corps commanders that peace
growth would only be achieved through rapid
economic The Army had a fifteen-year development plan
which
commanders who began to think along
different There was a broad change in outlook among
the

me? What does the world think of us? Can my economy support
me? Can my foreign policy support

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The Indian leaders also sensedThe Indian leaders also sensed an opportunity (according to Coll)

power by the mid-twenty-first century. class consumers swelled; and it became possible for Indian strategists to visualize their country rising to become a greatstrategists to visualize their country rising to become a great it began to see itself as a rising power; the ranks of its middle-After 2002, India's economic outlook changed dramatically and said. Only a catastrophic war with Pakistan--or Pakistan's collapse into chaos--would stand in the way of India's greatness. "We -must," Jaswant Singh, who was then India's foreign minister, were convinced these two countries must learn to live in accordwere

convinced these two countries must learn to live in accord-
and dinner in Kabul.” On January 8, 2007, Manmohan Singh

remarked in public, “I d f d h i l t i i

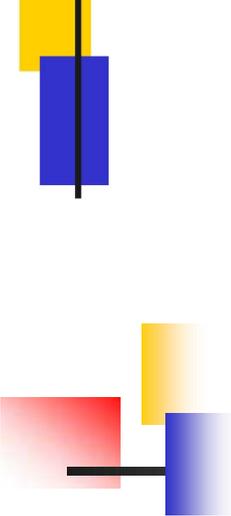
t i t i l d r e a m o f a d a y , w h i l e

r e t a i n i n g o u r r e s p e c t i v e

n a t i o n a l identities, one can have breakfast in

Amritsar, lunch in Lahore,

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Why India did not attack Pakistan

Why India did not attack Pakistan after the Mumbai attacks

and thus exacerbate the terrorist threat faced by it would likely deepen Pakistan's internal turmoil. Singh's decision-making was grounded in military realism; if India were to launch even selective strikes, India.

Any Indian military action would also risk an escalation that could include nuclear deployments--which may be precisely what the jihadi leaders hoped

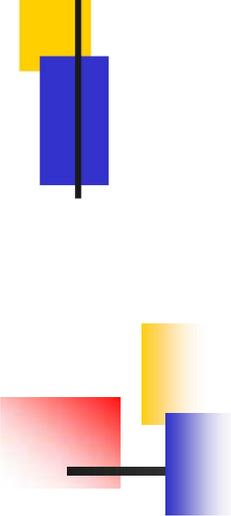
to provoke.
said not “rally the nation around them ” said, not rally the nation around them. “Th i ilit ti h ” L lit M i h“There is no military option here,” Lalit Mansingh, a had to “isolate the terrorist elements” in Pakistan, he former Indian Ambassador in Washington, said. India



Back to Square One

the Chief Justice In 2007, Musharraf overplayed his cards and fired stageHe went into a political death spiral and exited theHe went into a political death spiral and exited the

The attacks in Mumbai halted the front channel ti k th C it Di lconversations known as the Composite Dialogue proposals to India recently that there is no record of Musharraf's yThe Zardari government's foreign minister said from a clean slatefrom a clean slateThis week's discussions with India are likely to start



Quo Vadis?

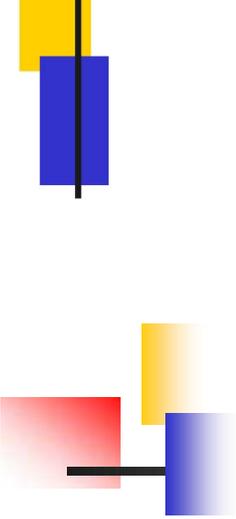
~~In the near term, the slug-fest will continue toward peace~~ Over the long haul, the quality of life along both Pakistan and India do not rebuild their momentum sides of the LoC could worsen significantly worse if sides of the LoC could worsen significantly worse if

accepts India as the South Asian hegemon liberate Jammu and Kashmir, accepts the Line of Control as the international border with India and Things could improve if Pakistan calls off the Jihad to gp

their accusatory stance and temper, and offer Pakistan “substantial” concessions in other areasPakistan

“substantial” concessions in other areas This move will only happen if India’s leaders extend the hand of friendship to the people of Pakistan, drop

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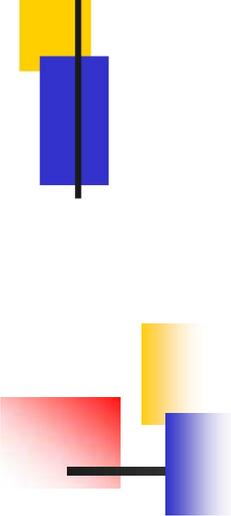
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