

Kashmir Fact Sheet

By US India Relations

War Against Terrorism

- The central issue in the world today is terrorism
- The reason India is threatening military action against Pakistan is terrorism.
- Pakistan has been a state sponsor of terrorism!
Therefore, it is terrorism we want to talk about.

Demographics

- 180 million Moslems live in India and 140 million live in Pakistan.
- 1947: 40% of Pakistan was Non-Moslem. Today ONLY 3 % are left while the world has looked the other way.
- 1947: 25% of India was Moslem (60 million).
1991: 95.2 million. Despite migration of millions of Moslems to Pakistan, TODAY 18% (150 million) of Indians are Moslems. This shows that the Moslem population is reaching pre-partition demographics in India.

Pakistan's Role in Terrorism

- December 1999: George Tenet, Director of CIA and Michael Sheen, State Department Coordinator for Counter Terrorism Michael Sheen testified before a Senate Sub-Committee that :
- *US intelligence has sufficient evidence that Pakistan is a state-sponsor of terrorism against India*

Pakistan & Terrorism

- In 2000, the State Dept's report on terrorism described Pak's official involvement in terrorism against India.
- - But fell short of adding Pak to list of countries sponsoring terrorism to avoid triggering severe sanctions against an old cold-war ally.

Pakistan & Terrorism

- Year 2000: a bipartisan congressional commission on terrorism recommended to the State Dept that sanctions be imposed on Pakistan for sponsoring terrorism.
- Spring 2001: The British put Pakistani organizations openly engaged in terrorism on their official list of terrorist organizations.

Pakistan is a State Sponsor of Terrorism

November 2001: According to Benazir Bhutto, former Prime Minister of Pakistan:

- Non-Kashmiris engaged in killings in India are terrorists.
- Pakistani intelligence agency (ISI) is a force onto itself and she had no knowledge of what ISI was doing, let alone controlling it as prime minister.
- *“If I had been Prime Minister of Pakistan, (the events of) Sep. 11 would not have happened” – Benazir Bhutto, November 2001.*

Pakistan and Terrorism

- Our own American Taliban, John Walker, has admitted to fighting in Kashmir.
- This could not have happened without the help of ISI, which created and nurtured the Taliban.

Robert Blackwill: US Ambassador to India

Nov. 21, 2001 New Delhi

- stated in a press conference for foreign media that “all persons involved in killings in Kashmir were terrorists and that they were no freedom fighters.”

Ethnic Cleansing of Hindus in Kashmir

- Pakistani government's direct aiding and abetting of terrorism in Kashmir has resulted in:
- 20,000 Hindus killed and 500,000 Hindus have fled Kashmir in terror.
- The world has been mostly silent about this ethnic cleansing of Hindus from Kashmir.

Atrocities in Bangladesh Against Hindu Minorities

- The world is also silent about ethnic cleansing of Hindus in Bangladesh.
- Amnesty International releases have shared the horrible atrocities committed against Hindu women.

Musharraf as Army Officer

1980s: Led Dictator Zia Ul Haq's programs to "pacify" the people of Gilgit / Baltistan in Pakistan-Occupied Kashmir. Sent tribesmen led by OSAMA bin LADEN to commit atrocities against the villagers – Musharraf is the original mentor of Osama bin Laden.

1980s: Promoted rapidly for being a non-western-leaning, Islamized officer popular with the Jihad.

1998: Promoted to Chief of Army Staff over other professional officers as part of Nawaz Sharif's institution of Islamic Law (Shariah) in Pakistan.

Musharraf as Dictator

- Nov 1999: Shut down a Pak commando unit being trained by CIA to go after Bin Laden.
 - Dec 2001: Musharraf was warned by US to get off the Board of an organization the US was about to add to its terrorist list.
 - Dec 2001: The “Kunduz Airlift” sent airplanes and helicopters to rescue Pakistanis fighting with the Taliban/El Quaeda against the US coalition.
- (Seymour Hirsch New Yorker Feb 2002)

Musharraf as Chief of Army Staff

- 1998-99: Planned and conducted infiltration inside India to invade Jammu- Kashmir.
- Counted on nuclear blackmail using Chinese nukes to prevent Indian retaliation. Thwarted by Indian weaponization.
- Faced with court-martial for role in Kargil disaster.
- Led coup d'etat against his Prime Minister, citing Sharif's bowing to American pressure as "corruption".
- Musharraf's power base is the anti-western Islamic Fundamentalists in the military, not the middle class!!*

Recent Documents have Revealed

- 1948: US Secretary of State Gen. George C. Marshall told the British that Kashmir's accession with India was legal and final as far as US was concerned.
- Therefore the lie of “Kashmir being a disputed territory” is very disturbing while it has further emboldened the position of Islamic militants.

THE ROOT CAUSE OF THE CRISIS IN KASHMIR

Struggle between two conflicting value systems.

- 1) To India just like the US, secularism with a peaceful co-existence with cultural, ethnic and religious diversity is the most important issue.
- 2) Pakistan calls itself an “Islamic Republic”, and its stated *raison d’etre* is the “two nation theory” that Moslems cannot and *must not be allowed to* co-exist with other religions.

1947: Result of this Dichotomy

- One section of Muslims led by Jinnah and his Muslim League Party demanded and agitated for a separate country.
- Nearly as many Muslims rejected this, and firmly believed in India's secular policy. They opposed partitioning India on the basis of religion. They chose to remain in India after India achieved its independence from the British. Today they are full citizens of India.

Important to clarify

- There were two categories of pre-partitioned India
- 1) British India that was partitioned based on religion
- 2) Princely States where **the ruler** had full autonomy to join India OR Pakistan by signing the Instrument of Accession

The Indian Independence Act

- Passed in June 1947
- Formed the basis of setting up of two Independent Dominions from August 15, 1947.
- The Act provided for the Princely States to join either of the two Dominions.
- None of the princely States were permitted to declare independence [Sec II (3)].
- Some Princes e.g. Hari Singh had the ambition of remaining Independent . It was not legally tenable.

1947: India

- When the British left, the 584 princely states, constituting 45% of undivided India became sovereign entities with 2 options:
 - 1) Join Secular India
 - 2) Join Moslem Pakistan

National Conference Party

- Was the largest political party of Kashmir with a preponderance of Moslems with Hindus and Buddhists as members under the leadership of a Moslem - Sheikh Abdullah.
- This party had consistently since the 1930's expressed opposition to the two nation theory and in 1947 urged that Kashmir join secular India.

Sheikh Abdullah: 1947

- Leader of the opposition to Maharaja Hari Singh.
- Jailed by Hari Singh.
- ***BUT***: Insisted on joining a secular India so that Kashmir would remain secular and multi-ethnic.
- Rejected Pakistan and its Islamic bigotry.

Further more

The religious composition of the Princely States was not relevant at the time per British policy.

Pakistan did not ascertain the will of the people of the princely states that acceded to it in 1947.

PAKISTAN Invaded Kashmir

October 22, 1947

- Commanded by General Akbar Khan, later promoted to Chief of Pakistan's army.
- "Tribesmen" included many Pakistan Army officers and men, in and out of uniform. C3I and artillery provided by regular Pakistan Army
- *Just like the Taliban Army, 2001.*

Pakistani Invasion Oct 1947

- Entire villages e.g. Baramula, Rajouri and Poonch were destroyed by the Pakistani army while committing murder, rape and plunder.
- *Rather than any negotiated settlement, Pakistan chose the route of brute force in 1947.*
- *Is this out of concern for Kashmiris?*

Pakistan attacked Baramula

Kashmir: October 1947

- Killing 7,000 in a town of 10,000 people
- Especially brutal to Sikhs, whom the Pakistani army labeled as "Ball Walle Kafir", the non-believer with hair.
- Destroyed the hospitals, hindu and sikh temples and the church of Baramula.
- Skardu (POK): Radio message from Pak Commander to Pak HQ: "Skardu liberated. All Sikhs killed. All women raped".

Ruler of Kashmir appealed to India for help

- Why?

Because Kashmir's small state
army was no match for the
Pakistani army.

Instrument of Accession to India was signed

- October 1947: Lord Mountbatten, the Governor General of India accepted the Kashmiri ruler's request to join the Indian Union
- A legal document called the Instrument of Accession was signed between India and the Kashmiri ruler.
- This same document was also signed by the other 584 princely states.

*Constitution of Jammu & Kashmir -
updated reprint 1995*

- **“Sounder than Texas's accession to the USA, Kashmir's accession to India is legal, final, binding and irrevocable”.**

**Source: A S Anand Chief Justice of
Supreme Court of India - p. 96**

Kashmir is saved from Pakistani invasion

- October 1947: Lord Mountbatten asked India to send its troops to save Kashmir from Pakistani aggression.
- *Indian Premier Nehru insisted on Sheikh Abdullah being freed from prison as condition for Indian intervention.*
- Indian troops were sent with the enthusiastic consent of Sheikh Abdullah

Source: Lord Mountbatten's diaries

Sheikh Abdullah

- October 1947: Kashmir's popular Moslem leader Sheikh Abdullah supported Kashmir's accession to India
- Of interest: Earlier Sheikh Abdullah had demonstrated against the Kashmiri ruler for greater democracy & civil rights.
- Now: Sheikh Abdullah expressed the sentiments of the majority of Kashmiri people in a famous speech.

A key point of Sheikh Abdullah's speech

- *"We the people of Jammu and Kashmir, have thrown our lot with the Indian people, not in a heat of passion or a moment of despair, but by a deliberate choice."*

Sheikh Abdullah: October 1947

First Muslim leader of Kashmir was appointed by India

- October 31, 1947: Sheikh Abdullah a Moslem was appointed Head of the Kashmir Emergency Administration
- Then was made the first Prime Minister of Kashmir. His was the first people's popular government in Kashmir.
- *For most of the time since 1947, AND TODAY, “Indian-Kashmir” has been ruled by the National Conference Party of Sheikh Abdullah and always headed by a Moslem.*

Pakistan's pattern of aggression

- Initially Pakistan denied having sent troops into Kashmir in October 1947
- Subsequently admitted by Pakistani leaders and army officers.
- This is a consistent Pakistani pattern in 1947, 1948, 1965, 1971 and recently in 1999 in Kargil.
- *Same tactic used in Afghanistan, where 40% of the Taliban's Officer corps and 30% of its troops were Pakistani, until Operation Enduring Freedom began.*

United Nations: Jan 1, 1948

- India complained to the UN so as to get Pakistan to end Pakistani aggression against India in Jammu and Kashmir.

Noteworthy

- Despite military superiority even in 1947 India did not want to use force to vacate the Indian territory in Kashmir occupied by Pakistan.
- Instead, India turned to the UN. If India had believed in a military solution on Kashmir, it could have done so in 1965, 1971 and 1999. And today.

The United Nations Security Council

- UN avoided taking sides between India and Pakistan.
- UN did not even question the legality of Kashmir's accession to India.
- Doing such would be like questioning the legality of the very partition of British India into India and Pakistan.

United Nations Appointed a Commission: 1948

- Under Charter 6: to mediate between India and Pakistan
- UN stated the issue is for India and Pakistan to resolve & these resolutions are NOT a directive, only recommendations.
- Four UN resolutions were issued on April 21 1948, August 13 1948, Jan. 5 1949 and March 14 1950.

UN Resolution: Jan 5, 1949

Called for three actions in this sequential order

- (1) First, Pakistan must withdraw all its troops and all non-Kashmiris from Kashmir.
- (2) Next India should withdraw bulk of its troops *RETAINING those required for law and order*; all those who had left Kashmir (on both sides) as refugees should be allowed to return.

(3) **AND ONLY THEREAFTER** ascertain the wishes of the Kashmiri people in both portions of Kashmir under UN supervision.

Pakistan violated the UN Resolution

- Pakistan is non-compliant: has not withdrawn its occupied forces thereby violated the first of the 3 actions outlined by the UN resolution.
- *ON the contrary India has only permitted Kashmiris to own land in India's Kashmir per Article 370 of the Indian Constitution and per UN resolution.*

2 Questions

- 1) Is Pakistan willing to implement step one even now by withdrawing its military from the portion of Kashmir it has occupied by aggression in 1947?
- 2) If refugees are allowed to return and claim their lands, would that include the non-Moslem citizens?

These are Kashmiri Pundits - 400,000 to 600,000 are still living as Displaced Persons today.

Pakistan-Occupied Kashmir (POK)

- Lacks all democratic institutions. Administered by a Pakistani “minister for Azad Kashmir“ or Military Governor appointed by Islamabad.
- Pakistan officially disallows the option of an independent Kashmir. If anyone in POK raises that demand, it is an act of treachery and punishable by death. POK residents must sign Oath of Loyalty to Pakistan to get ration cards.
- Residents of the “Northern Areas” of Gilgit/Baltistan are afforded no citizenship rights

Pakistan Refused to Withdraw

- Pakistan has consistently refused to withdraw its forces from the Pakistan-occupied Kashmir portion.
- Instead, Pakistan joined big power blocks and received massive military and economic aid from the West.

Pakistan Attacked India in 1965

- Dictator Ayub Khan sent 34,000 Pakistani soldiers into Kashmir and Gujarat in a massive land and air attacks against India.
- *Targets: (1) Jammu-Kashmir , (2) New Delhi*
- Of 3 Indian soldiers awarded the “Param Vir Chakra” (all posthumous) for heroism, one was Moslem – Havildar Abdul Hamid.
- Pakistan was defeated by India and signed the Tashkent agreement with India.

Pakistan Attacked India in 1971

- Pak Dictator General Yahya Khan killed 3 million Pakistani citizens in East Bengal after rejecting election results, and launched air-land attacks on India - which led to the birth of Bangladesh.
- In all three wars, Kashmiris rose to the defence of India. They joined the Indian army to defeat the Pakistanis.

Birth of Bangla Desh

- Buried the two nation theory of dividing nations on the basis of religion.
- July 1972: Pakistan signed the “Simla Agreement” with India.
- Simla Agreement: Pakistani PM Z.A. Bhutto, who replaced Yahya Khan, agreed to resolve all issues peacefully through *bilateral negotiations*.

Furthermore

- 1971: India had captured vast areas of Pakistani territory and 93,000 POWs.
- India agreed not to let Bangla Desh try the Pakistani POWs on War Crimes charges.
- India returned captured territory in both '65 and '71, *even in Jammu-Kashmir* - proof that India is
- (a) not interested in acquiring foreign territory.
(b) willing to settle all disputes through negotiations.

The Simla Agreement

- Supported by the UN and the US the “Simla Agreement” required all disputes between Pakistan and India to be resolved bilaterally and not to resort to aggression to solve problems.
- A Line of Control was established in 1972 as a result of the Simla agreement between Indira Gandhi and ZA Bhutto.

Simla Agreement

- The 1972 Simla agreement was later endorsed in the 1999 Lahore Declaration between Vajpayee and Nawaz Sharif stating that all differences will be resolved by bilateral negotiations.
- Musharraf then army chief and his ISI did not like this action by Nawaz Sharif and continued the terrorist acts against India.

UN and Kashmir

- "Unless the two sides approach us, we cannot get involved. If India and Pakistan approach the U.N. on this (Kashmir) issue, it will be ready to help. The best solution lies in direct contact between the two countries."

Boutros B. Ghali, the U.N. Secretary General, March 1992

FOURTH Invasion by Pakistan

1999 Kargil War

- When Prime Minister Vajpayee went to Lahore, Pakistan for signing a peace agreement in a BUS-Diplomacy tour the Pakistani army secretly invaded India and even occupied a portion of Indian territory in Kashmir.

Pakistan Violated Simla Agreement

- 1999 Kargil War was a violation of the “Simla Agreement” by illegally taking control of part of Indian portion of Kashmir territory.
- Subsequently Clinton & Nawaz Sharif met at Camp David & Clinton asked Nawaz Sharif to withdraw Pakistani army from Kargil, India.
- With support of the world community India went to a limited war and had it vacated.

Lahore Declaration

- Musharraf refused to be present when Vajpayee and Nawaz Sharif signed the “Lahore Declaration”.
- He was the Chief of the Pakistani Armed Forces at the time; said he would not want to salute Vajpayee.

Current UN Secretary General

- December 2000
- UN Secretary General Kofi Anan has said:
- “ I call upon both India and Pakistan to retain the spirit of the Lahore Declaration.”

Pakistan's obsession with Kashmir

- Madrassas of Pakistan: In last 12 years, unemployed youth educated in the religious madrassas of Pakistan are trained by Pakistan's spy agency ISI to infiltrate into Indian Kashmir and ethnically cleanse the Hindus, Sikhs and secular Moslems, destroy schools, hospitals, and basic infrastructures.

September 11, 2001 & Pakistan's Madrassas

- These same “madrassas” are also the breeding ground of terrorists who supported Al Qaeda and the Taliban and were responsible for the 9/11 attacks on US.

Loss of Lives in Kashmir

- Today, of the 2,400 terrorists active in the Kashmir valley alone, 1,400 are foreigners
- In last 12 years 20,000 lives have been lost and the world has remained silent.

Informal Observation

- *Modern India has no real interest in capturing Pakistan-Occupied Kashmir, and is quite willing to live with the current “Line of Control” as the permanent international border.*
- *Jaswant Singh, Jan. 19, 2002: “The era of map-making is over.”*
- *Pakistan (specifically including Musharraf) does not recognize the LOC and wants ALL of Jammu-Kashmir under Pakistan’s control.*

Pakistan & US anti-terror coalition

- Was not a change of heart by Pakistan
- It was due to the ultimatum given by US after the September 11 attacks.
- The recent promise by Musharraf of cracking down on Kashmiri terrorists operating from Pakistan needs to be matched with REAL actions.

LA Times Editorial: January 15 2002 “Pakistan’s Moderation”

The Times Editorial rightly states “India welcomed the address (by Musharraf) but rightly demanded action as well. The key will be Pakistan’s dealings with the border guerrillas that it considers fighters for freedom of the disputed territory. India considers them terrorists.”

Core of Indian Nationhood

- President Bush has said the September 11 attacks were an attack on the US spirit of freedom and democracy;
- Likewise the terrorists activity going on in Kashmir is an attack on the principles of multi-cultural pluralism. This is the core of the Indian nationhood.
- The world community must insist Pakistan stop attacking India's principles of multi-cultural pluralism.

Conclusions

India and the US are the twin tower's of the world's democracies. Therefore it behooves the US to insist that:

- Pakistan dismantle ALL its terrorist training complexes and not just move them.
- Pakistan bring about a change of attitude in its army to honor the present line of control with India.

Summary

- Kashmir must remain an integral part of India. US must support India's secular position on Kashmir.
- Loss of Kashmir could result in the disintegration & talibanization of India.
- India must remain a proud secular democratic republic like the US.

Acknowledgement

- The author profusely thanks the following persons for contributing information & for carefully critiquing this presentation:
- Damodar Sardesai, PhD Professor Emeritus of History UCLA
- Dr Kalpesh Desai
- Chandrakant Panse
- Narayanan Komerath