

## Promoting People-to-People Contact Across the Kashmir Divide

A roundtable discussion with Shah Ghulam Qadir,  
Former Finance Minister, Azad Kashmir, Pakistan

September 28, 2004

*On September 28, 2004, the Stimson Center hosted Shah Ghulam Qadir who shared his thoughts on how to facilitate people-to-people contact across the Line of Control (LoC) that divides Indian-administered and Pakistan-administered Kashmir. Shah Ghulam is the Chairman of the Kashmir Institute of International Relations. He is the Secretary-General of the ruling party in Muzaffarabad, the Muslim Conference, and, until recently, was the Finance Minister of Azad Kashmir. Below are key excerpts of his remarks.*

Reflecting on the ongoing Indo-Pakistan entente, Shah noted that while he was encouraged by the thaw in relations, he, like other Kashmiris, was alarmed that both Islamabad and New Delhi have called on each other to settle all bilateral issues, including Jammu and Kashmir, “to the satisfaction of both sides,” as per the January 6, 2004 joint statement. As such, he raised serious doubts about the dialogue’s long-term success. Shah referred to the failed Oslo accords as an example of how agreements formulated at the political level cannot bear fruit if the peoples involved in the conflict zone feel disengaged from the process.

This omission of the Kashmiri peoples’ interests is also reflected on the ground. Whereas the Kashmiri peoples’ primary peace dividend thus far has been a cessation in cross-LoC shelling, they still face heavy restrictions on their movements.

Kashmiris have been excluded from the flurry of delegations crossing back and forth from India and Pakistan. Similarly, hopeful anticipation regarding the opening of the Srinagar-Muzaffarabad bus service has turned to disappointment, as bus talks have been postponed on more than one occasion. The bus talks have been held hostage to bureaucratic processes and political posturing. The stand-off regarding the bus service centers on the travel documents that Kashmiris would use to traverse the LoC. India’s insistence on the use of passports is unacceptable to Pakistan and the Kashmiris as they regard the use of such documentation as recognizing the LoC as the *de facto* international border. Meanwhile, Pakistan’s call for the use of UN-provided documentation is dismissed by India which has long resisted the UN or any third party’s interference in Kashmir. Two other issues that have fuelled bilateral intransigence on jumpstarting the bus service are who will own the bus service and whether the bus would become a target of the negative forces who want to destroy the peace process.

Dwelling further on the issue of documentation, Shah described the difficulties that Kashmiris in Pakistan-administered Kashmir face when applying for a visa for travel to India. Kashmiris in Azad Kashmir are not formally Pakistani nationals as Pakistan does

not legally lay claim to Azad Kashmir. Their passports state that they are residents of the former princely state of Jammu and Kashmir, though they apply for a visa with a Pakistani passport. And so, when they apply for a visa to India, which constitutionally lays claim to the whole of Jammu and Kashmir, they are regarded as non-citizens and are automatically rejected. Such a procedure applies even to those Kashmiris who possess a non-Pakistani passport, such as a UK one, but whose birthplace is Pakistan-administered Kashmir. They also are unable to obtain a visa to India.

To circumvent these various hurdles, Shah recalled that during the period between 1949 and 1956, permits were issued by local Deputy Commissioners for individuals to cross over to the other side on foot. Contrary to a prevalently held view, buses never operated during this period across the LoC and ceased their operations after 1947. Shah recommended that Kashmiris on the Indian side could use their permanent residency card (PRC) while those on the Pakistani side could use their state subject card to traverse the LoC. The use of such documentation, not implying nationality, could accommodate the sensitivities of both sides. Similarly, individuals arriving at the LoC by bus and then crossing over by foot could also eliminate the thorny issue of bus ownership. Shah also suggested that certain age groups of people should be allowed to cross over under a more relaxed regime.

In conclusion, Shah emphasized that the ability of Kashmiris to travel across the LoC would greatly elevate their hopes and provide them with a stake in the political process between India and Pakistan. He stressed the need to provide further redress to the Kashmiri peoples and allow divided families to reunite. A question was posed on whether there were significant numbers of divided families on both sides of the LoC after all, as many had fled during partition, leaving few relatives on either side. In response, Shah stated that there were indeed significant numbers of divided families for whom the easing of passage across the LoC would be an immense boon, as it would be for all Kashmiris.