

PAK-OCCUPIED JAMMU AND KASHMIR-HISTORICAL PERSPECTIVE

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Abstract:

Pakistan occupied Kashmir (POK) is that portion of Jammu and Kashmir which was treacherously invaded and occupied by Pakistan army in 1947. The state of Jammu and Kashmir was one of the approximately 600 odd princely states that India was divided into during the time of independence. The ruler of Kashmir Maharaja Hari Singh neither wanted to join India nor Pakistan and wanted to remain Independent. However in the mean time an important event unfolded which had historical repercussions. The Pashtun raiders from Pakistan with full fledged cooperation from Pakistani army invaded Kashmir in October 1947 and took control of almost entire Poonch district on 24th October 1947. The invaders with the help of Pakistani army captured the towns of Muzaffarabad and Baramullah and reached near 20 miles north west of state's capital Srinagar. Maharaja Hari Singh, the then ruler of Kashmir appealed to the Governor General of free-India, Lord Mountbatten for assistance. India assured aid to Maharaja Hari Singh on the condition that the ruler should sign "instrument of accession" with India. Maharaja signed the "instrument of accession" and handed over three subjects i.e control of defence, external affairs and communication to the government of India. No sooner had the accession documents were signed than the Indian armed forces took over the stage and pushed back the Pakistan supported tribal assault and thus was the first war between India and Pakistan fought. Though India drove away most of the Pakistan supported tribal militants from illegal Kashmir occupation, one part of the state came under Pakistani control. Pakistan describes this area as "azad Kashmir" while India labels it to be Pakistan occupied Kashmir (Pok). The POK is a part original Kashmir which touches Pakistan's Punjab in north west, Afghanistan, China and east of Indian Kashmir.

Keywords- Kashmir, India, historic, army, occupied

The issue of Pakistan occupied Kashmir has been a bone of contention between India and Pakistan for over fifty years now. Things have turned for worse in the recent months especially after India's revocation of article 370 in Jammu and Kashmir. Pok is basically that portion of state of India namely Jammu and Kashmir which Pakistan invaded in 1947. The Pakistan occupied Kashmir has been administratively split into two parts which are called Jammu and Kashmir and Gilgit-Baltistan in official languages. The head of Pakistan occupied Kashmir is the President while Prime Minister is the chief executive officer aided by council of ministers. POK is that part of original Kashmir whose border is touched by Pakistan area of Punjab, Wakhan corridor of Afghanistan and Xinjiang area of China. In 1947 Pakistan supported Pashtun tribals attacked Indian state of Jammu and Kashmir. Considering the gravity of situation the ruler of Jammu and Kashmir Maharaja Hari Singh sought assistance from Indian government. Indian troops immediately rushed to tackle the situation. The Indian troops chased the Pakistani intruders back into their territories.

Indian Governor General Mountbatten signed an agreement on 26th of October, 1947 in accordance to that three subjects namely defence, foreign affairs and communications were handed over to India. Barring these subjects, Jammu and Kashmir was free in all its decisions. On the basis of this accession of treaty, the govt. of India claims that it has got the full rights to not only interfere but also make laws with respect to matters related to Jammu and Kashmir. This stand of Indian government with respect to Jammu and Kashmir is not agreed to by Pakistan.

Pakistan Occupied Kashmir which is more commonly known as POK includes in itself the so called "Azad Jammu and Kashmir" and Gilgit-Baltistan, was legally a part of the then princely state of Jammu and Kashmir which signed the letter of accession in favour of India in October 1947. The entire state of Jammu and Kashmir legitimately belongs to India, though its disputed status has been reiterated by India time and again for the last seventy years. Pakistan Occupied Kashmir is kept under the obtrusive control of Government of Pakistan through Ministry of Kashmir and Gilgit-Baltistan Affairs, while at the local level, representative systems have been allowed to tackle the local resentments. The local affairs of these two areas do not receive too much media glare. Political parties pledging their loyalty to Pakistan, i.e., favouring accession to POK to Pakistan are allowed to operate both in 'Azad Kashmir' and Gilgit-Baltistan.

Muslim Conference was given the reins of governance in Kashmir. The Muslim Conference was installed in 'Azad Jammu Kashmir' not because it represented significant Kashmir populace but because it had the trust of founder of Pakistan, Mohammad Ali Jinnah for having broken away from Sheikh Abdullahs. The renaming of the Muslim conference as the National Conference with a view to opening it to non muslims was an antithesis of the Muslim League's two-nation theory and hence unacceptable to a cross section of leadership.

As a case for future scenario building, POK is immensely significant. POK's strategic geographic location has consistently been "leveraged" by Pakistan to fulfil its "strategic and economic objectives". POK shares its borders with several countries – the Punjab and NWFP provinces in Pakistan to the west, the Wakhan Corridor of Afghanistan in the north-west, Xinjiang province of the People's Republic of China to the north and India's Jammu and Kashmir to the east. It is situated in the vicinity of the two fastest growing economies of the world, but remains extremely backward.

The key actors in POK are India, Pakistan and China, which during the last few years has developed considerable stakes in the region. This paper, attempting to draw future projections for POK, is divided into four sections: (I) identifying and describing the key drivers; (II) envisaging future trends in the key drivers; (III) determining alternative scenarios; and (IV) Prognosis.

The Taliban Threat

Over the past few years, the Taliban have seized power in some parts of Pakistan. Few reports hinted at the possibility of Shariat law being imposed in POK; it has already been implemented in Swat in the heartland of Pakistan. The Taliban would attempt to gain strategic depth in this strategically located region. The presence of Afghans in POK would further facilitate the Taliban interests, enabling the militants to amalgamate with the local Afghans and carry on dubious activities under a suitable camouflage. The Government of Pakistan would find an outsourced option to contrive cross-border terrorism in India, particularly in Jammu and Kashmir. Recently, the Pakistani authorities arrested and deported from Bagh and Muzaffarabad at least 200 Afghans who were living there illegally. Developments such as the suicide bomb attack in Muzaffarabad on 26 June 2009 have strengthened claims of Taliban presence in POK; the Tehrik-e-Taliban (TTP) was eventually implicated in the incident.

Militant Training Camps

POK has for long provided safe haven to home-grown terrorists of Pakistan – both those operating in Kashmir Valley and those having close links with al-Qaeda and Taliban. The LeT operates freely in the area as Jamaat ud-Dawa (JuD). People in POK have faced neglect from the Pakistan government for decades and they look up to these groups for help. JuD played a significant role in the relief and rehabilitation work after the October 2005 earthquake when the state machinery expressed inability in carrying out the same. The increasing number of these training camps could be attributed to foreign mercenaries present in Pakistan. Due to the US-led War on Terror, the Afghan youth were pushed into these camps by the ISI, which was facing dearth of mercenaries after American pressure compelled men from Sudan, Kuwait and Lebanon to leave Pakistan. A report by India's Home Ministry in 2004, prepared on the basis of interrogation of militants and interception of wireless messages, came to this conclusion. In March 2008, a status report on India's internal security by the Home Ministry reiterated that the operation of militant camps in POK was unabated.

Sectarian Divide

The demography in Gilgit Baltistan in POK has changed so much that the Shia, the original inhabitants of the land, have become a minority. Sunnis from Pakistan were given lucrative job offers and other incentives to settle in POK. President Zia intended to shift the demographic balance of POK in favour of Pakistan, primarily a Sunni state, and the orders to this effect were carried out by Pervez Musharraf in the late 1980s.

Similarly, the Northern Light Infantry, which mainly comprised men from POK (it was deployed in the Kargil War) is increasingly manned by non-locals as the local people are no longer trusted. The ICG report on the State of Sectarianism states, "Since 2001, Shia resentment over the inclusion of Sunni religious rituals and a perceived anti-Shia bias in textbooks for public schools has resulted in school boycotts and occasional clashes and curfews."

China's Growing Influence

The Chinese interest in POK dates back to the construction of Karakoram Highway, the highest road in the world, built at a height of 4665 metres (15,397 feet). The highway has yielded tremendous trading opportunities for both countries. It has also been used extensively to transfer arms and ammunition from China to Pakistan, and fissile nuclear and missile material from China. The highway was opened to the public only in 1986 even though it was completed in 1978 and was inaugurated in 1982. In November 2003, former Pakistani President Pervez Musharraf signed a Border Trade Agreement with the Chinese government to "strengthen transport cooperation and promote interflow of personnel and commodities through the Karakoram Highway". The two countries signed an MoU on 30 June 2006 to widen the highway from 10 metres to 30 metres; the upgradation process was formally inaugurated in February 2008. China has made substantial investments in POK especially after the earthquake of 2005. Early in 2009, it proffered \$300 million for development projects in Muzaffarabad, Rawalkot and Bagh. The agreement to this effect was signed in Islamabad between the Earthquake Reconstruction Rehabilitation Authority (ERRA) of Pakistan and the Chinese Ambassador Luo Zhaohui.

Pakistan and China have also signed several agreements for building dams in POK, the latest being the MoU for building a dam in Bunji in Astore district. India, which views such agreements between China and Pakistan as adverse to India-China relations, has sharply criticized this move.

Water Resources

POK is rich in water resources. The Indus and its tributaries render bright opportunities for hydropower generation.

Recently, however, in the overall context of water scarcity in Pakistan, President AJK, Raja Zulfikar Khan, stressed the need for water conservation. Speaking in Muzaffarabad, Khan "urged people to store rainwater and protect existing sources of water in AJK". He acknowledged that "roughly half the population of AJK still did not have access to potable water, adding that water sources have all but dried up in some area. A highly controversial hydropower project in POK, because of its ecological implications, is the Diamer Bhasha Dam. It will inundate large tracts of land in the vicinity, rendering thousands of people homeless. According to a report, at least "31 villages will be flooded, 3,115 houses destroyed and 1,500 acres of agricultural land inundated by the reservoir. The area has very little in terms of fertile agricultural land, which if absorbed by the construction of the dam could result in serious food deficit in the region. POK has been facing food shortage in the past; only when the federal government issues directives the other provinces supply the required food material. Also, the dam is located in a seismically sensitive zone.

Political Unrest

Political unrest in POK is based on a range of issues, primarily being the denial of basic rights, constitutional and political. People from PoK have migrated to countries like US, Canada and Gulf looking for greener pastures as education and job opportunities are not available and political freedom is non-existent. There is also a sectarian divide as a result of Sunni ingress in the region. The region has also been linguistically and culturally marginalized. POK does not have a provincial status even though Pakistan has controlled it for nearly six decades. After a great deal of protests, recently the Government of Pakistan announced the Self-Governance Package for Gilgit-Baltistan, which provided the trappings of an AJK-like structure. Ironically, even after the new order, POK does not count as a province of Pakistan. Many in Pakistan view this development as a compromise by Pakistan on the issue of Kashmir.

Reports such as the Human Rights Violation in Azad Kashmir and Baroness Emma Nicholson's Kashmir Report for the EU depict a distressing picture of the state of human rights in POK. The Human Rights Watch Report opens with a statement from a resident of Muzaffarabad: "Pakistan says they are our friends and India is our enemy. I agree India is our enemy, but with friends like these, who needs enemies?" Pakistan's approach to POK has baffled many as this area is of immense strategic significance. Some have alleged that Pakistan has refrained from granting it legislative autonomy because of this strategic significance, fearing consequences. The establishment has brutally crushed political unrest in POK in the past. None the less, this movement could acquire a violent shape due to continuing impoverishment and lack of hope for betterment. Resort to violence is ingrained in the Pakistani state and in POK in the aftermath of the Lal Masjid ambush in 2007. China's resistance to Taliban presence in POK is confined to securing its own interests and not the overall security of region. Recent intelligence reports in India have disclosed that eight new militant training camps have come up in POK. The local administration has been directed by the Government of Pakistan to "accommodate the Pakistani and other jihadis by all means possible", a Kashmiri leader based in UK is reported to have said. At least 300 militants are reported to be attempting to infiltrate into Indian territory from POK to conduct Mumbai-like attacks in different parts of the country.

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Entrenched Chinese Control

Pakistan supports Chinese involvement in POK for upgradation of infrastructure and development in the region. It seeks to capitalize on Chinese presence in POK to counterbalance India in a warlike situation with India. The Chinese role in the Kargil crisis is a matter of debate even though in the later stages of the conflict China urged Pakistan to withdraw forces to the pre-conflict situation. More than a decade thereafter, the geo-strategic priorities have altered and are likely to change much more before 2030. China has no qualms about its expansionist goals, as has been the case in claiming territories under India's sovereign control. Its inroads in POK are part of a larger game plan to expand its influence spanning almost entire South Asia encircling India – Nepal, Sri Lanka, Myanmar and Pakistan.

Misuse of Natural Resources Resulting in Another Calamity

Despite protests from all quarters and most of all from the residents of the adjoining areas, the Government of Pakistan has relentlessly carried on construction work in POK. In the years to come, the region could witness another natural calamity of the kind of earthquake witnessed in 2005. A huge water reservoir in the event of an earthquake would inundate almost all the adjoining areas.

Violent Political Unrest

The possibility remains that the oppressed population in POK takes up arms against Pakistan. The Pakistan establishment would then have to open another front in POK, which otherwise is a peaceful area despite the presence of innumerable terrorist camps and other clandestine activities.

The violence in Kashmir Valley would then abate, since Pakistan is likely to be caught up in a civil warlike situation in POK, with inadequate resources and time to manage cross-border militancy.

POK 2030: Three alternatives

In the light of the various drivers studied, it is inevitable to assume that the situation in the region will not improve as long as it is controlled by Pakistan. The first scenario revolves around the restoration of POK to the Indian state of Jammu and Kashmir; the second, it remains with the usurper Pakistan. In case of status quo, the region will be subject to geo-political quest between the adjoining states seeking their own strategic priorities and objectives.

POK Under India's Control

Since the region legitimately belongs to India, taking this case first is justified. The case of POK's reunion with India is argued on the basis of close cultural ties that people in this region share with the people in India. The Shias and Ismailis of Gilgit-Baltistan have close bonds with the Ladhakhis on the Indian side of the Line of Control (LoC). Pakistan's lack of faith in the local population strengthens India's case for reclaiming the occupied territory.

If POK is restored, it would be amalgamated into the state of Jammu and Kashmir and subjected to a similar status, which defines autonomy and equal treatment that the state of Jammu and Kashmir has been accorded over the years. In this scenario, it would no longer be possible for Pakistan to misuse the territory for clandestine activities and raising militant training camps there. The entity

would largely be free of violence. Assistance from the Union budget for the state of Jammu and Kashmir is usually the highest amongst the states in India on a per capita basis and this gives a fair chance to POK to gradually overcome decades of underdevelopment and miserable conditions of living. POK would be well integrated in the process of the economic development in India, which is expected to maintain at least 7 per cent growth rate even against the global recession.

India would in that case share the border with Khyber Pakhtunkhwa of Pakistan on one side and the Wakhan Corridor with Afghanistan. POK would prove India's gateway to Central Asian markets, which could provide new vistas for the growing Indian economy.

The Chinese aspire to access Gwadar port in Balochistan province as a bulwark against India. Gwadar port would also provide China opportunities to harness benefits of the sea-lanes there. China plans to build a railway line from Kashgar

Status Quo

POK's future association with the state of Pakistan, on the other hand, would be no good especially for the local population with the abysmal sense of deprivation continuing in the years to come. Pakistan's security situation is grave even under a civilian government and is worsening. Pakistan's control of POK would continue the era of deprivation and duality on a false pretext of UN Security Council resolutions. In fact Pakistan has never adhered to Resolution 47 of 21 April 1948, which called for "the withdrawal from the State of Jammu and Kashmir of tribesmen and Pakistani nationals not normally resident therein".

Prognosis

The next twenty years in all probability will see India playing a much larger role vis-à-vis POK. This is evident not only from several statements of the Ministry of External Affairs of late but also the developments with respect to China. China is playing a larger role in India's neighbourhood and the next few years would compel India in all likelihood to revitalize its claims over its lost territory.

India and Pakistan last fought in the Kargil War in 1999, which was Pakistan's futile attempt to establish control on Kashmir. The terrorist attack in Mumbai on 26 November 2008 was a high point, with an impending warlike situation. However, India exercised restraint and concentrated on strengthening its internal anti-terror structure. An incident like this if repeated could lead to retaliation from the Indian side. The repeated failure of diplomatic exercises with respect to Pakistan has aroused anti-Pakistan sentiments amongst Indians. If public opinion begins to support some sort of military offensive against Pakistan, there would be few options left before the government.

To encapsulate at the end it can be said that issue of Pakistan occupied Kashmir is an inveterate problem and it is solely a bilateral issue between the Indian government and Pakistani government which can be sorted out between the two countries only. India's current stand is that Pakistan occupied Kashmir is under illegal occupation of Pakistan and the citizens of Pakistan Occupied Kashmir are constantly under the threat of barrel of gun of Pakistani army.

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