

Kashmir: present situation and future prospects

2005/2242(INI) - 21/03/2007 - `{summary.subTitle}`

The Committee on Foreign Affairs adopted with a comfortable majority the own-initiative report by Baroness Emma NICHOLSON of WINTERBOURNE (ADLE, UK) on Kashmir: present situation and future prospects.

In its introduction, the report summarises the strategic situation of the region from an economic and geopolitical point of view. Members consider that the constant engagement between the governments of India and Pakistan, involving the peoples of all parts of the former princely state, may be the best way to bring about a resolution of the conflict. Convinced that the EU may have something to offer in this context, Members propose that the parliamentary resolution and any meetings that may come out of it may serve in the form of shared experience from which the EU can also learn.

Overall, Members reaffirm the need for the EU to maintain its support for India and Pakistan in the context of the 2004 peace process. The representatives of these two countries are called upon to find viable solutions to the conflict and work towards its demilitarisation.

Noting the very negative impact of the earthquake on the people of Azad Jammu and Kashmir (AJK) and its effects on resources, in particular drinking water and the slowing down of development of its institutions, Members call on the Union to give their full support to the Kashmiris. They call on the Pakistani and Indian governments to settle riparian issues and to continue their dialogue to settle the issue of access to water, which is a priority problem.

Political situation: Although they welcome the parties' efforts towards peace, members consider that in view of the repeated violations of United Nations' resolutions, the preconditions for using the plebiscite have not been met at present. Reaffirming that all peoples have the inalienable right of self-determination, the Foreign Affairs Committee notes that the majority of resolutions regarding the former princely state of Jammu and Kashmir seek to make this entity a part of India or Pakistan. Members therefore consider it important to support the line of the current negotiations being undertaken by India which would make boundaries permanently irrelevant, as well as establish a system of self-government and institutional arrangements for joint or cooperative management of this region.

While welcoming the current peace process involving India and Pakistan, Members support the "second track" approach as well as wider dialogue involving eminent persons, academics and other relevant experts from all sides of Kashmir and from India and Pakistan. They also stress the shortcomings in the democratization process in Pakistan where women have few freedoms, where minorities are discriminated against and where the Gilgit-Baltistan people are under the direct rule of the army. Members call on Pakistan to review its concept of democratic responsibility minority rights and to encourage freedom of expression in AJK.

On the political level, Members call on Pakistan to guarantee free and fair elections in Kashmir and to hold elections for the first time in Gilgit and Baltistan. They call on Pakistan as well as India to transform the ceasefire in place in Siachen since 2003 into a lasting peace agreement. India is also invited to put an end to all practices of extrajudicial killings, "disappearances", torture and arbitrary detentions in Jammu and Kashmir. They also urge the governments of India and Pakistan to allow international human rights organisations immediate and unrestricted access to all parts of the former princely state in order to investigate the human rights situation there.

Lastly, they compliment India on its efforts for the socio-economic development of Jammu and Kashmir.

Combating terrorism: the parliamentary committee urges a continuing and determined commitment by President Musharraf to fighting terrorism, which, it is widely recognised, presents enormous challenges; approves and supports multilateral and bilateral EU Member State aid to assist Pakistan in fighting terrorism. Members call on the Governments of Pakistan and of the EU Member States to intensify their efforts to identify and apprehend potential terrorist recruits coming to Pakistan from EU Member States. They strongly support the International Crisis Group's recommendations of 11 December 2006 for Pakistan to disarm militants and end the flow of money and weapons to the Taliban and other foreign or local militants on Pakistani territory.

Confidence-building measures: although Members welcome the various measures taken by India and Pakistan to resolve differences and to reunite families split up by the conflict, the Committee believes it is vital to increase the frequency of exchanges at all levels of civil society, as well as the opening of borders on both sides. It suggests that exchange programmes be created between law associations, schools and universities and recommends that a Joint India-Pakistan Parliamentary Committee be established to foster greater parliamentary exchanges and dialogue.

For its part, EU businesses should be encouraged to recognise the investment and tourism potential of Kashmir. Members also give their support to greater investment in the region and better use of the GSP+ system to revive the economy.

Impact of the earthquake of 8 October 2005: noting that this earthquake had a serious impact on the lives of Kashmiris on each side of the Line of Control (LoC), and that the overwhelming humanitarian situation has degraded the fragile institutional capacity on the ground in AJK, Members call on the Union to pay proper attention to the protection, needs and social integration of victims of the catastrophe by establishing effective programmes and fighting corruption so that aid can reach them.

The Committee regrets that the earthquake has not been an opportunity for India and Pakistan to show the political will to prioritise the humanitarian needs of the Kashmiri population and to overcome political differences.

In view of the enormous challenge faced in the reconstruction of the area, Members call for long-term assistance that goes beyond the 50 million pledged for rehabilitation and reconstruction in Pakistan. They welcome the funds so speedily pledged by Pakistan's neighbouring states (India, China, Iran and Afghanistan) and, on a wider regional basis, by Turkey and the Organization of the Islamic Conference (OIC). However, members regret the fact that the initially hesitant reaction to the disaster by the Pakistani military created a needs vacuum in the immediate aftermath, which was exploited by militant organisations on the ground, such as the Jamaat-i-Islami, and Jamaat-ud-Dawa, the renamed Lakshar-e-Tayyaba. They are very concerned that this has bolstered the credibility of such polarising groups in the eyes of the local population, further undermining any potential for genuine democratic representation.

In order to bring the parties closer together, Members support the idea of the establishment of a road network between Jammu and Sialkot and Gilgit-Baltistan, as well as the introduction of a rail link between Jammu and Srinagar and the improvement of the road connecting the two cities so as to encourage trade and commerce.

Conclusions: the Committee urges the Union not to let the plight of the people of Jammu and Kashmir disappear from the radar screen and to ensure that aid and other programmes are designed and implemented with long-term recovery and institution-building in mind. One of the keys to improving relations between countries is through increasing bilateral trade flows to generate the socio-economic and cultural development of the territory.