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## Abbreviations & Acronyms

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
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<tbody>
<tr>
<td>IoK</td>
<td>Indian Occupied Kashmir</td>
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<td>IHK</td>
<td>Indian Held Kashmir</td>
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<td>UNSC</td>
<td>United Nations Security Council</td>
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<td>UN</td>
<td>United Nations</td>
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<tr>
<td>US/USA</td>
<td>United States/United States of America</td>
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<tr>
<td>SAARC</td>
<td>South Asian Association for Regional Cooperation</td>
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<tr>
<td>BRICS</td>
<td>Brazil, Russia, India, China and South Africa</td>
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<tr>
<td>BJP</td>
<td>Bharatiya Janata Party</td>
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<td>UNGA</td>
<td>United Nations General Assembly</td>
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<tr>
<td>AJK</td>
<td>Azad Jammu and Kashmir</td>
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<td>GB</td>
<td>Gilgit Baltistan</td>
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<td>LoC</td>
<td>Line of Control</td>
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<td>SAFTA</td>
<td>South Asian Free Trade Area</td>
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<td>UK</td>
<td>United Kingdom</td>
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<tr>
<td>MFA</td>
<td>Ministry of Foreign Affairs</td>
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<tr>
<td>ECOSOC</td>
<td>United Nations Economic and Social Council</td>
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<tr>
<td>CPEC</td>
<td>China-Pakistan Economic Corridor</td>
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<td>KP</td>
<td>Kyber Pakhtunkhwa</td>
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<tr>
<td>UNMOGIP</td>
<td>United Nations Military Observer Group in India &amp; Pakistan</td>
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The Center for Global & Strategic Studies (CGSS) seeks to become an active platform for raising its voice on an array of issues pertaining to the country and the international arena. We remain committed to providing actionable and practical analysis for the assistance of various policymaking groups to broaden the cooperation endeavors of Pakistan. Under the organization’s Vision and Mission, it has been noteworthy for us to participate and raise distresses of our Kashmiri brothers who have been deprived of their rights by the constant belligerence of India.

Kashmir Issue and its resolution are important for Pakistan, which is why, under the expert knowledge and years of experience of Lieutenant General Sajjad Akram (Retd), Chairman Punjab Public Service Commission and the Member Advisory Board CGSS, a Policy Paper on the Kashmir Dispute and a possible way out has been designed. Under the light of concerning facts and the UN Resolution on Kashmir Issue, multiple realities have been highlighted for the policymakers as well as the International observers who are the stakeholders in this issue. It is time now that we assist in putting a pause to the endless bloodshed of our Kashmiri brothers and move towards an amicable solution.
Lieutenant General Sajjad Akram, was born on 5th April 1954 in Gujrat and completed his early education from Azam Garrison High School, Lahore Cantt. He joined Lawrence College, Ghora Gali, Murree in 1965 and after completing Senior Cambridge from there, he joined the Pakistan Army in 48th Long Course and was Commissioned in December 1971 in the Baloch Regiment. He is a graduate of the Command and Staff College, Quetta and National Defence University, Islamabad. He had the distinction of serving at various prestigious command, staff and instructional appointments which included, Platoon Commander-Pakistan Military Academy, Brigade Major-Independent Infantry Brigade Group, Directing Staff- Command and Staff College Quetta, Commanded two Infantry Battalions, Commanded a Brigade in Azad Kashmir, Chief of Staff of a Strike Corps, Commanded an Infantry Division, Director General ISI, Force Commander UN Peacekeeping Force in Sierra Leone, Director General National Accountability Bureau Punjab, Commanded a Strike Corps and hung his gloves as Deputy Chairman-Earthquake Reconstruction and Rehabilitation Authority (ERRA).
He has the honour of being the first General Officer from Pakistan to hold the appointment of a Force Commander and Chief Military Observer of a United Nations Peacekeeping Mission in Sierra Leone. Further to this, he has attended a number of conferences and seminars on Peacekeeping Operations the world over.

As Deputy Chairman ERRA, he undertook the responsibility of recovery, reconstruction, and rehabilitation in the earthquake affected areas spread over 30,000 square kilometers in AJK and KPK. The aim of the organization was to reconstruct over 13,000 projects, at the cost of over $7.5 billion. His primary responsibility was macro planning, development of sectoral strategies, financial management, project approval, monitoring and evaluation besides providing strategic direction to the Authority. The overall progress till the end of his tenure was 80.62% which was an increase of 59.2% from the time he joined the Organization. He organized an International Conference at Islamabad to showcase the achievements and contribution of the Authority and share lessons learned. He also attended a few international conferences and seminars across the world.

He is married and has three children. His hobbies are sports, traveling and social work.
Challenges and The Way Forward For A Resolution of the Kashmir Dispute

Kashmir dispute, which is as old as Pakistan, remains unresolved since 1947. It constitutes one of the oldest disputes on the agenda of the UN Security Council. As long as the dispute remains unresolved, it will continue to be a flashpoint between India and Pakistan, both having a formidable arsenal of nuclear weapons and conventional forces. It will continue to remain a threat to the regional peace and security with possible global repercussions. The Kashmiri people living under the Indian occupation find the status quo unacceptable and have been protesting against it. Their protests, often peaceful, have been met with the disproportionate and brutal use of force by the Indian forces resulting in massive loss of innocent lives. Draconian and oppressive laws have been foisted upon the areas under the Indian occupation to suppress the indigenous movement for rights promised to them by the UN Security Council. As a result, massive violations of human rights of the Kashmiri people are being committed by the Indian forces with impunity. Despite the Indian policy of blocking free media access to the Indian occupied Kashmir (IoK) and preventing fact-finding missions, credible reports of human rights violations; some of the Indian men of conscience have continued to filter out. This state of affairs cannot go on, and the people of Kashmir cannot be allowed to suffer indefinitely. As a party to the Kashmir dispute, Pakistan has an obligation to uphold the right of the Kashmiri people to decide their future. It has an obligation to find a way to address the aspirations of the people and alleviate their suffering.
The Kashmir dispute remains the core issue between India and Pakistan which has been the cause of animosity, sometimes leading to active hostilities, between the two. As a geopolitical flashpoint, it entails massive troop deployments in Kashmir, combat readiness, related costs in men and material and a heavy investment in defense. Pakistan has no choice but to sustain it as long as the dispute is not resolved. It is a matter of academic debate as to what Pakistan has lost in terms of opportunity costs in the context of economic growth and prosperity. It is also a matter of record that as long as the Kashmir dispute remains unresolved, the relations between the two nuclear weapon states shall remain hostage to adventurism by the non-state actors.

For India as well, keeping the dispute unresolved is not sustainable in the long run. Apart from the economic cost, India’s ambitious of attaining a global stature is affected by it in terms of its image and credibility. Much that it would like to wish away the
Kashmir dispute, it would remain an Albatross around its neck framing it as a country that continues to violate the UN Charter, resolutions of the UNSC and human rights of people under its unlawful occupation. It has already cast a shadow on India’s bid to become a Permanent Member of the UNSC. Within India, there are concerns that actions by non-state actors may spiral out of control and wreak havoc in the country. Moreover, any terrorist attack in India raises vociferous and jingoistic calls for retaliation against Pakistan, a risk that India cannot take. The recent calls for “surgical strikes” only ended in false claims of “surgical strikes” by India meant only to satisfy the domestic audience. Raising the level of belligerency has its own risks and India realizes it. India may publically claim that Kashmir is a minor irritant and that Pakistan is irrelevant to the issue but serious observers in India believe that, because of its deeper implications, India will have to revisit its position on Kashmir sooner or later.

For Pakistan, there is an urgency in resolving the dispute because its economic and strategic gap with India is widening at a fast pace. Time may come that India may not feel obliged to sit on the negotiating table on an equal footing/terms. India’s foothold in Afghanistan, improving relations with Iran and the US, increased capacity to destabilize Pakistan in areas like Baluchistan, etc., can contribute to asymmetric negotiating dynamics. Moreover, to leverage its geostrategic position for economic growth Pakistan badly needs peace and stability within and in the region.

Over a period of time water scarcity has become a major issue for both India and Pakistan. Pakistan is already water stressed, and it is critically essential for it to maintain the flow of water in Indus and its tributaries. Since Chenab, Indus, and Jhelum come
from Kashmir, the water issue is intertwined with the Kashmir dispute. India, being an upper riparian state, has an inherent strategic advantage. Historically India has used water as a means of coercion (1948), and Prime Minister Modi has threatened to do so again. India has also threatened to unravel the Indus Water Treaty, which has, to a great extent, served its purpose since 1960, though not without problems. People of Kashmir feel that they were the losers in the fallout of the Indus Water Treaty. India uses the argument that Kishenganga or other dams on Jhelum or Chenab are for the benefit of the Kashmiri people. This puts Pakistan in a bad light when it challenges or objects to these dams. At present India and Pakistan are locked in a bitter water conflict. Diplomacy has prevented a major escalation, but nevertheless, both countries are entangled in legal battles as more dams and power projects are coming up in Indian-held Kashmir (IHK). Another dimension to the problem is the implications of climate change, melting glaciers and population increase. For Pakistan, it will not be wrong to say; water scarcity is an existential threat.

Delinking Kashmir from the Pakistan – India relations or putting it on the back burner, to promote bilateral trade and economic growth, has not worked. The option of picking low hanging fruit first and leaving the difficult ones for better times has not
worked either. It needs to be kept in mind that periods of mutual “opening up” have always been derailed by either an isolated terrorist attack by non-state actors or by an uprising within IHK, which Pakistan cannot ignore. The level of trust between India and Pakistan is very low and can easily be disturbed by random incidents. Of late, India’s belligerent and jingoistic statements, role in fomenting trouble within Pakistan, threats to curb the flow of water to Pakistan, ceasefire violations, threats of surgical strikes, etc., have contributed to vitiating of relations and exponential increase in trust deficit. India’s overt attempts to “isolate” Pakistan, though unsuccessful, have contributed to the dismal state of affairs. The refusal to come to Pakistan for the SAARC Summit, cancellation of the Foreign Secretary level talks, badmouthing Pakistan at the BRICS Summit, etc., are all manifestations of Indian designs.

The situation within IHK, especially in the valley, has hardly been peaceful. The Kashmiris have been suffering under draconian laws and regulations like Armed Forces Special Services Act, which are enforced by a repressive Army. Nearly every human right of the people of Kashmir has and continues to be violated. Since July 2016, after the killing of Burhanuddin Vani, the situation has worsened considerably. Massive demonstrations and protests were launched and shutdowns enforced by the people. India struck back with disproportionate force and used pellet guns to kill, injure, maim and blind the protestors. Ghastly images and stories, despite Indian clampdown on
media and international observers, have reached the world through social media. The movement is purely indigenous and seemingly independent of the Hurriyat leadership. The BJP further muddied the waters by challenging Article 370 of the Constitution in the Court, establishing Sainak Colonies (Soldier Colonies) and Pundit townships in Kashmir. This was contrary even to the understanding given by BJP to the pro-India Kashmiri leaders like Omar Abdullah, Mufti Syed and his daughter Mehbooba Mufti that there would be gradual demilitarization of Kashmir (IHK) and repeal of Armed Forces Special Forces Act. In the developing situation Pakistan did make a strong statement at the UNGA but a lot more needs to be done to maintain a sustained pressure on India on the Kashmir dispute and to take certain proactive measures to put India on the back foot and to force it to come to the negotiating table for a meaningful and result-oriented dialogue.

The Way Forward

Ever since the dispute became a flashpoint in 1947 various ideas have been put forth by the stakeholders and the international community as a way forward in an effort
to bring lasting peace in the region through a permanent arrangement. However, the only legally acceptable solution, on which the stated position of Pakistan hinges, is the one contained in the UNSC resolutions on the dispute i.e. the Kashmiris exercise their choice of joining India or Pakistan in a free and impartial plebiscite held under the UN auspices. Over a period of time much water has flown under the bridge, and the issue has become increasingly complex and the Indian position has turned more intransigent. Realistically speaking the implementation of UNSC resolutions remain difficult, if not impossible, unless through some extraordinary means Pakistan manages to secure an enabling resolution of the UNSC under Chapter VII obliging UN to use force to implement the resolutions. Given the present political dynamic, this seems to be a pipe dream.

Some of the possible scenarios that we could look at, possible, plausible or impossible, are briefly touched upon below:

a) **Status Quo:** India might be able to live with it, but it is certainly not acceptable to Pakistan or the Kashmiri people. Moreover, the dispute would continue because of instability or active hostilities in the region.

b) **Kashmir Joins Pakistan through a Plebiscite:** This would be eminently acceptable to Pakistan and broadly to the people of Kashmir (except possibly the people of Laddakh, Jammu and some Kashmiri advocates of the “Third Option”). However, India would not accept such a scenario.
c) **Kashmir Joins India Through a Plebiscite:** This would not be acceptable to Pakistan, though theoretically speaking Pakistan is bound to accept the verdict of the Kashmiri people. It would not be acceptable to the Kashmiris.

d) **Independent Kashmir:** It would not be acceptable to India. Pakistan may live with it, but this option is not provided in the UNSC resolutions. If the Kashmiris want a quasi-independent status after acceding to Pakistan that could possibly be accommodated under Article 257 of our Constitution, which to an extent gives that choice to the Kashmiris.

e) **Smaller Independent Kashmir:** Kashmir Valley and AJK but not GB are made independent with Laddakh and Jammu remaining with India. This may not be acceptable to Pakistan, India and even AJK residents.

f) **Chenab Formula:** Dividing Kashmir along the line of Chenab. This would be more akin to the scenario that could have emerged from Sir Owen Dixon’s proposal of segmented or regional plebiscites. Though this could have been a workable solution at that time, it was neither accepted by India nor Pakistan. In the current scenario, it would be acceptable to Pakistan but not to India or those Kashmiris demanding freedom.

g) **Proposal of Kashmir Study Group of Farooq Kathwari:** AJK and Indian occupied Kashmir (mainly the valley) be given a status of a sovereign entity with a personality of a state with its own flag, constitution, and citizenship. All displaced persons of Kashmiri origin would be given the right to return. The “entity” would be placed under the UN Trusteeship Council until such time an
acceptable solution is found. This proposal is too vague for a definitive position. Moreover, it would require the complete support of the international community (particularly the P-5) to fly.

h) **Andorra Model**: This model was advocated by Alistair Lamb and is not very different from that of Kashmir Study Group. It involves reconstitution of Kashmir as a sovereign entity, with free access to and from India and Pakistan. The reconstitution would be determined through an internationally supervised agreement involving the Kashmiri people. It would have its own flag, constitution, citizenship and a legislature, which would handle everything other than defense and foreign affairs. It would be jointly overseen by India and Pakistan. The whole region would be demilitarized without any change in the LOC except that it would be made soft. The Andorra formula is working for France and Spain and could possibly work for Pakistan and India until such time a permanent solution is found.

i) **Musharraf “Food for Thought Formula”**: The Musharraf formula, which some of the principal actors involved in the negotiations, the claim was a whisker away from formalization, was not substantially different from the Andorra Model. It called for setting aside (not canceling) the UNSC resolutions, a territorial status quo but involving gradual demilitarization, making the LOC “irrelevant” or “soft” and limited sovereignty over Kashmir for Pakistan and India. This agreement could have provided a framework for future negotiations.
However, the public opinion within Pakistan and Kashmir was not prepared to accept such a radical deviation from the stated positions.

j) **Shahid Javed Burki Proposal:** As an economist, Burki’s proposal focuses on the “opportunity cost” that India, Pakistan, and Kashmir are bearing on account of the ongoing hostility and instability in Kashmir. Under his proposal India would grant greater autonomy to IOK, much beyond that given under Article 370 of the Indian Constitution. Pakistan would do the same for AJK. Free movement of goods and people would be allowed across the LOC, raising the comfort level of the people. Trade between AJK and IOK would be governed under a framework similar to SAFTA. India and Pakistan would become partners in the development and economic growth of IOK and AJK with substantial support of the donor community. This according to Burki should set the stage for future negotiations.

The abovementioned proposals have one fundamental flaw. They are largely prepared without the involvement of the Kashmiri people, and they have not emanated from the Kashmiri people, except possibly the one of Farooq Kathwari, who is a representative of the Kashmiri Diaspora. Coordinating our negotiating position with the Kashmiri people, especially those in the IHK is essential. It is also essential that our stance remains within the UNSC resolutions, which provide the only legal basis for Pakistan being an interlocutor in the dispute. This could very easily be achieved if food for thought or innovative proposals were to come from the Kashmiris themselves, rather than Pakistan. As such, Pakistan’s position vis-a-vis the UNSC resolutions would remain intact, and at the sametime, we could go along with the proposals taking them as part
of the “aspirations” of the Kashmiri people, which is our stated position. Given the current situation, especially in the IHK, the involvement of the Kashmiri people in the peace process is essential leading to a “tripartite” arrangement for a negotiated solution.

What Needs to Be Done

Given the current state of affairs in the IHK, the international climate of opinion, India’s intransigence and increasingly belligerent stance, challenges faced by Pakistan, challenges posed by political and socio-economic developments including environmental concerns; insists Pakistan to dispassionately revisit the issue and:

a) Frame all the issues involved and then prioritize them and

b) Identify key players, within the region, internationally and within the Kashmiri people, for subsequent leveraging and coalition building.

This would bring some clarity and purpose to our position and efforts towards promoting a negotiated settlement. What can be done in the short run include:

A. Reconstitution of the Kashmir Committee

The Parliamentary Committee on Kashmir should be taken out of the Parliament. It needs to be reconstituted to make its membership broader and inclusive. The Committee needs to be made more effective and in tune with the current times and developments. The Committee may comprise:-

a) People involved in the ‘Kashmir struggle’ from Pakistan, AJK, and IHK (or their representatives);
b) Representatives of the Kashmiri Diaspora, mainly from the UK, Belgium, and the USA;

c) Retired senior diplomats who have been involved with the issue and have multilateral;

d) Retired senior defense officials involved with the issue.

e) Representatives of each House of the Parliament.

f) Representatives of the AJK Parliament.

g) Committee may co-opt any expert, representative of civil society or academia, intellectuals and jurists on need be basis;

The reconstituted Kashmir Committee should have an effective Outreach Programme to create awareness of the Kashmir dispute and situation in IHK and mobilize support. For this purpose the Kashmir Committee should:

1. Set up offices in Geneva, New York, Washington, London, and Brussels, to agitate the issue with the quarters concerned and lobby support in the respective legislatures, UN and the European Union (Parliament, Council, and Commission). Where needed they should be enabled to hire professional lobbyists.

2. Set up an active publication center to disseminate position papers, situation reports, and newsletters to avoid audience locally and internationally.

3. Organize international conferences, seminars, workshops and roundtable discussions in Pakistan and abroad. Delegations may be sent to mobilize support and create awareness.
4. Hire lobbyists in consultation with the Ministry of Foreign Affairs (MFA) for advocacy campaigns and to lobby support of Parliamentarians, Congressmen and important members of the civil society and expert groups.

5. Annual Budget should be allocated for the working of the Committee.

6. The Reconstituted Kashmir Committee should be made functional on 5th February. The announcement should be made at the highest level i.e. Prime Minister.

B. Establishment of a Kashmir Wing in the Ministry of Foreign Affairs

A wing should be established in the MFA exclusively dealing with the Kashmir dispute under the direct control of the Minister of Foreign Affairs. Simultaneously Kashmir Cell should be established by the Ministry of Human Rights to take up cases of Human Rights violation taking place in IHK.

C. The inclusion of Kashmir Dispute in its Historical Perspective in School and College Syllabus.

A portion on Kashmir dispute, its history, and Pakistan’s position should be included in the school and college syllabus. The contents should be factually correct and devoid of rhetoric and hyperbole. The schools/colleges should organize debates/declamations on the issue with the full support of the Government. Model UN program of the schools/colleges should be encouraged to debate the Kashmir dispute.

Areas that Need Immediate Action

a) Communications to the Human Rights Council
We must encourage and assist communications (preferably from IHK from individuals, families, groups and civil society representatives to the Human Rights Council on the current situation in IHK, to establish a consistent pattern of gross violation of human rights. The objective should be to have the Human Rights Council consider the situation in IHK in its open session under the previous 1503 procedure (redesignated in 2007 under Resolution 5/1 of the Council).

b) Communications to Special Rapporteurs/Working Groups on Human Rights

We should educate the civil society in Pakistan and Kashmir on UN mechanism in the field of human rights and encourage them and the affected families and groups, to send communications, situation reports and urgent appeals to:

1) Special Rapporteur on Torture and other cruel, inhuman or degrading treatment or punishment;
2) Special Rapporteur on extrajudicial, summary or arbitrary executions;
3) Special Rapporteur on freedom of expression or opinion.
4) Working Group on involuntary disappearances.
5) Working Group on arbitrary detention.
6) Working Group on Communications.
7) Working Group on situations.
The communications addressed to the above should conform to the guidelines provided in the Resolution 5/1.

c) **Special Representative of the UN on Kashmir**

Pakistan and the affected population in IHK should demand the appointment of a Special Representative of the UNSC or the UN High Commissioner for Human Rights, to investigate the situation of Human Rights in IHK and submit a report for consideration by the UNGA, (ECOSOC) and the Human Rights Council. Demand for a fact-finding mission of the UN should also be made simultaneously.

d) **Mobilization of Civil Society Representatives to use UN Platform to Advocate Kashmir Cause.**

Visits of representatives of NGOs having a consultative status with the UN should be arranged to attend the regular sessions of Human Rights Council and the Economic Social Council (ECOSOC) and to speak on the situation in IHK and on the need to resolve the dispute expeditiously. The platform of these NGOs may also be utilized to facilitate speaking opportunities at the Human Rights Council, for representatives from the IHK or Kashmir diaspora.

e) **Approaching Human Rights Organizations Abroad**

Approaches may be made to Independent Human Rights organizations and other groups like International Commission of Jurists. Such
approaches should be carefully modulated keeping in mind the independent nature of these organizations.

f) Kashmir Caucus in the Parliament

A bipartisan Kashmir Caucus may be set up in the Parliament with the representation of both Houses. This caucus should actively promote debates on Kashmir-related issues in the Parliament. It may also reach out to and develop linkages with similar groups set up in Parliaments of other countries as well as the European Parliament. Reciprocal exchange of visits may be arranged to and from countries Friendship Groups exist.

g) Reach Out Programme of our Missions Abroad

Our foreign Missions abroad should make concerted efforts to set up Kashmir Solidarity Groups in the countries of their accreditation. Such solidarity groups should organize Kashmir related functions on important days and invite local leaders and opinion makers to speak on that occasion. The Missions, particularly the Ambassadors should reach out to the local leadership, opinion makers, universities, think tanks and the media, and keep them fully briefed on the situation in IHK and the need to resolve the issue in accordance with the relevant resolutions of the UNSC.

Long-Term Measures

Gilgit Baltistan
Pakistan needs to define and resolve the status, Constitutional or otherwise, of Gilgit-Baltistan (GB) vis-a-vis the Federation. The people of the region feel disgruntled and deprived in terms of their rights and representation. The younger generation in Pakistan is particularly confused about the exact status of GB, and this confusion is further compounded by some of the textbooks which refer to GB as the fifth province of Pakistan. With growing literacy in the region, people are increasingly becoming conscious of their deprivations in terms of their rights, representation and voice in decision making. As late as 1998-99 an organization by the name of “Free Baltistan Movement” used to launch occasional demonstrations in front of our Embassy in Brussels demanding “freedom.” In the context of CPEC, there are concerns among the people of GB on the virtual absence of their voice in decision making and the quantum of benefits likely to accrue to the region.

An option, though far fetched but worth examining, could be that Pakistan approaches the UN Secretary General with a proposal that in the light of non-implementation of the UNSC resolutions calling for a plebiscite in Kashmir, and in the absence of any progress so far, Pakistan would like to have a plebiscite conducted in the GB region under UN auspices/supervision, bearing all the related expenses. The people of GB, who have no desire to opt for India, would obviously vote for Pakistan. As
a matter of fact, some of the Princely States of GB had given their option to accede to Pakistan, but these accessions were not explicitly accepted nor were these territories incorporated in the territories comprising Pakistan. Once the accession process, following partial implementation of the UNSC resolutions, is complete the territories comprising GB may be formally incorporated in the Federation as a separate province or as part of Khyber Pakhtunkhwa (KP).

Another option could be to place AJK and GB as Special Territories with full constitutional rights as part of the Federation. These territories may not be made part of any province, and a provision may be added that final disposition of these entities would follow the implementation of the plebiscite under UN auspices in accordance with the relevant resolutions of the UNSC.

Development of Natural Resources of AJK and GB

The AJK and GB are rich in natural resources and have a significant potential for generation of hydroelectric power. Pakistan, in consultation with the AJK Government and GB, should develop a plan for development and exploitation of the mineral and natural resources of AJK and GB. The plan should be implemented aggressively.

Proactive Policy on Kashmir

Pakistan should follow a proactive policy on Kashmir. So far Pakistan’s response has been reactive, either to the shifting positions of India or the developments in the IHK. As far as uprisings in IHK are concerned, we have more or less followed a bandwagon approach and often reacted after the events have already taken place. Regarding our position on Kashmir, we could examine the possibility of asserting our
right to the whole of Kashmir based on the basic principal of partition i.e. contiguous Muslim majority areas were to comprise Pakistan. We could amend Article 257 or add an Article in our Constitution asserting this claim with the addition that final disposition of Kashmir would be in accordance with the relevant resolutions of the UNSC.

In the context of our interaction with the leadership in the IHK, we should present our case on the basis of Article 257 of the Constitution, which concedes the essence of the third option, in a way that it is compatible with the UN Security Council resolutions. In the meanwhile, we should consider extending the full benefits of Article 257 to Azad Kashmir which currently enjoys less autonomy when compared with IHK. Similar facilities may be extended to the G.B. region. This would have a positive impact in the Valley. A proactive approach is necessary on account of Indian efforts to seek a solution to its problems in IHK by excluding Pakistan. These efforts include tinkering with Article 370 of the Indian Constitution, demographic engineering, the return of Pundits to IHK and setting up of townships for them, establishing cantonments and colonies for retired Indian Soldiers, aggressive development plans for IHK based on Energy, Environment, and Tourism, etc. We should act proactively and with imagination to keep ourselves relevant. Short term attempts at a solution based on violence have the risk of isolation, frustration, the suffering of the people and possible blowbacks that could weaken our national fabric.

**Briefing of Experts on Treaty Bodies Related to Human Rights**

The MFA should keep a tab on the schedule for consideration of periodic reports of India under various Human Rights conventions ratified by India. It should be ensured
that all individual experts examining the reports submitted by India are fully briefed on the actual situation in Kashmir. They should be able to question the respective Indian official sent to defend the report, on the situation/human rights violations in IHK.

**Composite Dialogue and Resolution of Siachen and Sir Creek Disputes**

Lack of progress in the Composite Dialogue between India and Pakistan on the agreed agenda might show that it is a zero-sum game with both sides hesitant to concede ground to achieve the desired goals. Nevertheless, the agenda contains issues that are important and need a resolution sooner than later. Among them, Siachen dispute is important as it involves illegal occupation of territory by India, Pakistan’s access to the Karakoram pass, linkage of the dispute to the Kashmir dispute and delimitation of the Line of Control beyond NJ9842. Pakistan and India have, on several occasions, come close to an agreement but each time the apparent agreement was scuttled by the Indian establishment. Similarly, the Sir Creek dispute has been seen as one of the “low-hanging fruit” ready for an agreement. However, a final settlement remains elusive. On the face of it, it may seem to be a dispute involving marshy land, but regarding its implication on territorial waters, it has vital importance. It is, therefore, imperative that Pakistan aggressively continues in its efforts to find a negotiated settlement of these disputes along with others on the agenda, which are equally important.

The inter-state relations dispute resolution is often a cumbersome process and a long drawn process. It could be forced through coercive methods, through bilateral negotiations with or without third party involvement, through formal adjudicatory
mechanism defined in a bilateral agreement or through multilateral mechanism available to both protagonists. War and coercion in the Pakistan-India equation have not worked nor is it an option given the nuclearised status of both. The bilateral mechanism, so far, is not working either. Fortunately, Pakistan is on moral high ground, because of its position, which is in line with the UN Charter and the UNSC resolutions on Kashmir. India, on the other hand, is in violation of its own commitments given to the international community. India has tried hard to portray the UNSC resolution on Kashmir as irrelevant and overtaken by time. It has tried to have the dispute removed from the UNSC list of issues on its agenda. It has tried to challenge the authority of UNMOGIP claiming that re-designation of the Ceasefire Line had made it redundant. It has also tried to convince the world that following the Simla Agreement, Kashmir was no longer an international issue. India would continue to do its best to make Pakistan irrelevant to the dispute. It is, therefore, incumbent upon Pakistan to keep the dispute alive and active by continuously agitating it in the UN, other international fora and human rights organizations. It has to assert its legality of being a concerned party and an interlocutor in any negotiations on the dispute. This requires the multipronged approach suggested in this paper. Pakistan needs to pursue all these approaches with alacrity, the sincerity of purpose and potential will.