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Issue Brief

Developments in PoK and the Kashmir Valley: An Analysis

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Summary

The security forces should be asked to practise maximum restraint and the local administration must gear up for action. Only then the situation will turn back to normal sooner than expected. However, all this is also subject to the ability of the security forces to stop the infiltration of men and material from Pakistan, on the one hand, and the level of determination of Pakistani agencies to fish in troubled waters, on the other. India will have to keep a close watch on the developments within PoK and highlight the Pakistani strategy of promoting terror in Kashmir and expose its policies towards both the regions within PoK—'AJK' and GB, which legitimately belong to it.

Prime Minister Narendra Modi has made a statement on Pakistan-occupied Kashmir (PoK) and expressed his concerns about the state of human rights there. The government as well as the establishment in Pakistan has issued statements about the turmoil in the Kashmir Valley. The people on both sides of the Line of Control (LoC) in Jammu & Kashmir (J&K) have demanded undivided attention from their respective governments during the past few months. Against this backdrop developments on both sides of the LoC require critical study and analysis. An attempt is being made here to understand these developments and suggest some policy alternatives.

Situation in PoK

The recent elections in PoK or Western Jammu and Kashmir, consisting of both Gilgit Baltistan (GB) and the so-called “Azad Jammu and Kashmir”, which is under the occupation of Pakistan, resulted in the overthrow of incumbent governments led by the local chapters of the Pakistan Peoples’ Party (PPP) and their replacement by governments led by local units of the party ruling in Islamabad — the Pakistan Muslim League-Nawaz (PML-N).

By now, familiar charges of rigging have been made and protests have ensued in both regions of PoK. Although the PPP was, in a way, reconciled to its defeat in G-B, it is crying hoarse about the results in so-called ‘AJK’. The ballot took place under strict supervision of the Pakistan Army and, therefore, the allegations reflect the familiar trend in Pakistan— that the party or parties losing the electoral battle have always been bad losers. The election in ‘AJK’ took place under the shadow of turmoil in Srinagar Valley over the death of a Kashmiri youth who had started advocating armed struggle.

Before this incident as well as after it, the opposition parties had started raising the *ante* on ‘Kashmir’ and a lot of anti-India sentiments was stirred especially by the young and inexperienced PPP leader, Bilawal Bhutto. He had started raising the temperature on the ‘Kashmir’ issue by levelling allegations that Nawaz Sharif’s government is pandering to India and especially Prime Minister Modi, The slogan that PPP supporters raised in ‘AJK’ was—“*Modi ka yaar, gaddar, gaddar*” (“He who is Modi’s friend is a traitor”).

The PML-N leadership was quiet until the turmoil gathered momentum in the Valley, but joined the anti-India campaign closer to the day of the elections. The India factor did not cut much ice and PML-N won a handsome mandate, bagging 31 out of the 41 seats contested by 427 candidates. Raja Farooq Haider Khan, of Kashmiri origin, and one time member of the AJK Muslim Conference party, led the local branch of the PML-N to this spectacular win.

‘AJK’ and GB: Getting used to Controlled Politics?

Like many times in the past, the politics of *baradari* (clan) as well as the popular bias in favour of the party ruling in Islamabad determined the fate of the elections. The electorate proved poll pundits wrong, in that the ‘AJK’ elections would be influenced by events in the Valley and the people might vote for the party flagging the issue of the so-called Indian ‘state atrocities’ in the most combative manner

possible. If that had been so, the PPP and JI would have reaped a huge dividend. That was not the case, however. Without being too belligerent, Sharif gained a massive electoral mandate by emphasising his ritual position on 'Kashmir' and his determination to seek a settlement through the medium of UN resolutions.

Like in the past, this time around as well the post-poll scene witnessed charges of rigging, and people came out on the streets to protest. The intensity of these protests forced a halt to the trans-border movement of goods vehicles for some time.

At the end of the day, Raja Farooq Haider Khan was chosen as the Prime Minister and the PML-N seemed to have acquired a firm grip of the 'AJK' government. An eternal complainant like Imran grudgingly tweeted his acceptance of defeat and congratulated the PML-N for its victory.

In the absence of the participation of the independence-minded groups in the elections, the political discourse in both 'AJK' and GB is inextricably interwoven with that of Pakistan. In GB, more than in 'AJK', there is an assertive constituency, howsoever small, which advocates total independence. In 'AJK', that constituency has resigned itself to fate. Thus, in both regions, which the authorities in Pakistan have deliberately kept apart as separate administrative units— theoretically not part of Pakistan, but under its tightest possible control— representative politics means controlled power-play, which is resented, yet strangely tolerated, by the people.

The people of GB have recently taken to the streets in support of a left-wing politician of the Awami Peoples' Party who has not only been prevented from contesting the elections there but imprisoned for advocating the rights of the people to ask for compensation in Gozal area, which was washed away in the January 2010 Attabad lake-burst. There is also an ongoing popular movement—with the slogan "No taxation, without representation" — demanding provincial status for GB within Pakistan.

About the Valley and the Pakistani connection

Agitations are not new to the Kashmir Valley. Nor even phases of violent outbursts. These street-shows reflect what pundits regularly pontificate as the political alienation of Kashmiris from India. Paradoxically, however, the turn-out in the Assembly elections even when held in the face of boycott calls by the separatists have been impressive.

The 1996 election took place amid ferocious agitations and bloodshed. Yet, it recorded 53 percentage of voting. People simply ignored the threats held out by terrorists and came to the polling booths to exercise their franchise. The following elections in 2002, 2008 and 2014 also saw high percentages of popular participation.

Like in the past, during the latest election as well, Pakistan worked full throttle to prime its case on 'Kashmir'. But its demand for the implementation of the UN Security Council resolutions on 'Kashmir' went largely unheeded, apart from a ritual expression of interest in the issue.

Undeterred, Pakistan Foreign Secretary Aziz Ahmad Chaudhry held a special briefing to some of the Islamabad-based envoys of the member-nations of OIC (Organization of Islamic Countries) contact group on J&K. Azerbaijan, Saudi Arabia, Turkey and Niger were members of the group. Aziz requested their support for the Pakistani demand for plebiscite. However, the OIC surprised Pakistan with its apathy and deafening silence.

For a change, Prime Minister Nawaz Sharif has been forced by circumstances to lead the Pakistan campaign for 'Kashmir' during the 'AJK' elections, happened as it did against the backdrop of Burhan Wani's killing. "We are waiting for the day Kashmir becomes Pakistan," he declared from Muzaffarabad. This, he himself knows, and has informally acknowledged to interlocutors from many countries, is "wishful thinking."¹

However, after raising the 'Kashmir' bogey for the last seven decades, politicians of his ilk have been overpowered by a praetorian military which is deaf and blind to the negative consequences of their jihadi intervention in 'Kashmir' on their internal security situation. Even though politicians like Sharif are aware of the reality on the ground, they have become victims of their own narrative. 'Kashmir' dangerously brings them closer to the viewpoint of the military on India and disturbs their thinking on India-Pakistan relations. They are mute spectators on the one hand and quiet and helpless cheerleaders on the other when the military is refashioning its strategy of asymmetric warfare against India. Absent a Kashmiri component in the jihad, there was a conscious attempt to fuel militancy in the Valley.

They have managed to fray the nerves by provoking, on the one hand, the Indian security forces unceasingly since January 2013 to resort to a hardened response, and on the other, taking full advantage of the political uncertainty in the state after the unclear verdict in the 2014 elections leading to an inevitable alliance between two most unlikely allies—the Bharatiya Janata Party, which seeks the same status for J&K as any other state of the Union, and the Peoples' Democratic Party, which is seeking the maximum possible autonomy from the Centre.

Against this backdrop, there has been some plain-speaking by commentators, especially in the English media, even as the vernacular media is busy spewing venom on India and exhorting the Pakistani establishment not to let this unique opportunity slip by. Some sane observers in Pakistan have said that Sharif's statements might create "more trouble" for their country as well as for the Kashmiri people. They pointedly ask Sharif what Pakistan can offer to the Kashmiris when it is still coping with numerous challenges that are posing a threat to its own stability. For the last 67 years, Pakistan has failed to ensure good governance in PoK which is under its own control, the *Daily Times* reminded Sharif, who traces his roots to Anantnag in the Valley.²

¹ "Waiting for the day Kashmir becomes Pakistan," *Dawn*, July 22, 2016, at <http://www.dawn.com/news/172477/waiting-for-the-day-kashmir-becomes-pakistan>

² "Sharif's Statement on Kashmir: Mere Bombast?," *Daily Times*, July 24, 2016, at <http://dailytimes.com.pk/editorial/24-Jul-16/sharifs-statement-on-kashmir>

The mainstream Pakistani media was not impressed by Nawaz Sharif's rhetoric. Nor are they encouraged by the antics of the likes of Hafeez Saeed, who have been threatening to take out marches to the LoC and to Wagah.

Sharif-speak – the new war cry “*Kashmir banega Pakistan*” – undermines Pakistan's case for a plebiscite. It is not for nothing that Pakistan has officially confined itself thus far to extending ‘moral, diplomatic and political support to Kashmiris’, while letting loose the ISI-trained, funded and pampered jihadis of different hues to turn ‘Kashmir’ into a simmering cauldron. The Pakistani hand is exposed by militants captured by Indian security forces and inhibits any idea of constructive engagement at the bilateral level.

Islamic State hand behind Kashmir Protests?

Even as demonstrations have taken place in a routine manner in the Valley over the last few weeks and there has been a minor show of Pakistani flags and talk of nizam-e-Mustafa (Islamic rule) in the air, it is suspected in the rest of India that more sinister forces are out to exploit what is basically a political struggle in Kashmir. While it is, of course, tempting to see the IS hand behind the current wave of agitation in the Valley, there is no direct evidence to back such an alarmist hypothesis.

Graffiti in downtown Srinagar and Harvan, a Srinagar suburb, or Islamic State (IS) flags seen fluttering atop some buildings in the Valley do not mean that the IS has set its foot in Kashmir. Nor does it mean that the IS has started actively supporting the agitation. But the perception persists so much that the possibility of India stumbling into a self-fulfilling prophecy remains. Many outside neutral observers of the situation in Kashmir, such as Michael Kugelman, also argue that “The notion of IS expanding into South Asia is a bit of exaggeration.”³ Kugelman's views have ironically been echoed by separatist leader Syed Ali Shah Geelani as well. For him, the actions of the IS, Tehreek-e-Taliban (Pakistani Taliban) and Boko Haram are un-Islamic.⁴ Shujaat Bukhari, a Srinagar-based journalist who has had a ring side view of the scene for many years, has an interesting take: “Kashmiris cannot be attracted to IS because of its barbaric actions.”⁵

It is true, nevertheless, that in an interview to the 13th issue of the IS publication, *Dabiq*, Hafiz Saed Khan, the so-called Emir of Khorasan, had threatened to expand his war against India and “recognise Kashmir for Muslims from the cow-worshipping Hindus.” In the same breath, he also scolded Pakistan for its approach to the issue and dubbed Pakistan's primary jihadi instrument, Lashkar-e-Taiba (LeT), as an “apostate faction”. According to Khan, LeT follows the “tug and pull” of

³ Cited in Zack Beauchamp, “Why is ISIS turning to Global Terrorism? Because it's Losing,” *Vox.Com*, at <http://www.vox.com/2016/7/5/12096974/isis-ramadan-terrorism-losing>

⁴ Shujaat Bukhari, “Radicalization in Kashmir,” *The Friday Times*, July 31, 2015, at <http://www.thefridaytimes.com/tft/radicalization-in-kashmir/>

⁵ Ibid

the Pakistan army and does not have “control over any territory in the regions of Kashmir.”⁶

Within Pakistan, only the Mullahs and Maulanas of the Lal Masjid in Islamabad have hailed IS Khalifa Abu Bakr al-Baghdadi as Ameer-ul-Momineen, that too not so openly. This is surprising since Pakistan is the fountain-head of modern day jihad. It has been host to jihadis from across the world right from the days of the so-called jihad against the Soviet Red Army in Afghanistan during the Cold War. If there is an active threat from the IS, it is more so in Pakistan than in Kashmir.

Pakistan’s Diplomatic Blitzkrieg: Why has it failed?

There is no denying whatsoever that Pakistan’s new diplomatic blitzkrieg, as in the past, has failed to deliver any dividends. A revisit of the strategy is therefore in order for the ‘GHQ Shura’ in Rawalpindi and the Sharif-led government in Islamabad. It is essential for Pakistan to put its own house in order. It has managed to keep the whole of PoK – GB and ‘AJK’— under its jackboots for long. But murmurs of protests are appearing in the horizon. In the days of social media, it is coming out into the open. Pakistan’s efforts to change the demography in the Shia-majority GB through the active settlement of Sunnis from the outside is a matter of grave concern for the locals. Similarly, the local parties of ‘AJK’ are quite resentful about the way the mainstream political parties are hijacking their politics.

Moreover, the world has seen through the Pakistani approach to terror when it comes to the issue of ‘Kashmir’. They were watching when Prime Minister Sharif bestowed martyr’s status to Hizb-ul Mujahideen commander Burhan Muzaffar Wani, whose quite inadvertent death in a police encounter gave a fresh lease of life to the ‘Keep Kashmir Burning’ campaign.

It is time for the leadership in Pakistan to get back to the mechanism that was being discussed both in the front and the back channels during 2004-2007. The blueprint that the negotiators were preparing provided a better solution to the problem. Pakistan should also understand the unintended consequences of encouraging jihadi outfits to operate in J&K all over again with utmost fury. It has to shun revisionism and the use of terror as an instrument of its India policy, and get back to meaningful dialogue. Therein lies the solution to the problem. It is highly unlikely that Pakistan would ever be able to pressure India either through cross-border terror or by encouragement to insurgency in Kashmir to concede a legitimate portion of its territory.

Indian Response and Options

The response of the Indian government to the turmoil in the Kashmir Valley has been along expected lines. The incident that led to the current unrest was in a way inevitable. The person targeted, Burhan Wani, was unapologetically proclaiming himself as an armed militant through social media and there was a bounty on his

⁶ “IS Threatens to Expand war in Kashmir,” *The Tribune*, January 23, 2016, at <http://www.tribuneindia.com/news/jammu-kashmir/is-threatens-to-expand-war-in-kashmir>

head. As to why his killing has had a cascading effect is something that needs to be understood. Kashmir has always been a sensitive border state due to the continuous interference of Pakistan. The militant and separatist constituency has studiously avoided participation in the democratic process in the state and chosen to fuel militancy instead. They have fallen easy prey to Pakistani machinations because Pakistan has enabled this constituency through constant funding and use of force and threat of use of force through militancy. Any Hurriyat leader, who has shown a minimal interest in a constructive dialogue with the government in New Delhi, has been eliminated.

During the last few years, especially since the November 2008 Mumbai terrorist attack by the LeT, Pakistan has gone back on the mutual understanding to work towards a practicable solution involving a representative (read democratic) system of governance on both sides of the LoC, encouragement of travel and trade between the two parts, and finally, at an appropriate time, if it suits both, evolve a joint mechanism to oversee the changes on the ground. However, Pakistan (especially the military establishment, post-Musharraf, which is controlling the country's India policy) has rescinded from its commitments and insists on its maximalist position which has pushed the dialogue back to the pre-1997 years.

India has found it difficult to adapt to such a revisionist stance by the Pakistani establishment. Under constant provocation from Pakistan and the continuous flow of funds and materials, the separatists have been girding up their loins. The killing of Burhan Wani only acted as a trigger. Be that as it may, in a situation like this, the Indian government has rightly asked the security forces to exercise utmost restraint.

But on the ground, in situations such as those prevailing now, the degree and kind of reaction from security forces the world over, even when they are practising restraint, will depend on the intensity of the protests. Unfortunately, the intensity of the protests in the Valley have been unusually severe, may be because the failure of the local leadership is also being laid on the doors of the government in New Delhi.

However, the ongoing round of protests may pass sooner than may be evident because there is a view emerging in the Valley now that the Pakistani connection to the unrest will be ultimately counterproductive for the people. Be that as it may, there is a real problem in terms of Kashmiris being unable to elect a responsible and responsive representative government for themselves. Corruption, nepotism and mis-governance have characterised the governments in Srinagar for decades and at a time when the Valley has a majority youth population, educated and unemployed, there is a tendency for popular resentment to flow onto the streets. The Indian state has to find a way of keeping a close tab on governance issues inside Jammu and Kashmir and intervene positively in case of misrule by local politicians.

The security forces should be asked to practise maximum restraint and the local administration must gear up for action. Only then the situation will turn back to normal sooner than expected. However, all this is also subject to the ability of the security forces to stop the infiltration of men and material from Pakistan, on the one hand, and the level of determination of Pakistani agencies to fish in troubled

waters, on the other. India will have to keep a close watch on the developments within PoK and highlight the Pakistani strategy of promoting terror in Kashmir and expose its policies towards both the regions within PoK—‘AJK’ and GB, which legitimately belong to it.

As far as radicalisation is concerned, the Kashmiris are not known to flaunt their religious identity even if ISIS flags were visible in a couple of places before Burhan's killing. Such incidents should be seen as a show of popular resentment rather than commitment to the regressive Islamist cause that outfits like IS espouse. An over-reaction to the IS bogey may prove counter-productive in such a situation and could lead to a mis-diagnosis of the problem by the security forces and their resulting excesses may end up acting as ‘fertilizer’ for an insurgency.

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