



Indo-American Kashmir Forum

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Mr. Harry K. Thomas, Jr.
Director for South Asia
National Security Council
The White House
1600 Pennsylvania Ave.
Washington, DC 20504

Mr. Walter Andersen
Division Chief
Office of Analysis for South Asia
U.S. Department of State
INR/NESA, Room 4634
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Dears Harry and Walter,

I thought for a few agonizing moments if it would be appropriate to address a letter in this manner, but I really feel that both of you have to support my concept if it can be taken anywhere. So please bear with my indiscretion, and I will try to make my point as quickly as I can.

I have approached both of you, separately, to discuss the Kashmir issue from a non-Muslim perspective. I met with Walter and his State Department colleagues on February 20, 2002 and with Harry on March 21, 2002. In each meeting, you may recall, I did more than address the plight of minorities (non-Muslims) in Kashmir, I proposed a Path forward for bringing an end to the misery in Kashmir.

I have had three more opportunities to speak about the same plan in front of three very different audiences. On February 28, I spoke to a mostly academic audience at the James A. Baker Institute for Public Policy of Rice University on this subject. On April 6, I presented my approach at the symposium arranged by the National Advisory Council on South Asian Affairs (NACSAA) in Washington, DC that was also attended by official representatives of India and Pakistan. Indeed, following that meeting, Mr. Masood Khan of the Embassy of Pakistan suggested to me that I should interact with Kashmiris from the Pakistani side of Kashmir to share my ideas. I did just that in the following week, on April 11, in Geneva. My talk was titled, "Resolving Human Rights and Political Issues in Jammu and Kashmir by Local Empowerment", and was attended by Kashmiris from both sides of the LAC, as well as by Swiss, Indian, Pakistani and American nationals. It is because of the positive response from the last two meetings, that I feel time is ripe to get back to you and seek your support for the proposal.



Let me briefly reiterate the key elements of the proposal:

1. Sanctity of the LAC is key to regional stability. The final boundary between India and Pakistan can only be settled through a peaceful dialogue. In the end, it is unlikely though that the final solution will result in an “all or nothing” outcome. Since neither country supports an independent J&K, It is reasonable to expect that the State will be partitioned. In any case, partition of Kashmir is a reality even today. So the Kashmir problem is really two problems.
2. The people issues are two-fold. First, there is an armed insurgency fueled by Islamic zealots that has brought death and destruction to populace and has led to harsh response from the security forces. While India is under considerable pressure to clean up its act, the likelihood of diminished violence will depend on the global war on terrorism. It is not obvious that Indian unilateral actions or even a change of heart by indigenous militants can really change the ground situation in Kashmir without the U.S. leadership in winning the war on terrorism. Thus, political processes in two Kashmirs must follow an independent track, separate from the war on terrorism (e.g., as in Afghanistan), to make it more representative, as well as accommodative, in both Kashmirs.
3. Second issue deals with political aspirations and good governance. As much as the focus is on Indian side of Kashmir, the reality is that such problems exist on both sides of Kashmir. I feel that in both Kashmirs, there has been a concerted effort by *Sunni* Muslims to relegate other sections of the Kashmiri society to a less-than-equal status, resulting in political imbalances like the situation in the Northern Areas or In Ladakh and Jammu. Indeed, one can argue that *Sunni* hegemony is a common denominator on both sides of Kashmir that neither the J&K National Conference (NC), nor the All Party Hurriyat Conference (APHC) or the J&K Muslim Conference (MC) are willing to admit. Of course, *Sunnis* like to divert attention elsewhere, but the reality is that feudal politics is a way of life in both Kashmirs, and factors such as lack of accountability and a lack of transparency are as much a source of public dissatisfaction as police excesses and militant violence.
4. Given these factors, there is every reason to believe that genuine devolution of power held by the a few *Sunni* families leading to an equitable power sharing between the State constituents will go a long way in alleviating the plight of Kashmirs on both sides of the LAC. Such democratization will ensure accountability, transparency and good governance in both Kashmirs.
5. The key to open and better governance is holding an inter-constituent dialogue for each Kashmir, separately. The United States must seek symmetry in ensuring that such a dialogue proceeds at a relatively similar pace in so far as both Kashmirs are concerned. Indeed, one of the outcomes



of the inter-constituent dialogue can be the agenda for federal-state negotiations in each part of Kashmir.

6. The "symmetrical inter-constituent dialogue" should be conducted in phases. In the first phase, selected intellectuals representing various constituencies, will develop a detailed road map for ensuring the success of such a dialogue, to which major political leaders can be added in the subsequent phase.

I hope the U.S. government can help facilitate the process of negotiations as outlined above. I would like to propose that we use two different conflict resolution organizations (one for each side of Jammu and Kashmir) to facilitate and assist in conducting the symmetrical dialogue. The two inter-constituent dialogue teams should be provided with identical terms of reference, and a nearly similar framework and schedule to arrive at key decision points in a symmetrical manner. Many of the details can be developed by the two organizations facilitating the dialogue.

While presenting my ideas in Geneva, I received verbal agreement from a Geneva based NGO that they will support such an effort and try to secure 30% of the needed funding for the project from Swiss and Swedish authorities. I would like to propose that the U.S. government pick up the remaining 70% tab, provided the facilitator organizations and the total budget are acceptable to the U.S. This can be established in the due course of time after you concur with basic elements of the proposal stated above.

I would like to meet with either one or both of you to discuss this project further and solicit your views in making it a success. Please call me at 202-468-7222 at the earliest opportunity.

Thank you for your time and patience.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'V. K. Sazawal'.

V. K. Sazawal

Attachments:

1. Human Rights and Political Issues in Divided Jammu and Kashmir.
2. Preliminary List of White Papers to be generated through the first phase of the Symmetrical Dialogue.
3. Preliminary set of documents to be read by Intellectuals attending the first Symmetrical Dialogue.



HUMAN RIGHTS AND POLITICAL ISSUES IN DIVIDED JAMMU AND KASHMIR

1. Political power controlled by *Sunni* oligarchy (both sides).
2. Disproportionate allocation of political and economic power between regions (both sides).
3. Poor governance, high corruption, lack of transparency and public accountability (both sides).
4. Economic development impeded by declaring Northern Areas as a Military Zone (Pakistani side).
5. Economic development impeded by isolationist attributes of the Article 370 (Indian side).
6. Lack of plurality in shaping regional priorities that are inclusive of all ethnic and religious minorities (both sides).
7. *Mujahideen* training camps engaged in cross-border terrorism (Pakistani side).
8. Islamic terrorism, insurgency and harsh security measures resulting in civilian casualties (Indian side).
9. *Madrassas* teaching violence and incompatibility with non-believers (both sides).
10. Internally displaced people (both sides, with significant numbers on the Indian side).
11. Lack of fiscal responsibility and extra-ordinary reliance on federal grants (both sides).
12. Weak civil society with poor checks and balances, compounded by local Press that financially survives on local government subsistence (both sides).

PLEASE NOTE THAT EVEN THOUGH SIMILAR PROBLEMS EXIST IN BOTH KASHMIRS, THE SOLUTIONS MAY NOT BE THE SAME, AS THESE HAVE TO BE ADDRESSED THROUGH LOCAL CONDITIONS IN EACH KASHMIR.



**PRELIMINARY LIST OF WHITE PAPERS TO BE GENERATED THROUGH
THE FIRST PHASE OF THE SYMMETRICAL DIALOGUE**

(Two teams will generate separate White Papers)

1. Changes in local laws to improve transparency, accountability and governance.
2. Actions to eliminate terrorism and harsh security measures.
3. Actions necessary to improve the civil society.
4. Implications of folding the Northern Areas into Jammu and Kashmir (Pakistani side).
5. Implications of deleting or strengthening some or all of the Article 370 (Indian side).
6. Actions necessary to ensure free and open general elections.
7. Equitable devolution of political and economic power among regions.
8. Improvements in fiscal responsibility and financial management.
9. Framework for State-Center dialogue.
10. Participation in follow-on phases of the Symmetrical Dialogue.



**PRELIMINARY LIST OF BACKGROUND DOCUMENTS FOR THE
SYMMETRICAL DIALOGUE**

(Each Team will review material appropriate to their part of Kashmir)

1. The State and Federal Constitutions.
2. The State Economic Development Database.
3. The State Annual Budget.