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Mediation for peace

Conflict resolution: Learning lessons from dialogue processes in India

The Centre for Humanitarian Dialogue and
the Delhi Policy Group



The Centre for Humanitarian Dialogue (HD Centre)

“Mediation for peace”

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Cover images

Front: Members of Naxalites, officially the Communist Party of India (Maoist), raise their arms during an exercise at a temporary base in the Abujh Marh forests, in the central Indian state of Chattisgarh, April 13, 2007. © AP Photo/Mustafa Quraishi

Back: Traditional Indian hand-printed cotton fabric with floral design. © iStockphoto

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Centre for Humanitarian Dialogue

114, rue de Lausanne
Geneva 1202
Switzerland

t +41 22 908 11 30
f +41 22 908 11 40
e info@hdcentre.org
w www.hdcentre.org

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114, rue de Lausanne
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t + 41 22 908 11 30

f +41 22 908 11 40

e info@hdcentre.org

w www.hdcentre.org

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Editor: Cate Buchanan (cateb@hdcentre.org)

Deputy editor: Adam Cooper

Design and layout: Rick Jones (rick@studioexile.com)

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Contributors

Dr Rupakjyoti Borah is currently a Senior Lecturer at the Department of Geopolitics and International Relations, Manipal University, India and was a Visiting Fellow at the Centre of International Studies, University of Cambridge, United Kingdom in 2009. Dr Rupakjyoti Borah was a co-author of the Manipur case study.

Professor Radha Kumar is trustee of the Delhi Policy Group and Director of its Peace and Conflict Program. She is currently on the Boards of the UN Institute for Training and Research (UNITAR) and the Foundation for Communal Harmony, India, and an Associate Fellow of the Asia Society in New York. In October 2010, she was named as a member of the Government of India's Group of Interlocutors for Jammu and Kashmir. Formerly Senior Fellow in Peace and Conflict Studies at the Council on Foreign Relations in New York (1999-2003), Dr Kumar has also been Executive Director of the Helsinki Citizen's Assembly in Prague (1992-1994), an Associate Fellow at the Institute for War

and Peace Studies at Columbia University (1994-1996) and a Warren Weaver Fellow at the Rockefeller Foundation (1997-1998).

Dr Murali Karnam holds a Ph.D from the University of Hyderabad, India on the history of the Indian penal system. For the last seven years his work has focused on prison reforms in India. He has been researching contemporary trends in human rights laws and the penal system and is involved in training on human rights issues. A founding member of the Human Rights Forum in Andhra Pradesh in 1998, he has been active in its work in the Hyderabad chapter. Dr Murali Karnam regularly contributes articles to various journals on human rights issues and was the lead author on the Naxalite case study.

Hemant Katoch worked for seven years on the Centre for Humanitarian Dialogue conflict resolution programme. He left the HD Centre in late 2010 and is currently working as a Delegate for the International Committee of the Red Cross (ICRC) in the eastern Democratic Republic of Congo. His other work experience includes a one-year stint with the UN World Food Programme in Timor-Leste. Hemant Katoch was a co-author of the Manipur case study.

Ouseph Tharakan is currently a Project Officer at the HD Centre's Asia Regional Office in Singapore. He has a Master's degree in International Relations from the University of Essex. Before joining the HD Centre in 2007, he worked with the International Trade Centre (UNCTAD/WTO) and the South Centre in Geneva. Ouseph Tharakan was a co-author of the Manipur case study.

Introduction

Dialogue is a fundamental component of peace-making. India has a long, but often unheralded, tradition of engaging in dialogue with insurgent groups. The motives for engaging in dialogue may vary and the eventual outcome, with a few exceptions such as Mizoram, has rarely resulted in a durable peace. Nevertheless, it is crucial to highlight that a review of Indian peacemaking efforts since independence in 1947 suggests that the Indian state has generally not shied away from eventually talking to those who oppose it.

There are many lessons to be learned from reviewing and analysing India's rich experience of engaging in dialogue with conflict parties. These lessons are equally relevant to other conflicts in other parts of the world and to future efforts to resolve conflicts in India.

While a dialogue process may not necessarily lead to a peace process or eventual settlement of a conflict, it is a necessary pre-requisite for it. Of equal importance is the fact that a dialogue process can often have positive effects such as a reduction of violence, even if the eventual solution still remains out of reach. The Government of India's dialogue with the National Socialist Council of Nagaland (Isak – Muivah), is an example of this situation. After more than 14 years of talks there has been a significant decrease in violence although a political solution remains elusive.

There are many lessons to be learned from reviewing and analysing India's rich experience of engaging in dialogue with conflict parties. These

lessons are equally relevant to other conflicts in other parts of the world and to future efforts to resolve conflicts in India.

This publication does not seek to undertake a broad or comprehensive review of India's peace-making experience. Rather it seeks to examine peacemaking efforts in three conflicts in India which vary greatly in terms of root causes, actors and geographic location. By doing so, this publication attempts to briefly highlight the diversity of India's experience in peacemaking and thus encourage more comprehensive and extensive comparative policy work on this subject.

This report includes three case studies: Kashmir, Manipur and the dialogue process with the Naxalites in Andhra Pradesh. All three case studies make recommendations on lessons learned from the respective dialogue efforts.

The conflict in Kashmir is a source of long standing tension between India and Pakistan and has major implications for regional stability. The case study reviews key initiatives made at multiple levels to resolve the issue through dialogue and assesses the prospects for a peaceful solution.

While North East India has a long history of dialogue processes and peace accords (covering conflicts in Assam, Tripura, Mizoram, and Nagaland) this publication focuses on Manipur which remains wracked by insurgency driven by more than 30 insurgent groups of various ethnic compositions. Manipur has among the highest levels of conflict-related deaths on the region, occupies an area of immense strategic importance, and is one of the few conflicts in India where there has been very limited success in initiating a dialogue process.

The 1994 dialogue process with the Naxalites in Andhra Pradesh assumes immense importance in light of the contemporary debate in India on how to deal with a leftist inspired insurgency which has spread across large parts of the country. Increasingly, there have been calls to engage in dialogue with the Maoists. However, as the case study demonstrates, any such dialogue process will require an immense amount of planning, close involvement of civil

society and the media, and careful framing of the agenda.

As India is the largest democracy in the world, it is only apt that it has a long record of engaging in dialogue with those who oppose the state and what it stands for. Most importantly, this rich legacy will hopefully encourage India to increasingly utilise dialogue as a means to resolve current and future conflicts and bring about durable peace.

Case Study One

Talks between Maoists and the Government in Andhra Pradesh in 2004

Executive summary

“To this day, a ‘two-pronged strategy’ is often talked of as the best one for tackling the communist revolutionaries. Tough policing of naxalite violence and benign welfare measures for the poverty-stricken masses are the two prongs. Quite apart from the fact that in practice, the first prong has been longer and sharper than the second, the truth is that conscious political violence can never be successfully addressed if it is treated as an unplanned outgrowth of social deprivation. It requires constant dialogue both at the level of citizens, and at the level of the government.” – K. Balagopal¹

The left-wing revolutionary movement whose constituent groups are known as Naxalites has been active in India since 1967.² There are more than a dozen Naxalite parties leading this movement across

the country. Almost all of them pledge to capture state power through armed struggle. The strongest and most popular of the Naxalite parties, working across ten states in east and central India, is known as the Communist Party of India (ML) (Maoist). Formed in 1980, initially to mobilise the poor, tribal and working classes, its militarization intensified from the early 1990s onwards. By the late 1990s violence between Naxalites and the Government of Andhra Pradesh had reached a stage where many in civil society felt that the suffering of a large section of rural society was a serious concern which merited civil society intervention. In 1997 a group of civil liberties activists, former bureaucrats, journalists and lawyers formed the Committee of Concerned Citizens (CCC) to mobilise public opinion in favour of a peace process.³ After five years of patient effort, the CCC succeeded in building a public constituency, and in 2002 and 2004 it brought the revolutionaries and the State Government to the table for negotiations. This case study outlines the events and the lessons that can be learned from this example of civil society leadership in a peace process.

Section 1: The origin of the Naxalite parties

Naxalites, also known as the Naxals, is a loose term used to denote groups waging a struggle on

¹ Balagopal, K, “A Note on the Failed Talks”, Unpublished piece, (unclear date, 2005).

² Naxalite is a common name for all ultra left parties with the ideology of overthrowing the state through violence. The largest party among them, which is also the most popular and violent, is CPI (Marxist-Leninist, M-L) (Peoples’ War). The People’s War (largely based in Andhra Pradesh, Karnataka, Odisha, Maharashtra and a few other states) and the Maoist Communist Centre (based primarily in Bihar and in a few northern states) merged in October 2004 and became the Communist Party of India (M-L) (Maoist). Thus the terms Maoists and Naxalites are interchangeable depending on the context.

³ The convener of the CCC, S.R Sankaran, is a former bureaucrat noted for his commitment to welfare issues. Other prominent members are K.G. Kannabiran, National President of the People’s Union for Civil Liberties (PUCL), a human rights organisation; Professor Haragopal, Vice-President of Andhra Pradesh Civil Liberties Committee (APCLC), a human rights organisation; and P. Venkateswar Rao, former President of the AP Press Academy.

behalf of landless labourers and tribal or indigenous communities against landlords, industry and the Central and State Governments in India. The name is drawn from an attack which took place on 25 May 1967 in Naxalbari village in Darjeeling district in northern West Bengal. Local thugs attacked a tribe member who had been given land by the courts under tenancy laws. In retaliation, the indigenous people attacked landlords and claimed the land. This incident marked the beginning of the ‘Naxalbari Uprising’ and thus the origin of the term Naxalite. The Naxalite movement itself began in 1967 after the Communist Party of India (Marxist) [CPI (M)] divided over the decision to form a coalition government in West Bengal, and a splinter group led by Charu Mazumdar initiated the Naxalbari peasant movement in West Bengal.

Andhra Pradesh (AP) is one of the two states whose communities responded enthusiastically to the Naxalbari peasant movement. In early March 1967, a group of farmers led by Charu Mazumdar, a member of the Darjeeling District Committee of the CPI (M), occupied landlords’ land and cut the crop. The clashes that ensued between the tribal communities and police in May 1967 resulted in the death of one policeman, seven women and two children. This sparked splits in the CPI (M) across ten states in the country and led supporters to consider alternative political practices that would improve the lives of the poorest. After two years of debate they declared that they had lost trust in the political system as it had been constituted and formed the Communist Party of India (Marxist-Leninist) [CPI (M-L)] in April 1969. It declared that its ultimate goal was capturing political power through mobilising the rural masses and using violence. By 1980, Naxalites in the most deprived region of AP had consolidated themselves into a viable political formation. The CPI (Marxist-Leninist) (People’s War), or PW as it is commonly called, emerged in 1980 and became one of the major Naxalite parties with a large base of support and ideological backing from intellectuals across the country. On 14 October 2004 – the day before dialogue with the government in AP was to commence – this name was changed to CPI (M-L) (Maoist).

The development of Naxalism in AP reflected growing dissatisfaction with those who dominated politics and every day rural life in the state. Landlords

flouted land ceiling laws with the help of a bureaucracy that was made up of people from the same class and castes. They did so less to cultivate the land under their control and more to retain their feudal authority by keeping the masses dependent. Service castes worked for them without pay, arbitrary fines were imposed, and women sexually exploited. A large section of the rural masses were subject to feudal exploitation in the form of *vetti* or bonded labour, which is an offshoot of caste hierarchy.⁴

Those who suffered such exploitation were natural constituents for the Naxalites. They started mobilising agricultural labourers and poor peasants in North Telangana against their landlords. They also mobilised tribe members against the arbitrary power of forest officials, fought for a price hike for *tendu patta* (beedi leaves), and a wage hike in the agriculture sector. They formed *sanghas* (community groups) of women, labourers and peasants in every village they were active in. Such groups put pressure on landlords to give up their feudal practices and give back large amounts of illegal fines collected from the people.⁵

Violence was very sporadic and used only to threaten individual landlords who resisted these changes. Though they declared they would violently overthrow the state to capture power, in practice the Naxalites were not highly militarised. Rather, they aimed to gain popular support by mobilising the rural masses. The state’s response was largely confined to targeting underground cadres.

The conflict dynamics in AP changed in the latter half of the 1980s. The repression of the movement by the state grew more intense and changed in nature. One strategy the Naxalites followed whenever they faced more repression was horizontal geographical expansion; the Naxalites’ presence in central India needs to be seen in this light. When landlords were not able to withstand the Naxalites, they moved to towns and cities, metamorphosing into contractors, political leaders and liquor businessmen. This both diminished feudal authority

4 As part of a caste custom called *vetti* in Telangana region, service castes that undertake work such as pottery, laundry, haircutting and basket-making are to provide the services free of cost to dominant castes in the caste hierarchy; see Balagopal, K, “Telangana movement revisited”, *Economic and Political Weekly*, April 30, (1983), p.711.

5 Balagopal, K, “Peasant Struggle and Repression in Peddapally”, *Economic and Political Weekly*, May 15, (1982), p.816.



Commander of the People's War Akkiraju Haragopal alias Ramakrishna, centre, looks on along with other leaders Amar, left, and Sudhakar, right, during the first direct-level peace talks between the State Government and the rebels in Hyderabad, India, October 15, 2004. AP Photo/Mustafa Quraishi.

in the villages and created a huge social base and political constituency for the Naxalites.

At the same time the formation of the Telugu Desam Party (TDP) in 1982⁶ and the creation of the decentralised Mandal Panchayat system also offered new political opportunities to lower castes and communities in the villages.⁷ They emerged as mainstream politicians at village level but remained largely sympathetic to the Naxalites. In the first AP State Assembly elections after the formation of the TDP, the President of the party, N. T. Rama Rao, declared Naxalites to be the real patriots in the country. In response to this the Naxalites indicated their support for the party, marking the beginning of mutual endorsement between Naxalites and political parties. However, the Naxalites' hope for a

more open democratic system did not materialise. The new AP State Government proved to be much more ruthless and repressive than its predecessor. This was epitomised in 1988 by the formation of the 'Greyhounds', a special police force with unprecedented powers and resources which were far more brutal than their predecessors.⁸

During the same period the Naxalites were also becoming more influential in every aspect of public life. In areas under their influence, they were deciding the wage rates, milk rates, settling family disputes, as well as warning, and sometimes killing, suspected criminals. It is difficult to say whether their decisions were decided democratically or arbitrarily. Indications are that wherever senior members of the cadre were in charge of affairs, it was more often the case that democratic politics rather than force decided the issues.

Villages and small towns under Naxalite influence elected a new generation of politicians from marginalised sections of society but representing

6 Until then the National Congress Party had ruled the state since Independence in 1947 without any viable opposition party to reckon with. The TDP began to create its own political constituency through lower castes, which were largely ignored by the Congress Party.

7 Mandal Panchayat was created as an administrative unit of local governance by the TDP government in 1985. It abolished positions of traditional but powerful village heads, paving the way for the assertion of lower castes.

8 The 'Greyhounds' force was given free rein to operate in plainclothes, in unmarked vehicles and arrest without warrants.

the mainstream political parties. The relationship between the Naxalites and the rural political establishment was complex. These representatives (sometimes including Members of the Legislative Assembly, MLAs) supported the Naxalites, and were in turn supported by them. The representatives provided protection from state repression but when the state repressed Naxalites, such as by killing militants, they were targeted for failing to stop such action. Naxalites would threaten them, demand their resignation, maim and kill them, and force boycotts of elections. This aggression extended to the Naxalites' own supporters; suspected police informers were killed, with little consideration for how vulnerable poor villagers were to threats from the police.

The TDP controlled AP's State Government from 1983 to 1991. The TDP's repression led the Naxalites to discreetly support the Congress Party in the 1991 elections (their public position was that elections should be boycotted).⁹ After Chenna Reddy became Chief Minister in 1991, the ban on Naxalites was lifted and they were free to move around, much to the chagrin of the police establishment.

Partly in response to the systematic violence unleashed by the state during the second half of 1980s and the difficulty of mass mobilisation, the Naxalites increasingly resorted to armed tactics, equipping themselves with more weapons. The use of arms became more visible and gained a new cachet among young members, who were more motivated by their desire to carry weapons than any serious political commitment. The Naxalites blamed this on the degeneration of mainstream politics and the emergence of a more decadent ruling class. This resulted in large scale recruitment of all sorts of cadre into Naxalite parties during 1991 including many undesirable elements primarily motivated by violence. The Naxalites had to pay a huge price for this later, when many such elements worked against them at the behest of state forces.

From 1990 onwards the state relied heavily on a police force that often operated beyond the boundaries of law. At the same time, special laws such as the Andhra Pradesh Public Security Act in 1992

were aimed at the Naxalite threat.¹⁰ The police were highly trained and equipped with assault weapons, and were divested of all other standard public security services, law and order. They were able to detain, torture and kill anyone in staged encounters without fear of prosecution. Insulated from political oversight, they were answerable only to police chiefs. They were encouraged to develop a network of informers from every area of Naxalite influence using a combination of threats and inducements including threatening Naxalite supporters with arrest or murder; filing false cases against them or promising not to pursue criminal cases against them; offering huge amounts of money illegally; and allowing them to indulge in extortion. Another method adopted by the police was to arrest one of the squad members and force them to agree to kill their own comrades. By encouraging Naxalites who had surrendered to indulge in unethical practices, the police both contained the threat from the Naxalites and also tarnished their image.¹¹

In response to this, from 1990 the Naxalites began to attack all those they thought were directly or indirectly helping the state repression, from police constables to village heads. While high profile politicians and police officers were killed (including MLAs and an ex-Home Minister), most of their victims were ordinary people.¹² Landmines planted to kill the police and politicians also led to the death of others. The destruction of government offices and property created serious problems. For example, the destruction of a revenue office resulted in the loss of land records, which are important for small farmers to get loans from banks. Eventually the human rights movement in the state was able to convince them to stop attacking places of public importance in the interest of the common people.

9 Depending on their political expediency, all mainstream political parties have adopted two approaches towards Naxalites: one approach involves recognising them as fighting for the socio-economic causes of the masses and the other approach portrays them as criminals requiring a tough response. The first approach temporarily and strategically endeared the political parties to Naxalites.

10 Under the sub-sections (1) and (4) of section 3 of the Act, the AP Government has declared the CPI (M-L) (Maoist) and its six front organisations as unlawful associations every year since 1992 except for the brief period during 2004 when talks were held between them. The banned organisations are Radical Youth League, Rythu Coolie Sangham, Radical Students Union, Singareni Karmika Samakhya, Viplava Karmika Samakhya and All India Revolutionary Students Federation.

11 The ability of certain Naxalite cadres to use violence was utilised not only by Naxalites but also by the state. Many of these cadres were not only asked to undertake illegal activities but were also allowed to do so by the state officials, who also benefited. Sometimes even police officers used them illegally to settle real estate disputes between citizens.

12 Ragya Naik, a scheduled tribal Congress Party MLA was killed on 30 December, 2001; see Murali, K, "Continuing Militancy in Andhra Pradesh", *Economic and Political Weekly*, February 23, (2002). Former Home Minister Madhava Reddy of the TDP was killed by a landmine on March 8, 2000.

The violence continued for many years with both the Naxalites and the police killing an approximately equal number of people each year. This remained the case until Chandra Babu from the TDP became Chief Minister in 1996. From 1996 to 2001, the police killed approximately 200 people each year, many more than the number of those who died at the hands of the Naxalites. The fact that the police felt they had the upper hand is one of the reasons for Chandra Babu's reluctance to engage in a dialogue. However, in 2002, the revolutionaries killed more than the police.¹³

The violence had a serious impact on rural politics and governance. All state policies became subordinate to the policing of the Naxalite areas. Police played a dominant role in government schemes, whether or not they related to security. Violence by Naxalites was used by the government as an excuse for poor performance. The police made political statements about the ideology of Naxalism and threatened people not to boycott elections. Large construction schemes were stopped for fear that some money would flow to the Naxalites. Those suspected of harbouring sympathy for the Naxalites could be tortured, arrested or killed. Local political bodies became virtually paralysed by threats from both the police and the Naxalites. If someone were to go to the police station to make a complaint, they could be labelled an informer and have their life put at risk. The threat of violence from both Naxalites and the state created a climate of fear.

The Committee of Concerned Citizens

In 1997 the Committee of Concerned Citizens (CCC) toured the areas of violence and Naxalite influence. Their focus was on starting a dialogue with society about the conflict, asking questions about the rule of law and the wellbeing of those caught up in the violence. They did not aim to engage the state specifically and engaging with society was a novel approach as previously the Naxalites and the state were seen as the only key actors. However, the CCC was driven by the needs of the public as S.R. Sankaran, the CCC's leading figure, put it: "*Both the Naxalites*

and the government say something and do something else but it is the primacy of people's issues that kept us going."¹⁴ The CCC firmly believed that the public should hold both the state and the Naxalites responsible for their actions.

The CCC systematically continued this dialogue with society for three years, documenting and publicising their findings. The media also played a constructive role in the initial stages of the process by mobilising public opinion for peace.

They began by organising meetings with ordinary people, teachers associations, trade unions, newspaper editors and women's organisations to elicit their opinions on the conflict. People in areas under Naxalite influence expressed their belief that Naxalism was legitimate even though the state may not accept it. They did not want to live in fear of the consequences of being branded Naxalites, just as they wanted to be relieved of the fear of being suspected to be a police informer.¹⁵

The CCC systematically continued this dialogue with society for three years, documenting and publicising their findings. The media also played a constructive role in the initial stages of the process by mobilising public opinion for peace. This process revealed that there was a serious constituency for peace and so, in 2000, the CCC proposed talks between the Naxalites and the State Government (Government, or State Government unless otherwise specified). The CCC was pragmatic enough to avoid proposing that the goal of talks would be to totally disarm the Naxalites. As such the goal of the talks was left open but the CCC suggested that their purpose was to ensure reduced levels of violence from all sides as well as more responsive and law-abiding governance, and an end to the excessive use of force.

The Naxalites' sympathisers were more sceptical of the proposal than the Naxalites themselves. The sympathisers could not understand how a revolutionary party committed to emancipating the masses could talk to the state that oppresses them.

¹³ Balagopal, K., "People's War and the Government", *Economic and Political Weekly*, February 8, (2003), p.513.

¹⁴ In an interview with Murali Karnam on 18 October, 2009.

¹⁵ The daily Telugu newspaper *Vaaritha* carried a long debate in 2000 inviting the opinions of ordinary people on how violence in the Naxalite area could be reduced. This flood of opinions on the violence, the state and Naxalism surprised opinion makers. It built a strong constituency in favour of dialogue.

The Naxalites were also not keen until they realised that there was considerable public support for the CCC's efforts. The CCC started extensive written correspondence and face-to-face dialogue with the Naxalites. It publicly asked both sides to abide by certain suggested conditions conducive to the holding of talks, and to sit down for talks.¹⁶ The Naxalite leadership responded inconclusively at first but later offered to observe a ceasefire from the second week of February 2002 if the State Government was willing to reciprocate.

The Chandra Babu Government did not respond enthusiastically to the proposed talks. It conducted an all party meeting on 12 February 2002 that ended inconclusively. It always responded publicly saying that it was always ready for peaceful resolution of Naxalite problem but never committed to dialogue in writing. The Government maintained that the Naxalites would have to give up violence before a dialogue could take place. The police were reluctant to halt attacks on the Naxalite leadership and feared that dialogue could offer the Naxalites a chance to regain lost ground. In the first half of 2002 when public expectations around a dialogue were rising, the police intensified their attacks, killing Naxalite members¹⁷ as well as the top Maoist leadership.¹⁸

Despite these obstacles, the CCC continued to try and persuade both the Government and the Naxalites to engage in a dialogue. In May 2002 the PW unilaterally declared a ceasefire and appointed two representatives, a revolutionary poet and a singer, to discuss the modalities for talks with the Government. Between 4-11 June they met two state cabinet ministers appointed by the Government for this purpose, but these ministers lacked power and a clear agenda. The Government was only interested in a unilateral surrender of the Naxalites. The 2002 talks were not taken seriously and consequently the CCC's initiative was not successful.

It is possible that the government's targeting of the Naxalites at a time when they were trying to engage in dialogue prompted the Naxalites to attack, and almost kill, Chandra Babu in early October 2003.

Chandra Babu tried to take advantage of the public sympathy this attack generated by dissolving the Legislative Assembly and holding fresh elections in May 2004, asking for a mandate to wipe out the Naxalites from the state.

Section 2: The lead up to talks with the State Government

In the May 2004 elections, the Congress Party promised in its manifesto to hold talks with the Naxalites. Before the elections, Rajasekhar Reddy, the Congress candidate for Chief Minister, went on a lengthy political tour of the state and sensed the public's strong desire for security and freedom from fear. However, he did not share his party's commitment to dialogue.

Nevertheless, after coming to power, Rajasekhar Reddy formally announced that he would examine the possibility of lifting the ban on the Naxalites and inviting them for talks *without pre-conditions*, if they created a congenial atmosphere. He also advised the police not to resort to false encounters and acts of repression against the Naxalites. The Home Minister declared in June that cash awards for killing Naxalites would no longer be given to the police and the police were forbidden from pursuing armed Naxalites. He also announced that a cessation of hostilities would come into effect from 16 June 2004 for a period of three months. The Government later extended this for a further three months, up to 16 December 2004. He urged the Naxalites to reciprocate by not displaying arms while visiting villages and not indulging in extortion and intimidation. In June the CPI (M-L) Janasakthi, the second biggest Communist party in Andhra Pradesh, also expressed their willingness to talk.¹⁹ Both the Naxalite parties broadly consented to the terms set by the Government, pending detailed discussion during talks.

As a result of the Naxalites' experience in 2002, when they were targeted by the police despite having declared a unilateral ceasefire, they imposed pre-conditions for joining negotiations. They wanted the ban against them revoked; a halt to being targeted by the police; the removal of financial rewards for

16 Press statement issued by the CCC on 15 January 2002; "Open Letter to the Peoples' War and the Government". The leading Telugu news dailies *Eenadu* and *Vaarta* as well as the *Indian Express* carried the open letter on 16 January 2002.

17 On 11 March 2002, during an encounter in Tupakulagudem in Warangal District, ten Naxalites were killed without any injuries to police.

18 The killing by the police of Padmakka, a senior and respected People's War leader from Karimnagar, on 2 July 2002 was the final straw that sabotaged the talks.

19 The Communist Party of India-Marxist-Leninist Janasakthi, in short Janasakthi, was formed in 1992 when seven small armed Naxalite parties merged together. It is mostly based in Andhra Pradesh. It maintains underground cadres, as well as participating in parliamentary democratic processes. There are a host of other Naxalite groups in India that are less prominent.

killing Naxalites; safe passage for their leaders; and freedom to engage in political campaigns. The Home Minister heading the peace process responded positively and granted the Naxalites' their requests. The ban imposed on PW in 1992 was allowed to lapse in July 2004.²⁰

After the ban was lifted and deliberate operations were stopped by the police, the Naxalite leadership organised two huge public meetings in June and July 2004 and a number of memorial meetings for their martyrs. These gatherings were mainly peaceful despite the threatening presence of the police. The Naxalite leaders came out of Nallamala forest in mid-October leaving their weapons with their comrades and the State Government accommodated them in official guest houses in Hyderabad. They were also provided with facilities for receiving visitors and a diverse range of social and political leaders representing marginalised peoples. For example, dalits, women, indigenous people and the differently abled met the Naxalite leaders requesting them to include their 'issues' in the talks. The media coverage of these events was so overwhelming that the newly formed State Government barely featured. There was a marked change in the political atmosphere in the state. With violence on the wane, other serious issues of public concern such as violence against women, dalits, the problems of the unemployed and physically challenged, as well as suicides by students now became a significant part of the public debate.

At the end of June 2004, the Government officially appointed the CCC's convener, S.R. Sankaran, to be the mediator for talks. However, the Naxalite leadership proposed another seven mediators including Potthuri Venkateswara Rao, Bojja Tarakam, K.G. Kannabiran, Kesava Rao Jadav, A.B.K. Prasad, and Professors Haragopal and Seshaiyah. All of them had built up their credibility in public life as lawyers, journalists and academics. No women were included. The Naxalites also sent an emissary to discuss the modalities of the dialogue with the Government before talks began. Both the Maoist party and the Janasakti were jointly represented by ten people; all men. There were seven people, including four State Ministers, representing the Government. Altogether 25 people, including eight mediators, participated

²⁰ The ban on the PW was first imposed on 22 June 1992 by the Congress Government. It was lifted on June 21, 1995 by the Government of N.T. Rama Rao, when the TDP returned to power. It was imposed by his successor, Chandra Babu, on 22 June 1996. The ban was then formally renewed every year.

in four day talks between 15 and 18 October, 2004. A monitoring committee with 18 members was also officially declared in the government gazette to look into violations of ground rules. All of the committee members were drawn from civil rights groups, associations of backward castes and broadly from the sympathisers of the Naxalites. There were no women included in the committee at any level.

There was not a single point on the agenda from the Government. Its only concern was that the Naxalites should surrender and give up their arms.

The modalities and an 11-point agenda for the talks were finalised on the 5 October by emissaries of the Government and the Naxalite parties. The agenda proposed for talks by the Naxalite leadership was very broad and fell into two categories: violence and long-term socio-economic issues.²¹ Under the violence category four key issues were stated: the withdrawal of cases against Naxalite supporters; the release of political prisoners; the removal of 'prices on the head' of the leaders; and suppressing anti-social and mafia gangs.²² On socio-economic issues, the agenda covered land distribution; World Bank policies; democratic rights; Telangana state (a long-standing demand for the formation of a separate state); regional underdevelopment; prohibition of liquor; free access to education and healthcare; corruption by government officials; feudal and imperial culture; and the problems of groups with specific identities such as dalits and tribe members. This very broad agenda was partly the result of the more than 640 petitions the Naxalites received from various groups. They sought to include many of them in the talks.

There was not a single point on the agenda from the Government. Its only concern was that the Naxalites should surrender and give up their arms. This was reflected, to some extent, in the 'Ground Rules for the smooth conduct of talks and cessation

²¹ The very fact that the desire for the talks was largely against the wishes of the Maoists should have strengthened the hands of the CCC to push violence by the Maoists as a serious agenda issue for the dialogue but it did not happen. According to a commentator, one reason for this could be that, except for Sankaran and Potturi Venkateswar Rao, all the others in the CCC politically leant towards the Maoists.

²² This refers to private armed gangs, mostly made up of surrendered Naxalites, formed to take on underground Naxalites and their sympathisers.

Box 1: Ground Rules for the smooth conduct of talks and cessation of armed action²³

1. Both the sides should not use firearms against each other. Should not also indulge in any other action which will lead to loss of life. All types of armed actions should be stopped.
2. In the movement areas or outside, the People's War cadre of PGA squads should not indulge in attacks, on police or political leaders. People's War should not take up actions causing harm to police or others through laying of mines or in any other manner. Police should put an end to combing operations for People's War squads, cadre or sympathizers.
3. People's War should not cause any loss of life or harassment in regard to informers. Police should not take any action causing harm to any one in the name of militants or Naxalite sympathizers.
4. There is no question of government inducting covert into People's War Party.
5. The government will not encourage in any way any kind of violent acts on either People's War or sympathizers or peoples organizations. The government and police will do their duties for maintaining peace in accordance with law and with full responsibility.
6. People's War Party should not indulge in damaging government or private property.
7. With a view to continue a peaceful atmosphere, police should not obstruct political campaign taken up by People's War, without arms. People's War should not disturb political campaign of different political parties' leadership.
8. Police should not obstruct any one coming to meet People's War leaders.
9. People's War should not undertake recruitment in order to increase their strength; should not procure arms and explosives; should not threaten people. People's War should not summon government officials or question them.

of armed action' (see Box 1). This problematic agenda was difficult for the mediators to accommodate since one of the modalities agreed in the lead up to the talks was that mediators were only observers in the dialogue process and their role was to advise the parties in case of a deadlock.²⁴

However, the result was that by 2004, the CCC was able to bring both the Naxalites and the Government to the negotiating table. The fact that it took seven years for the CCC to do so is a testament to their deep commitment to human rights and peace. Their persistence earned them the respect of the state, the Naxalites, and the media.

The talks

On October 15, the talks opened with both parties speaking of the "historic" dialogue process and declaring their shared objective of respecting the aspirations of the people. The talks were held in closed session. The Home Minister heading the State Government delegation said that the 2004 elections endorsed the Government's approach of dialogue

with the Naxalites. The mediators, headed by S.R. Sankaran, reminded both parties that the goal of the talks was improving people's welfare. Such vague rhetoric was reflected in the overly broad agenda which was discussed over the subsequent three days.

Mr. Ramakrishna, (the secretary of the Maoist Party) began the talks on behalf of the Naxalites. He expressed the view that a formal written ceasefire should be agreed before starting to talk. However, the Government resisted the use of the term 'cease-fire agreement' because it felt it would bestow legitimacy and equivalency on the Naxalites. As a result they termed the agreement 'Ground Rules', arguing that a ceasefire could only be declared between two warring countries.²⁵

There was also disagreement on clauses seven and nine of the 'Ground Rules'.²⁶ The Naxalite draft of clause seven was that "police should not obstruct political campaign taken up by People's War Party. People's War should not disturb political campaign of different political parties". However, the Government, in consultation with the CCC, added "without

23 Committee of Concerned Citizens, *Negotiating Peace: Peace Talks between Government of Andhra Pradesh and Naxalite Parties*, (Hyderabad: Committee of Concerned Citizens, 2006), p.96.

24 Modality rule no.7.

25 Letter No 78488/SCA/A1/2004-1, dated 30 June 2004, General Administration (SCA) Dept, Govt of AP.

26 Annex to Letter No 78488/SCA/A1/2004-1, dated 30 June 2004, General Administration (SCA) Dept, Govt of AP.

arms” to the end of first sentence. This was opposed by the Naxalites because they argued that it constituted their disarmament and that their weapons were for self-defence. The Government pushed for the addition of clause nine which demanded that the “*People’s War should not undertake recruitment in order to increase their strength. . .*” Although the CCC held the view that any revolutionary movement should not begin and end with arms, it convinced the Naxalites that pending a final view on clause nine the talks should start. It also convinced both parties to be open-minded about re-interpreting contested clauses during the talks. With the mediators’ intervention, the Naxalites agreed to accept a letter from the Home Minister expressing the Government’s commitment to following the ground rules.

“The draft agenda became the agenda for talks without any discussion.” S.R. Sankaran

The second day exposed more serious underlying problems with the dialogue. The Naxalites brought up their desire to see the Government respect the democratic rights of the people, citing concerns over falsely accusing Naxalites and the state-backed criminal gangs headed by ex-Naxalites of Nayimuddin and Jadala Nagarjau. In the course of the discussion on this topic, the Naxalite leaders requested the Government to clearly spell out its objectives in holding talks, a question which they and the mediators should have asked long before. Although some representatives of the Government responded by stating that the establishment of lasting peace in the state was their goal, they did not have any specific demands of the Naxalites. Without concrete demands, the discussion became hypothetical. Indeed Sankaran later reflected: “*The draft agenda became the agenda for talks without any discussion.*”²⁷ Naxalite leaders vaguely stated that they would lay down their arms if the people wanted them to. The Home Minister concluded the day’s discussion not by elaborating on what the expectations of the Government were, but instead by assuring the Naxalites that he would carefully look into issues raised and withdraw criminal cases if the alleged offences were not serious.

27 Discussion with S.R. Sankaran by Murali Karnam 18 October, 2009.

The third day of talks dealt with the history of land ownership and access, and the nature of the Indian state and its impact on the Naxalite movement. The lead mediator, S.R. Sankaran suggested that land should be considered in terms of the poor’s relation to it and not solely as property. Though the Government did not disagree with the view that the Indian state was dominated by the propertied, it claimed that it was in the process of democratising socio-economic relations. The Government noted that land distribution to the poor was already on its agenda and promised to appoint an expert committee with full powers on land distribution. The Government subsequently claimed that a ministerial sub-committee was formed later and 100,000 acres of land distributed to the poor, although this is contested by civil society groups.²⁸

On the fourth day, talks began in the late afternoon with a review of the progress made thus far. While the Government termed the talks cordial and productive, the Naxalites described them as unsatisfactory because the Government had given no concrete assurances. The mediators described the talks as historic and appealed to both the parties to maintain their restraint on the ground and hoped that the next round of talks could be convened in a month or two.²⁹

Opportunities to reach agreement on *any* issue were missed. For example, nearly four lakh acres of land (400,000 acres) in the state was in dispute, occupied by the landless under the leadership of Naxalites but contested in court by landlords. However, instead of trying to arrive at a consensus on this specific issue, the Naxalites wanted to negotiate about *all* the land occupied by politicians and industrialists; clearly an unrealistic goal.

The broad agenda caused the dialogue to be more rhetorical than practical. K. Balagopal, a noted human rights intellectual, suggested that the minutes of the talks looked like a public debate between those in favour of ruling class politics versus those who espouse revolutionary politics.³⁰ In all that was said about politics in the state, very few participants spoke directly about the violence.

28 One acre is equal to 4840 square yards or 4046 square metres of land.

29 Committee of Concerned Citizens (2006), p. 215.

30 Balagopal, K. “Naxalites in Andhra Pradesh: Have we heard the last of the peace talks?”, *Economic and Political Weekly*, March 26, (2005), p.1327.

Section 3: The aftermath

One of the modalities agreed before the talks was that “*both sides should not make any statement that will vitiate the atmosphere for talks.*”³¹ Both the parties dishonoured this during, as well as immediately after, the talks. Any momentum for dialogue that was generated in the first round of talks dissipated soon afterwards when both parties started to speak about disarmament, a particularly contentious issue for both sides. Before re-entering the forests, the Naxalites declared that they had nothing but their weapons and they would not give them up. The day after the talks concluded, the Chief Minister declared that only the police could carry arms in society. A few days later he also made it clear that the agenda for the next round of talks would only be the modalities for the Naxalites laying down their arms. Such rhetoric sabotaged the prospect of further talks.

While the CCC was desperately trying to appeal to both parties and get the ceasefire extended for another three months, the media and police alleged that the Naxalites had visited villages with weapons, carried out extortion, occupied land and recruited new cadre. The announcement of the merger of PW with the Maoist Communist Centre (MCC) of Bihar, and the formation of the CPI (M-L) (Maoist) at a national level just before the talks also created anxiety in the ruling party. The Maoist leadership claimed that the merger was planned long ago and that the timing of the announcement did not have any specific significance and would not have any impact on the dialogue process.

The CCC’s approach to the Naxalites and the Government – and its limitations

The CCC’s most significant achievement was to develop a constituency for dialogue and generate public pressure that was exerted on both the Naxalites and the Government. Several strategic decisions allowed the CCC to successfully engage the Naxalites. Raising socio-economic issues, and not just violence, gave the CCC some legitimacy in the eyes of both the Naxalites and the people. The CCC did not demand that they give up their ideology of armed revolution or disarm, but instead asked both the Naxalites and the Government to

minimise violence and voice their concerns through dialogue. The CCC fostered the idea that the Naxalites should have a greater sense of accountability to their constituents, a major step forward given that the Naxalites themselves had hesitated to even draw a distinction between themselves and the people. At a symbolic level, this was an important step forward for a revolutionary group that had claimed that only it could bring any positive benefits to ordinary people.

With respect to the Government, the CCC’s efforts in building public opinion in favour of talks were a necessary, but not a sufficient, condition for a successful dialogue process. The defeat of the TDP (who had asked for a mandate to wipe out the Naxalites) by the Congress Party (who had promised talks in its election manifesto) was significant. However, for the Congress Party the talks were an election promise to be fulfilled rather than the product of a genuine commitment to dialogue. Indeed, the Chief Minister actively sabotaged the talks as soon as the first round of dialogue was over. The Government appears to have given insufficient consideration to the constitutional and legal framework for the talks. The reality is that the Government did not show the serious political will needed to take the dialogue forward after the initial surge.

In trying to bring the two sides together, part of the challenge that the CCC faced was the Government’s desire to avoid legitimising revolutionary politics. In retrospect, the CCC’s suggestion of including issues such as land (re)distribution, farmers’ suicides, starvation and unemployment as possible priority agenda items was impractical and made reaching agreement that much harder.³²

This suggestion might be seen partly as the outcome of a political bias within the CCC. With the exception of Sankaran and Potturi Venkateswar Rao, the other CCC members leant towards the Naxalites, perhaps making them too ready to accept an agenda that focused on left-wing issues. In retrospect, it is clear that the CCC were not prepared sufficiently for a practical and realistic process of dialogue. The CCC cannot be held responsible for difficulties beyond their control – such as an insufficient commitment to peace on the part of the Government – but it is clear that their ability to build a public consensus for dialogue was not matched by an ability to shape the modalities of that dialogue successfully.

31 Point 9 of the Modalities finalised at the meeting held by Home Minister K. Jana Reddy with mediators on 5 October 2004, In Committee of Concerned Citizens, (2006), p.155.

32 CCC’s letter dated 18 June 2004 to the People’s War. See, Committee of Concerned Citizens, (2006), p.48.

The present situation in India

In April 2010, Prime Minister Manmohan Singh singled out left-wing extremism as the gravest internal security threat faced by the nation. This statement came in the wake of a massive attack by Maoists in which 76 police personnel were killed in the central Indian state of Chhattisgarh.³³

The Maoist movement has spread rapidly and are now present in vast areas of India including the states of Bihar, West Bengal, Chhattisgarh, Jharkhand, Madhya Pradesh, Orissa and Maharashtra.

The Maoist movement has spread rapidly and are now present in vast areas of India including the states of Bihar, West Bengal, Chhattisgarh, Jharkhand, Madhya Pradesh, Orissa and Maharashtra. Violence levels remain high and, increasingly, the mainstream media has highlighted the challenge this movement poses to the Indian state. According to media reports, many districts in central India are effectively controlled by Maoists with little or no government oversight.

While the Government of India (GoI) continues to publicly state that a development approach is required to deal with the Maoist challenge, increasingly there is also talk of deploying the army. The use of the army against the Maoists is an extremely controversial issue and only police and para-military units have been deployed so far.

Section 4: Lessons from Andhra Pradesh for a national level dialogue

The lesson learned from AP does not seem to have been the virtue of dialogue, but the effectiveness of repression. The Naxalites in AP are considered to have been successfully contained after 35 years of hard line policies. Their presence is not felt in the state except in districts bordering the neighbouring states of Odisha and Chhattisgarh. Nevertheless, the state continues to be concerned about Naxalites

from AP. The assessment of the police is that senior Naxalite cadre from AP lead the movement in central India. As a result, the GoI, as well as other states, have been actively seeking the assistance of AP police in strategies for armed action against the Naxalites. While the revival of the Naxalites in AP in the near future is not likely, it is possible in the long run.

Efforts to apply the positive lessons from AP to national-level dialogue with the Maoists have not been successful. After the United Progressive Alliance came to power in Delhi for the second time in May 2009, the GoI started talking about all-out armed action against the Naxalites in central India. A group of democratic intellectuals consisting of academics, social activists and ex-bureaucrats came together as the Citizens Initiative for Peace (CIP) to express their concern, and held their first conference in Delhi on 4 August 2009. The group discussed in detail the failure of the CCC's peace initiative in AP. Their second conference was held on 20 October 2009 and a core committee was formed to mobilise public opinion for a dialogue between the Naxalites and the GoI. Although one member of the CCC participated in the CIP, Mr. Sankaran, who led the CCC, chose not to do so, having become disenchanted because of his experience in AP.

The CIP's efforts did not have much impact. In the middle of 2010 Swami Agnivesh, a prominent social activist, volunteered to mediate the talks. The Naxalites also agreed to explore this possibility. However, the official spokesperson of the CPI (M-L) (Maoist), Mr. Azad alias Ch. Rajakumar was killed by AP police along with a journalist on 2 July 2010. The Naxalites allege that the GoI used the mediator to trap the Naxalite leader and kill him. The GoI denied any role in his death. His death marked the end of this peace initiative.

Recommendations

Public opinion in favour of dialogue is necessary but not sufficient. Getting both sides to the table is only possible if they feel pressure from the public to negotiate. Public opinion is best mobilised by people respected by the public, with credible backgrounds and moral authority. However, both parties must also see it as in their interests to engage in serious talks. The Congress Party promised to hold talks in its election manifesto but lacked a genuine and sustained commitment to dialogue.

³³ "Naxalism gravest internal security threat to nation: PM", *Indian Express*, 21 April, (2011). www.indianexpress.com/news/naxalism-gravest-internal-security-threat-to-nation-pm/609303/0 Accessed June 14, 2011.

Cessation of hostilities is necessary but not sufficient. The Government declared a cessation of hostilities immediately after the Congress Party came to power. However, there was no formal agreement of a ceasefire between the Government and the Maoists. Both were responding to the strong public opinion existing in favour of dialogue which was also evident during the elections. To prolong the cessation of hostilities and continue the dialogue process, a formal ceasefire agreement was needed. The Government tended to view the problem of the Naxalites within a purely legal framework, a position which challenged the legitimacy of non-state actors. This approach informed the Government's refusal to enter into a formal ceasefire agreement with the Naxalites, as well as its insistence on disarmament. The reluctance on the part of Government to sign a ceasefire agreement created a deep sense of distrust among the Maoists. In this regard, the ceasefire agreement signed between the Government of India and the National Socialist Council of Nagaland-Isak Muivah (NSCN-IM) in July 1997 provides relevant precedence which could be used in any future negotiations.

Limit the agenda to core issues. Broadening the agenda to include social issues as well as reducing violence was, in retrospect, misguided. It was a product of the mediators' inexperience, the Naxalites' political immaturity, and the Government's reticence to fully engage in talks. A minimal and practical agenda focused just on reducing violence was needed first to build confidence and trust in order to move onto complicated and divisive talks on socio-economic issues. The Naxalites needed to apply a more incremental approach – all the issues simply could not be covered in one round of talks. The Government should have been pressed to contribute to the agenda of the talks beyond its ultimate goal of disarming the Naxalites – that it failed to do so reflected insufficient preparation by both the Naxalites and the mediators.

Distinguish between the Naxalites' ideology and their means. The government denounced not only the violent means that the Naxalites used but also the ideology that motivated them.

Develop a clear understanding of various types of violence. A detailed understanding of the various forms and nature of violence by the state and the Naxalites is crucial in order to frame viable discus-

sions and outcomes. This can be achieved through a credible third party such as the CCC undertaking an assessment in the form of a discussion paper for talks.

Clearly identify the negotiable and non-negotiable issues. A clear and mutually acceptable minimum agenda should be developed well in advance of the beginning of the dialogue. This would delineate the contours of the dialogue process. The agenda for dialogue cannot be too flexible as this creates complex problems of mistrust and can undo any progress made. For example, the question of arms was de-prioritised by both the state and the Maoists during the talks but the moment they were over both the parties made public statements on that issue. This could have been avoided, if they had respected the entire peace process.

Clarity on the role of mediators. The mediators did not play an active role in setting the agenda and they only facilitated the agenda proposed by the Maoists. Neither did they try to shape the state's agenda for the dialogue. They also chose to remain as observers instead of being active stakeholders. This did considerable damage to the entire dialogue process. They should have taken the help of other civil society groups with experience of the dynamics of conflicts (for example, the human rights groups which have experience of documenting the forms of violence used by both the state and the Maoists) to shape a clear agenda.

Replicating the CCC model is difficult. In AP, there were a number of favourable conditions that the CCC could take advantage of to build a constituency for dialogue: a large middle class; active intellectuals; and a history of progressive movements in the state. The press also became supportive of reducing violence. Such conditions may not exist elsewhere and this, therefore, makes the CCC model hard to replicate. Indeed, in 2005, the Human Rights Forum tried to identify intellectuals, bureaucrats and others in Chhattisgarh who could form the basis of their own CCC. However, civil society was too pro-Maoist and not many activists saw the point of pursuing dialogue.

Be prepared for a long process. Negotiations in AP were the product of seven years of hard work by the CCC. New initiatives on Maoist issues need to appreciate the patience required for peacemaking.

They should also have the skills, strategies and energy to engage completely divergent political groups and simultaneously build a strong constituency for their own efforts comprised of those that believe in the need for a peace process.

Third parties can be valuable. There are limited number of examples of peacemaking in India which involve actors other than the government and an armed group. The CCC played a unique role in driving forward the idea of dialogue. Even

if the dialogue was ultimately unsuccessful, the fact that the CCC built a public constituency for dialogue makes it one of the more successful civil society peacemaking initiatives in India. However, the lack of other serious initiatives, which could quickly help the CCC during and after the dialogue process proved to be costly. A platform of peace initiatives across the country that exchanges experience of building peace processes would be of immense help.

Case Study Two

Prospects for conflict resolution in Kashmir

Executive summary

The conflict between India and Pakistan over Jammu and Kashmir has lasted for more than 60 years. The two countries have fought two wars over the region; a partial war in 1972, and another in 1999. Each war has been followed by attempts to make peace, but most of these have failed.

Sustained efforts to create a stable peace process began in 1998-1999 and have continued to date. However, dialogue was interrupted by the 1999 Kargil War as well as major terrorist attacks in India, Pakistan and Afghanistan. Most recently, the official dialogue process between India and Pakistan has resumed after a two year hiatus following the terrorist attacks on Mumbai in November 2008. There is no guarantee that such attacks will not continue (see Box 1: Major terrorist attacks 2000-2010).

While this indicates the enormous difficulty of building a peace process that will lead to a lasting resolution in Jammu and Kashmir, 1999-2007 is also the first period during which the two countries persisted in renewing dialogue after each terrorist-induced suspension. This has had tangible results both in terms of confidence-building measures and in terms of progress towards a lasting resolution.

In the eight years during which there were continuous peace initiatives, 2004-2006 stands out as a period in which violence declined sharply in Jammu and Kashmir (though terrorist attacks increased in the rest of India), and a multi-track peace process began at various layers between

a) India and Pakistan (Track 1); b) New Delhi and self-determination groups (Track 1); c) New Delhi and Kashmiri political parties and community leaders (Track 1.5); and (d) Indian, Pakistani and Kashmiri civil society (Track 2). Loose co-ordination between these tracks actually yielded significant confidence-building measures, the most important of which was the re-opening of roads between two parts of divided Kashmir (though not the third, Baltistan-Kargil).³⁴

There was also substantive progress in an official back channel between the Indian and Pakistani Governments. As the then Pakistani Foreign Minister Khurshid Kasuri recently revealed in an article in the *Times of India* (see Box 2: Commentary by Khurshid Kasuri), by late 2006 discussions through the back channel resulted in a framework agreement based on three key elements:

- Jammu and Kashmir would have maximum autonomy or self-rule on both sides of the Line of Control, which would be harmonised for all three parts, but its different parts would remain under formal Indian and Pakistani sovereignty;
- The Line of Control itself would be “made invisible” and Jammu and Kashmir would develop cooperative institutions for development; and
- India and Pakistan would jointly monitor progress under this peace plan.³⁵

34 Jaleel, Muzamil and Islah, Mufti, “Srinagar-Muzaffarabad-Srinagar bus crosses, blurs Kashmir divide”, *Express India*, April 7, (2008). www.expressindia.com/news/kashmir/full_story.php?content_id=67991 Accessed June 14, 2011.

35 “Bridge Trust Deficit to Resolve all Differences”, *Times of India*, April 30, (2010). <http://timesofindia.indiatimes.com/home/specials/Bridge-trust-deficit-to-resolve-all-differences/articleshow/5874834.cms> Accessed June 14, 2011.

Box 1: Major terrorist attacks 2000-2010

2001

October 1: Militants storm the Jammu and Kashmir State Assembly complex, killing 35.

December 13: Attack on Indian parliament, killing 12.

2002

September 24: Attack on the Akshardham temple in Gujarat, killing 31 and wounding 80+.

2003

January-August: Four bomb attacks in Mumbai, killing 67.

2005

March 7: Blasts in Varanasi, killing 15 and wounding 100+.

29 October: Blasts in Delhi markets, killing 60 and wounding 200.

2006

May 21 & 25: Seven killed in attack on Congress Party rally, four tourists died in a powerful explosion in Srinagar.

July 11: Five hand grenade attacks in Srinagar, killing eight.

July 11: Mumbai train blasts, killing 209.

2007

February 19: Blast on Samjhauta Express from India to Pakistan, killing 66 and wounding 20.

May 18: Bomb at mosque in Hyderabad, killing 11.

August 25: Three explosions in Hyderabad, killing 42 and wounding 50.

November 23: Explosions rip through courthouses in Lucknow, Varanasi and Faizabad cities, killing 16.

2008

May 13: Market bombing in Jaipur, killing at least 60 and wounding 150+.

July 7: Car bomb at Indian Embassy in Kabul, killing 40 and wounding 140+.

July 26: 16 small bombs in Ahmedabad, killing 45.

September 13: Seven explosions in Delhi killing 18 and wounding 90+.

October 30: Assam blasts, killing 70 and wounding 300+.

November 26-29: terrorist attacks on Mumbai hotels and train stations, killing 184 and wounding 700+.

2009

October 8: Suicide attack on Indian Embassy in Kabul, killing 17 and wounding 80+.

2010

February 10: Pune bakery blast, killing 14 and wounding 60+.

February 25: 17 killed and 11 wounded in attacks on Indian doctors in Kabul.

As a result of forward movement on these tracks, the Government of India (GoI) essayed Kashmiri ownership of the peace process. In 2007, India's Prime Minister Singh set up five working groups to address the elements of a lasting Kashmir peace and the recommendations from those working groups are now part of the official agenda of negotiations.

Within Jammu and Kashmir there were also signs of new hope. The GoI began security reforms, including the redeployment of 40,000 troops out of

Kashmir and the transfer of public security duties to the Jammu and Kashmir police. The 2008 Jammu and Kashmir Legislative Assembly elections included the highest Kashmiri voter turnout since the 1970s (more than 70 per cent) and installed a new Chief Minister, Omar Abdullah (the grandson of Kashmir's first and still most famous leader, Sheikh Abdullah). His election was welcomed by almost every group in Jammu and Kashmir including the Hurriyat conference, an umbrella organisation of pro-independence

groups, who said they looked forward to talks with him.³⁶ This was the first time in its 20 year existence that the Hurriyat had shown interest in talks with an elected Kashmiri leader – their position had always been that they would deal only with New Delhi – and it indicated new potential for Kashmiri leadership of the peace process.

Though the installation of a civilian government in Islamabad in 2008 raised hopes that the back channel could be renewed, the new Pakistani Government was ambiguous about whether they were willing to pick up the discussions where the previous government left off.

However, in 2007 the outbreak of conflict within Pakistan led its government to de-prioritise the framework negotiations. With the suspension of the India-Pakistan track, the other tracks withered. Though the installation of a civilian government in Islamabad in 2008 raised hopes that the back channel could be renewed, the new Pakistani Government was ambiguous about whether they were willing to pick up the discussions where the previous government left off. Indeed, representatives from the Pakistan Government claimed not to know what was discussed in the back channel. In early 2010, a dialogue was announced by the two countries but this ambiguity about the back channel continues to hamper it.

The suspension of the India-Pakistan and New Delhi-Kashmiri tracks had a negative impact on the situation on the ground. In Indian Jammu and Kashmir, the summers of 2008, 2009 and 2010 were turbulent, revealing a renewed alienation within the valley and a growing polarisation between the valley and Jammu. Armed groups continue to exercise veto power over the peace process – when, in late 2009, the GoI renewed efforts to restart talks with the Hurriyat, a top Hurriyat leader, Fazl Haq Qureshi, was shot. Such targeted shootings had derailed previous attempts at dialogue in 2000, 2004 and 2006, and they were once again successful.

Nevertheless, while the pattern of unrest between 2008 and 2010 in Indian Jammu and Kashmir was

new – involving stone-pelting instead of armed attacks, and targeting security forces – their demands have not changed. They centre on the withdrawal of security forces and overarching security measures such as the Armed Forces Special Powers and Disturbed Areas Acts, and a political resolution to the Kashmir dispute.³⁷

The situation in Pakistani Jammu and Kashmir is somewhat different, although they share the aspiration for a political settlement. However, in Pakistani Jammu and Kashmir self-determination groups are more localised, and there has been little communication between them since the territory was sub-divided in 1949 into two parts, “Azad Kashmir” and the Northern Areas.

The former has sovereignty on paper; the latter was administered directly by Islamabad. However, a 2009 government decision renamed the area Gilgit-Baltistan and gave it similar but lesser measures of democracy than Indian Jammu and Kashmir. To this extent, the Pakistan Government appears to be putting in place a *de facto* harmonisation, as agreed in the back channel, but without offering the self-rule that was discussed in the back channel. Self-determination groups in Baltistan say the package is too little too late and India has protested that it attempts to change facts on the ground in a disputed area.

The two parts of Pakistani Jammu and Kashmir do share one problem: the militarisation by non-state actors fighting India in Kashmir and elsewhere. For this reason, and because they too would like to alter their political status, the political leadership and civil society in both parts of Pakistani Jammu and Kashmir supported the 2004-2006 peace process.

The other critical issue that hampers the prospects for dialogue is co-operation against terrorism. Pakistan arrested seven Pakistanis accused of organising the Mumbai attacks of 2008 some months after they took place, including the commander of

36 Interview by Radha Kumar with Fazl Haq Qureshi, member of the Hurriyat Executive, August 9, 2009.

37 The Armed Forces (Special Powers) Act (AFSPA) was passed in 1958 by the Indian Parliament. It conferred special powers upon armed forces in what the language of the Act calls “disturbed areas” in the states of Arunachal Pradesh, Assam, Manipur, Meghalaya, Mizoram, Nagaland and Tripura. It was later extended to Jammu and Kashmir as The Armed Forces (Jammu and Kashmir) Special Powers Act, 1990. In 1990, the State Governor enacted the Jammu Kashmir Disturbed Areas Act, 1990. On July 17, 1992 this was repealed and the Jammu and Kashmir Disturbed Areas Act 1992 was enacted by the President of India. In 1997, the Jammu and Kashmir Disturbed Areas Act 1992 was repealed and the State Government enacted the Disturbed Area Act 1997 declaring the whole state as “disturbed.”

the armed wing of the Lashkar e Taiba, a Pakistani armed group that has conducted terrorist attacks in Jammu and Kashmir, India and allegedly Afghanistan. However, the process towards a trial only began in mid-2009 and, as yet, little progress has been made. In addition, the head of the Jamaat ud Daawa, Hafiz Saeed, who is accused of inducing a string of terrorist attacks in India, was acquitted by Pakistani courts because of a lack of evidence. The acquittal again raised Indian fears that Pakistan is unwilling to give up its use of non-state actors against India; a fear that had already been exacerbated by the attacks on the Indian Embassy and Indian civilians in Afghanistan (see Box 1: Major terrorist attacks 2000-2010).

The main stakeholders, India, Pakistan, the armed groups and political leaderships of Jammu and Kashmir also have different perspectives on how to reach a settlement. India wishes to pick up peace negotiations with Pakistan on Kashmir from where they left off in the back channel. However, the GoI and the self-determination groups have not shown the same willingness to restore their internal track of dialogue. The GoI is now faced with a new resistance movement and rising violence. Talks which aim to secure a speedy political resolution should be a priority. However, the Pakistani Government disclaims the back channel and the Pakistani military chief, General Kayani, says “the Musharraf formula” can be discarded. The fragile consensus between stakeholders that was arduously built between 2000-2006 has dissipated. This suggests that the recent initiatives by the Indian and Pakistani leadership to restart a peace process may not yield substantive progress.

Is there a role for third-party mediation in this situation? The GoI has opposed such a role as a result of its experiences at the UN (first during the 1965 war, when the Security Council failed to condemn Pakistan’s aggression, and then during the 1971 war, when India’s plea for humanitarian intervention was not accepted). However, in 2000 they cautiously moved towards accepting “facilitation” and after 9/11 an international dimension was introduced by co-operation against terrorism. It is also clear that international support for the Kashmir peace process helped it to make gains between 2004-2006 and it may once again help to strengthen the tentative attempts being made in Jammu and Kashmir to renew the process.

Section 1: The root causes of the conflict

Most analysts agree that the root cause of the Kashmir conflict lies in the choice it had to make of joining either India or Pakistan following the partition of British India in 1947. This choice was eventually made in the context of war and has been contested ever since, leading to rising aspirations for self-determination.

Some analysts further argue that the crux of the conflict lies in the fact that Jammu and Kashmir is mainly Muslim, and so Pakistan claims Kashmir on religious-demographic grounds. Others argue that the complex demography of Jammu and Kashmir – comprising majority Muslim, Hindu and Buddhist regions, as well as significant minorities, including Sikhs and Shias – has led to competing aspirations for self-determination. While Muslims are divided into pro-independence and pro-accession groups (more in favour of independence but a significant number in favour of autonomy within India), Hindus, Buddhists and Sikhs are mostly in favour of accession to India.

The *de facto* partition of Kashmir by war in 1949 has added to these demographic complications. It created a mostly Muslim part administered by Pakistan and an Indian Jammu and Kashmir with distinct Muslim, Hindu and Buddhist provinces and/or districts within provinces. As in Bosnia and Herzegovina, self-determination in Jammu and Kashmir could translate into fragmentation into ethno-territorial units.

Competing aspirations for self-determination have been, and are, fanned by a number of actors within Pakistan, India, Jammu and Kashmir, and the Kashmiri diaspora (mostly based in the UK but also in the US, Canada and Belgium). China has also been involved as the Chinese Government started issuing separate paper visas to Indian Kashmiris in 2009-2010, a move intended to signal that China now questions the status of Indian Jammu and Kashmir. In 2010, China also refused a visa to Indian General Jaswal because he commands the Northern Sector in Kashmir.³⁸ This is a surprising move given that China is itself in occupation of a part of the state (Aksai Chin).

³⁸ Mohan, C. Raja, “A new challenge”, *Indian Express*, August 31, (2010). www.indianexpress.com/news/a-new-challenge/674711/ Accessed June 14, 2011.

Figure 1: Map of Kashmir



Courtesy of the UN Department of Peacekeeping Operations.

The historical legacy

One of the other significant historical causes of the conflict was a peasant rebellion in three districts of Jammu province in the spring of 1947. This was led by demobilised World War II veterans and pre-empted Kashmir's choice of India or Pakistan. Kashmir's Maharaja Hari Singh turned to India for troops and India made military support conditional on accession. The Instrument of Accession signed between India and the Maharaja left the question of the nature of Kashmir's relationship to India partially open, with the condition that the state remained within the Indian Dominion. At the same time, Nehru promised to ascertain the wishes of the people once the state was at peace again. Before that happened, Pakistani troops came to the support of the rebels and Nehru took the dispute to the United Nations.

The UN established a ceasefire line in 1949 that divided the princely state, leaving Pakistan in control of a strip later named "Azad (Free) Kashmir" and the Northern Areas of Gilgit, Hunza and Baltistan. Monitored by the UN, the ceasefire line grew into a *de facto* partition of the state, and a new boundary between India and Pakistan, although it had been intended to be temporary. Neither country could agree to the UN's proposals for a settlement. The UN asked Pakistan to withdraw troops from "Azad Kashmir", and asked India to keep only as many troops as were necessary for Kashmir's security. To Nehru's chagrin, it also expanded his promise of consultations on accession to India to include the choice of Pakistan. Before that thorny issue was resolved, talks foundered on interim arrangements. Pakistan did not withdraw its troops and there were no further consultations on accession.

Kashmir was further divided in 1962 when the Chinese occupied the Aksai Chin region of Ladakh during war with India. They continue to hold it. Pakistan subsequently ceded the Shaksgam valley of the Northern Areas to China in a border agreement subject to final settlement of the Kashmir dispute. A resolution of the vexed issue of Jammu and Kashmir's status would therefore need to involve four parties – India, Pakistan, China and the Kashmiris (who are internally divided by region, community and ideology).

Pakistani-administered Kashmir

A political resolution will also have to factor in disparate situations on the ground. Pakistani Kashmir

was subdivided in 1949 when the Northern Areas were ceded by the Muslim League leadership of "Azad Kashmir" to direct Pakistani rule by the Karachi Agreement (the agreement has little legal validity as "Azad Kashmir" has no international legal status). "Azad Kashmir" received formal Pakistani recognition as an independent state but remained under Pakistani protection, with the Pakistani Government maintaining control through a Kashmir Council headed by the Prime Minister of Pakistan. Over time the "Azad Kashmir" population integrated with Pakistan through the labour market and elections. In addition, government jobs were restricted to those who swore an oath of allegiance to Pakistan, pro-independence politicians were often jailed, and there was little freedom of speech and little political engagement of civil society.

When the uprising began in the Kashmir valley in 1988-1989, the Pakistani Government set up training camps in "Azad Kashmir" and the territory was used to send armed groups across the LoC. The capital of "Azad Kashmir", Muzaffarabad, became the headquarters of armed groups focused on Indian Jammu and Kashmir. Although the "Azad Kashmir" leadership supported the Kashmir peace process, the armed groups were often opposed to it and succeeded in undermining several promising initiatives.

Pakistan treated the Northern Areas as protectorates – they were run by Islamabad via the Ministry of Kashmir Affairs and Northern Areas until September 2009, when the Pakistani Government introduced a reform package. Under the package the Northern Areas have been renamed Gilgit-Baltistan (historical names that have long been demanded by nationalists), and has its own assembly, governor, chief minister, election commission and other key state bodies. To reduce the role of the Pakistan Ministry of Kashmir Affairs, a Gilgit-Baltistan Council was formed with equal representation from the region and the National Assembly of Pakistan, a distribution which still leaves substantive central and/or federal authority with Islamabad. To this extent the reform package cannot be considered a step towards autonomy, rather it is a step towards political representation.

Between 1949 and 2009, large numbers of Punjabis and Pathans were encouraged to settle in the Northern Areas, altering its demography significantly and giving rise to sectarian Shia-Sunni conflict. Democracy leaders were also regularly jailed in the

area which is, according to some political analysts, seething with rebellion.³⁹

Article 370, autonomy and more war

On the Indian side of the ceasefire line, Jammu and Kashmir was granted special status under Article 370 of the Indian constitution. This Article was added in 1952 and made defence, foreign affairs and communications the only portfolios under federal control. It granted Jammu and Kashmir its own flag and Prime Minister, civil service, law and election commission. Article 370 was a landmark agreement that showed how far the GoI was prepared to go in making peace and it defined India's asymmetric federalism. However, the agreement was observed mostly in the breach and Sheikh Abdullah, first Prime Minister and later Chief Minister of the State and leader of the State's founding political party (the National Conference), was alternatively wooed and imprisoned, with a series of elected but New Delhi-approved Chief Ministers replacing him.

The hostility between India and Pakistan offered little opportunity to establish stability in Kashmir. The 1960s and 1970s were decades of war. In 1965, after Abdullah had been re-arrested for the third time, Pakistan invaded Jammu and Kashmir. They believed Kashmiris were ready for revolt but Kashmiris did not revolt and India attacked Lahore. However, under Soviet intercession both countries agreed to return to the status quo (the Tashkent Agreement of 1966). India and Pakistan fought a third war in 1971 when India invaded East Pakistan in support of its popular independence movement and Pakistan opened a second front in Kashmir. India won this war, taking a large chunk of Pakistani territory and 90,000 Pakistani soldiers as prisoners of war.⁴⁰

The 1971 war was followed by an India-Pakistan summit in Simla in June 1972. This yielded the Simla Agreement which was notable for two points. First, that from now on the two countries would settle their disputes through bilateral negotiations – in

other words, the UN would no longer mediate – and second, that the ceasefire line would be renamed the Line of Control (LoC).⁴¹

Kashmiri anger, slowly mounting over decades of misrule, began to smoulder. The allegedly rigged elections of 1987 proved a turning point.

The Simla Agreement was overtaken by events in Pakistan – the 1974 constitution, the arrest of former Prime Minister Zulfikar Ali Bhutto and a military coup – and the issue of Kashmir was not taken up in bilateral negotiations. The early 1980s offered another opportunity, this time for a settlement of Jammu and Kashmir's grievances. In 1982, Sheikh Abdullah died and his son Farooq was appointed Chief Minister. Unlike Kashmir's previous leaders, who had kept the idea of Jammu and Kashmir's special status alive by staying away from Indian politics, Farooq Abdullah found a common cause with Chief Ministers from the west and south of India who were pressing for federal devolution. The campaign offered a significant opportunity for India to revive Jammu and Kashmir's autonomy by devolving power across the country (as British Prime Minister Tony Blair was to do 13 years later in the UK and Northern Ireland). However, Prime Minister Indira Gandhi saw it as a threat to her authority. In mid 1984, under pressure from Gandhi, the Governor of Kashmir dismissed Farooq.

Kashmiri anger, slowly mounting over decades of misrule, began to smoulder. The allegedly rigged elections of 1987 proved a turning point. Opposition coalitions, such as the Jamaat-i-Islami-affiliated Muslim United Front (MUF) claimed that ballot boxes were stuffed with false votes, a claim that is contested by administrators of the election.⁴² A new Kashmiri movement began which rapidly spiralled into armed conflict, supported by Pakistan.

The rise of armed conflict

The Pakistani use of non-state actors to influence peace initiatives has become a cause, albeit a subsidiary one, of the conflict. The withdrawal of the

39 Harrison, Selig, "China's Discreet Hold on Pakistan's Northern Borderlands", *The New York Times*, August 26, (2010). www.nytimes.com/2010/08/27/opinion/27iht-edharrison.html Accessed June 14, 2011.

40 For more information, see Haqqani, Hussain and Oakley, Robert B, *Pakistan: Between Mosque and Military*, (Washington, DC: Carnegie Endowment for International Peace, 2005), p.87 and Cohen, Stephen, *The Idea of Pakistan*, (Washington, DC: Brookings Institution Press, 2004), p.382.

41 "Simla Agreement, 2 July 1972". www.jammu-kashmir.com/documents/simla.html Accessed June 14, 2011.

42 Kumar, Radha, *Making Peace with Partition*, (New Delhi: Penguin Books India, 2005).

Soviet Union from Afghanistan in 1988 and the success of the Afghan jihad, which was actually due to its unique 'great power' backing, was seen by many Kashmiris as ushering in a new era of Muslim self-determination. In late 1989, with the support of the Pakistani Government, young Kashmiris began to cross over the LoC to train in hastily established camps in "Azad Kashmir" and the North West Frontier Province (NWFP). Some made it as far as Afghanistan, where they were trained in the warlord Gulbuddin Hekmatyar's camps (and by the late 1990s in the Bin Laden complex at Khost).

The armed groups burnt buses and destroyed bridges. They also bombed the headquarters of the National Conference and shot a National Conference leader and the vice-president of the state unit of the Hindu nationalist Bharatiya Janata Party (BJP). Hindus began to be, and feel, threatened and what started as a trickle of Hindu Pandits out of the Kashmir valley soon became an exodus. From 150,000 in the valley in 1990, there are 3,000 Kashmiri Pandits there [in 2010].⁴³

By the end of the 1990s, there were more Pakistanis than Kashmiris in the armed groups. Within Kashmir, conflict spread from the Kashmir valley to the Muslim majority districts of Jammu, where Hindus and nomads began to be targeted in the border villages. Outside Kashmir, the armed groups targeted India's capital and financial centres, Delhi, Mumbai and Bangalore, and linked into the Mafia-esque network developed by the criminal Bombay financier Dawood Ibrahim, who fled India for Pakistan in the mid-1990s.

The GoI adopted increasingly draconian measures in response and civilians were frequently trapped in the battle between Indian troops and armed groups. By the mid-1990s, armed groups and the Indian army dominated life in the valley, with an estimated 10-15,000 mujahideen and upwards of 350,000 troops.⁴⁴ Kashmir's capital, Srinagar, was under a double curfew, one imposed by the army

and the other by the armed groups. Pakistani aid to the latter was increasingly evident. Estimated at over USD 3 million per month in 1993, it was briefly suspended under US pressure but resumed on a smaller scale in 1994, when it was diverted from the Kashmir militias to Pakistani armed groups like the Lashkar e Taiba.⁴⁵

India's counter-insurgency policy of using surrendered mujahideen to fight present ones worsened an already fragile law and order infrastructure, fueling revenge killings. By the end of 2010 roughly 80,000 people had been killed (including security and administrative personnel), the vast majority Muslim. Families who had lost one member at the hands of armed groups and another at the hands of the security forces were more a norm than the exception in the Kashmir valley.⁴⁶

Section 2: The impact of armed conflict

The armed conflict had three major effects on Jammu and Kashmir. First, it introduced non-state actors into the conflict and militarised both Pakistani and Indian Jammu and Kashmir. Militarisation brought a climate of fear and a culture of impunity. This is only gradually being altered in Indian Jammu and Kashmir through gradual redeployment of troops out of civilian areas and punishment of troops for human rights violations (though still far too few). Information on whether, and which, security reforms have taken place in Pakistani "Azad Kashmir" and Gilgit-Baltistan is not available.

The second effect was that the armed conflict polarised different regions of Kashmir. The Ladakh area of Indian Jammu and Kashmir does not share the aspirations of the valley and was alienated by the armed groups. Some districts of Jammu province do share the valley's aspirations but others firmly favour closer integration with India, as do a number of districts in the valley. In Pakistani "Azad Kashmir", the Muzaffarabad province is integrated with Pakistan, while Mirpur has cross-border ties with Jammu. Baltistan looks to Kargil in India, but Gilgit and Hunza seek provincial status within Pakistan.

43 Interview by Radha Kumar with Chief Information Commissioner Wajahat Habibullah, 21 August, 2010.

44 Figures for Indian army troops in Jammu and Kashmir are shrouded in ambiguity. The Indian Government has never made them public and they increase and decrease according to the degree of instability/violence. The figures are further complicated by the fact that some count troops that are stationed on the LoC while others exclude them on the grounds that these troops have little to do with quelling internal insurgency. As of 2010-2011 the number of troops stationed within Jammu and Kashmir is around 100,000 military and 100,000 paramilitary and border security.

45 Kumar, Radha, "Untying the Kashmir Knot", *World Policy Journal*, Spring, (2002), p.16.

46 Kumar, Radha (2002), p.17.

Both Gilgit and Baltistan have experienced the rise of internecine conflict as a result of demographic change and the hosting of armed groups.

The third effect was that armed groups began to exercise a veto over peace initiatives, derailing them through both collective and individually targeted attacks. Collective attacks, such as Mumbai 2008 or the Parliament attack, are mostly directed at derailing India-Pakistan talks. Individually targeted attacks, such as the 2009 shooting of Fazl Haq Qureshi, a Hurriyat member who was negotiating back channel talks with armed groups, are mostly directed towards derailing the New Delhi-Hurriyat talks.

Track I dialogue attempts

Track I level dialogue to resolve the conflict was first attempted in 1948-1949. There were a series of failed initiatives during the 1950s and 1960s, most notably through a Kashmiri-led mediation by Sheikh Abdullah. However, each of the attempts were deadlocked by, on the one hand, India's desire to turn the *de facto* division of Kashmir into a *de jure* one (shared by Sheikh Abdullah) and, on the other, Pakistan's desire to claim the whole, or at the very least the Muslim-majority parts, of the former princely state.

Whereas earlier negotiations had been with elected Kashmiri leaders, the negotiations of the 1990s were with armed groups or non-state actors, and they were difficult to sustain without Pakistani concurrence.

After the 1972 war, there were few India-Pakistan attempts to settle their conflicting claims to Jammu and Kashmir. There were sporadic initiatives at unilateral resolution between New Delhi and Srinagar, but the triangular India-Pakistan-Kashmiri peace process only began in the 1990s, after armed conflict had broken out. Whereas earlier negotiations had been with elected Kashmiri leaders, the negotiations of the 1990s were with armed groups or non-state actors, and they were difficult to sustain without Pakistani concurrence. There was a lost opportunity in 1993-95 when the GoI negotiated a ceasefire with the Jammu and Kashmir Liberation Front (JKLF), an armed pro-independence group that was Muslim but relatively secular. However, Pakistan had already begun training and funding a more Islamic alternative to the JKLF, the Hizbul

Mujahideen, and the ceasefire could not be expanded to include all the militias that were active in Kashmir. India's Prime Minister Narasimha Rao, who in 1995 had promised the JKLF that 'the sky is the limit' if they laid down arms, pulled back from his promise. As a result the JKLF more or less fell apart although their leader, Yasin Malik, remains a popular leader in the valley.⁴⁷

The GoI made a second attempt to ensure ceasefire negotiations with militia leaders in 1995 by getting backing from Pakistan's Inter-Services Intelligence (ISI) for a meeting in Casablanca. However, the ISI placed three conditions on a ceasefire: formal Indian recognition of Kashmir as a territorial dispute involving Pakistan; trilateral talks between India, Pakistan and Pakistan-appointed Kashmiris; and international engagement for a solution. The latter two conditions were an anathema to Indian policymakers. Even Pakistani Kashmiri leaders saw the ISI position as unrealistic. Commenting on the Casablanca meeting, the veteran "Azad Kashmir" leader Sardar Qayoom Khan later remarked, "Our side bungled it. They made the talks a matter of success or failure [of Pakistan's Kashmir Policy]."⁴⁸

Next attempts at a breakthrough

If 1992-1995 was dominated by Indian efforts to negotiate directly with Kashmiri armed groups, 1996-1997 saw India return to its earlier approach of initially seeking a settlement with Pakistan. Indian Prime Minister Inder Kumar Gujral made better ties with India's neighbours his chief foreign policy goal ('the Gujral doctrine'). A new and accelerated set of talks began with Pakistan to act on the composite dialogue outlined in the 1972 Simla Agreement, to appoint the working groups that it had proposed, and to set up a timetable for them to meet.

The Gujral Government made progress on the less controversial areas of dispute with Pakistan, but it was weak and soon fell. The Government, led by the Hindu nationalist Bharatiya Janata Party (BJP), which came to power in the spring of 1998 let the India-Pakistan talks lapse and although it

47 Swami, Praveen, "The autonomy demand", *Frontline*, Volume 17, Issue 14, July 8 - 21, (2000). www.hinduonnet.com/fline/fl1714/17140040.htm Accessed June 14, 2011. Also see, Editorial, "Ignore Kashmir at your own peril", *Asian Age*, August 29, (2010). www.asianage.com/editorial/ignore-kashmir-your-own-peril-230 Accessed June 14, 2011.

48 Interview by Radha Kumar with Sardar Qayoom Khan, New York, August 21, 2000.

entered into an alliance with Farooq Abdullah's National Conference, this only served to further discredit Abdullah in the valley.

The reluctant search for peace

The Indian and Pakistani nuclear tests during the summer of 1998 were the first to create a 'hurting stalemate' because they significantly raised the stakes of the smouldering animosity between the two countries and attracted significantly more international attention. Castigated across the world, Indian and Pakistani politicians held a highly publicised summit meeting between the two countries' prime ministers in Lahore in early 1999 which led to an agreement to ease visa restrictions and resume negotiations under the composite dialogue.

The Lahore summit was trumpeted as the start of a new peace process (which, in some ways, it was) but the hopes it raised proved illusory. Two months after it took place, India was stunned to discover that Pakistani troops and armed groups had occupied Indian check-posts (vacated in the winter) in the mountainous Kargil region of Indian Jammu and Kashmir. The Kargil offensive by Pakistan caused international outcry and Pakistani Prime Minister Nawaz Sharif flew to the US in July to announce his withdrawal of Pakistani troops and guerrillas.⁴⁹ Derisively dubbed the "Washington declaration", his announcement was received as an act of national humiliation and after two weeks of wild brinkmanship the army in Pakistan took over in a bloodless and popular coup in October 1999. There was a sharp escalation of conflict in Kashmir. A rough survey of newspaper accounts shows that between autumn 1999 and summer 2000 an average of seven people died each day in terrorist attacks and clashes between armed groups and Indian security forces.⁵⁰

With an economy that had plunged from crisis to crisis since the 1998 nuclear tests, and under pressure from international lending agencies to make de-escalation with India a priority, President Musharraf began to look for ways to resolve the Kashmir conflict. The years 2000-2001 were marked

by failed back channel efforts between India and Pakistan to secure a ceasefire in Kashmir; each one ended by violence. A July 2000 ceasefire between the Indian army and one of the larger militias, the Hizbul Mujahedeen, could have been expanded into an overall ceasefire with all the militias under a "United Jihad Council." However, this opportunity was lost when the Lashkar e Taiba and Jaish e Mohammad killed over 100 Hindu pilgrims and labourers in two days of carnage at the beginning of August 2000 in the Kashmir valley.⁵¹ In October, the GoI tried again to establish a unilateral ceasefire. However, although this eased the Indian army's human rights abuses in Kashmir, violence actually increased while it lasted and it was called off after three months.

The Agra Summit – renewed crisis

In July 2001, President Musharraf and Prime Minister Atal Bihari Vajpayee held a summit meeting in Agra to find a viable path toward peace between their two countries. This showed how far Vajpayee had moved the Indian position. At Lahore, Kashmir was not prioritised but in Agra, it was addressed up front – only for the two countries to discover once again that they could not agree, or agree to disagree.

Pakistan wanted a declaration in which Jammu and Kashmir was recognised as the central issue of conflict between the two countries. This was something which India had long refused however India was ready to grant that recognition, but in return wanted Pakistan to eschew violence, and support for violence, in Jammu and Kashmir. For Pakistan, this was too high a price to pay, and the summit ended in failure. Once again there was violence in Kashmir, this time a terrorist attack on the Jammu railway station.⁵² The GoI declared both Jammu and the Kashmir valley "disturbed areas," in which the security forces could make preventive arrests, shoot on sight, or cordon and search entire villages.

It looked as if the two countries were locked in implacable hostility, and Kashmir was locked in an endless cycle of violence and siege. Then the September 11, 2001 attacks in New York and

49 The News International, *News on Sunday, Special Report*, June, (2008). <http://jang.com.pk/thenews/jun2008-weekly/nos-29-06-2008/spr.htm#1> Accessed June 14, 2011.

50 Survey conducted between September 1999 – July 2000 by Radha Kumar using *The Indian Express, Hindustan Times, Hindu, Greater Kashmir and Kashmir Times*.

51 "India Pledges to Resolve Kashmir Dispute", *Washington Post*, August 3, (2000). http://indianterrorism.bravepages.com/Indian_army_massacres_civilians.htm Accessed June 14, 2011.

52 "Carnage in Kashmir railway attack", *BBC News*, 7 August, (2001). http://news.bbc.co.uk/2/hi/south_asia/1478308.stm Accessed June 14, 2011.

Washington occurred, and they suddenly altered the dynamic. Pakistan became a key US ally in the war against terrorism and officially broke its links to the Taliban. A decline in the Kashmir conflict might have ensued naturally, but India worried that Pakistan would adopt a revolving door policy by re-directing many of the fighters to Kashmir.

When India's parliament was attacked on December 13, 2001, the GoI cancelled air, rail and road links with Pakistan, recalled its ambassador to Islamabad, and sent half a million troops to the border. With troops in Afghanistan and Pakistan, and the renewed threat of war, the US pushed Pakistan to break with the Kashmir armed groups. On January 11, 2002, Musharraf delivered an address to the Pakistani nation, in which he said Pakistan would no longer allow its soil to be used for terrorism, and soon after he arrested close to 2,000 Islamic militants and closed over 300 of their offices.

India's "coercive diplomacy" is seen by many analysts as having yielded nothing because Musharraf released those arrested three months later and Indian troops eventually pulled back. However, it did give the GoI and the Kashmiri self-determination groups an opportunity to seek peace. The first sign of this was an unspoken agreement, through back channel talks, that the elections in 2002 would be free – that is, would not be opposed by the self-determination groups – and fair (that is, independent monitors would be allowed by the Indian and State Governments).

The "healing touch" policy

The 2002 elections put in place a coalition led by a relatively new political party (the People's Democratic Party or PDP). The PDP announced a "healing touch policy" which combined improving respect for human rights with efforts to jump-start the economy through reviving tourism. The GoI appointed a respected former cabinet secretary, NN Vohra, as special envoy for talks with Kashmiri leaders and began ministerial-level talks with the Hurriyat and other self-determination groups. The stage appeared to be set for a new peace process to begin within the troubled state but Pakistan remained sceptical and it took close to another year to achieve a breakthrough.

In April 2003, Vajpayee made another call for peace with Pakistan (his third and last try, he said) from Kashmir's capital Srinagar. This time his offer

was followed by intensive bilateral, as well as international diplomacy, which was unusually low-key. In September 2003, Pakistan announced a ceasefire on the LoC. Following this there was a decline in the cross-border movement of militants and some halting progress in the New Delhi-Hurriyat talks which led to the release of a number of political prisoners.

The ceasefire held and paved the way for the dramatic breakthroughs that were announced at the South Asian Association for Regional Cooperation (SAARC) summit at Islamabad in 2004. These included a pledge by the seven member states to implement a South Asian Free Trade Agreement by January 2006; agreeing a SAARC Social Charter to share expertise on development goals; and a pledge to work together to end support for terrorist groups. When the Indian and Pakistani leaders, Vajpayee and Musharraf, met on the sidelines of the SAARC summit, these pledges provided a wider framework for issuing a joint statement. This stated that the two countries would revive a composite dialogue on all their contentious issues, including Kashmir, and would begin an ambitious series of confidence-building measures. The statement included a personal pledge by Musharraf to prevent the "use of Pakistani (and Pakistani held) soil" for terrorist acts against India.⁵³

Phase II: confidence-building

The Vajpayee Government fell in the summer of 2004 and the Congress-led United Progressive Alliance (UPA) came to power. In September, the new Indian Prime Minister Manmohan Singh and President Musharraf issued a joint statement reiterating their commitment to a peace process, and the two countries increased institutional contacts between their border security forces, coast guards, and foreign offices. The new government held its first round of talks with the Hurriyat and other self-determination leaders and, later that year, Prime Minister Singh announced that 40,000 troops would be redeployed.

In February 2005 in Islamabad, the Indian and Pakistani Foreign Ministers announced that the two

⁵³ For more detail see, Institute of Policy Studies, "Pak-India Peace Process: An Appraisal", *Policy Perspectives*, Volume 4, Number 2, (Islamabad: Institute of Policy Studies, no date). www.ips.org.pk/international-relation/pakistan-and-its-neighbours/1013-pak-india-peace-process-an-appraisal-.html Accessed June 14, 2011.

countries would start a Srinagar-Muzaffarabad bus service. The launch of the bus on April 7 – attended by the Indian Prime Minister, the Congress President Sonia Gandhi and the Jammu and Kashmir Chief Minister, Mufti Mohammad Sayeed – re-opened a road that had been closed since the war in 1948. Following a devastating earthquake that ravaged “Azad Kashmir” in November 2005, Pakistan allowed another route to be opened, this time in the Jammu sector of the LoC, and in June 2006 the Poonch-Rawalakot bus was launched.

In both symbolic and actual terms, the re-opening of these roads was a landmark achievement of the nascent peace process and it happened because there was a rare confluence of political and civil society inputs on the Indian side, and a rare confluence of military, political and Kashmiri inputs on the Pakistani side.

Inching towards a settlement

In August 2005, SK Lambah, a former High Commissioner to Pakistan, was appointed Special Envoy in the Indian Prime Minister’s Office, with the brief of conducting back channel talks with Tariq Aziz, President Musharraf’s trusted aide. The back channel was not a decision-making forum – it was a means by which all possible solutions to the disputes between India and Pakistan could be explored and differences narrowed. It was confidential and this permitted frank discussion.

The back channel was, perhaps, the most successful confidence-building exercise of all between the two governments. Towards the close of 2005, President Musharraf began to say that elected political representatives would also need to be involved in talks, changing a long-held Pakistani position that the Hurriyat and armed groups were the sole representatives of Jammu and Kashmir. His statements eased the way for the Indian Government to devise a mechanism that would involve a comprehensive range of Kashmiri representatives in peace negotiations. In February 2006, Prime Minister Manmohan Singh set up a Round Table conference with Kashmiri political, regional and civil society leaders, to discuss ideas for a settlement and how to build peace on the ground. He stated:

“You are all the real stakeholders in the future of Kashmir, and it is only through your energetic participation that a New J&K can truly be built. Let this roundtable be remembered as



Bus passengers from Pakistan controlled Kashmir, in garlands, cross over the bridge to India, at Kaman Post, near the Line of Control, April 7, 2005. AP Photo/Rafiq Maqbool.

an important step in building such a Jammu and Kashmir.

A round table is a dialogue. No one preaches and no one just listens. This is a dialogue of equals who promise to work together. Today’s meeting is a significant event. It will, however, achieve historical importance if we are able to unleash a process by which we can arrive at a workable blueprint that can help to create a new chapter in Kashmir’s history. Not by compromising on one’s ideals, but in a spirit of mutual tolerance, understanding and accommodation.”⁵⁴

54 “Roundtable Conference on Jammu & Kashmir: PM’s Opening Remarks”, February 25, (2006). <http://pminindia.nic.in/speech/content.asp?id=282> Accessed June 14, 2011.

There were also hectic back channel efforts to bring the Hurriyat and other self-determination groups to the second Round Table conference in Srinagar in May 2006 but there was an escalation of terrorist attacks in the run up to the conference – a message from armed groups to the Hurriyat to stay away.

Round Table conferences

The Round Tables took place in an atmosphere of violence but they did set up five working groups that were asked to come up with ideas on how to further a peace process in, and for, Kashmir. The five working groups were on:

- Strengthening relations across the Line of Control (LoC);
- Centre-state relations;
- Good governance;
- Infrastructure and economic development;
- Confidence-Building Measures (CBMs) within Jammu and Kashmir, especially for the widows and orphans of violence, return of displaced persons, and return of people who crossed over during the insurgency.

Box 2: Commentary from Khurshid Kasuri

“The major features of the draft Kashmir agreement involved gradual demilitarization as the situation improved, self-governance and a joint mechanism involving Kashmiris from both sides as well as presence of Pakistani and Indian representatives in this process. The purpose was to improve the comfort level of Kashmiris. The joint mechanism envisaged cooperation in various fields including exploitation of water resources and hydroelectric power. Self-governance also provided maximum possible powers to Kashmiris to manage their political, economic, financial and social matters and those pertaining to economic development as well as for enhanced travel and economic interaction on both sides of the LoC. For practical purposes, as far as the Kashmiris on both sides are concerned, the border would be made irrelevant for movement of goods and people. The agreement, though not ideal, was the best possible under the circumstances.”

Source: Kasuri, Khurshid Mahmud, “Bridge trust deficit to resolve all differences”, *Times of India*, April 30, (2010). <http://timesofindia.indiatimes.com/home/specials/Bridge-trust-deficit-to-resolve-all-differences/articleshow/5874834.cms#ixzz0yOm1dOf8> Accessed 15 June, 2011.

The composition of the working groups was to include representatives of Kashmiri political parties, regional leaders, community leaders, and representatives of self-determination groups, especially the Hurriyat. As the latter continued to stay away, the Round Tables that eventually met from October 2006 were composed of representatives of the former three categories.

In the meantime, by the summer of 2006 there had been such rapid progress in the Aziz-Lambah back channel that India used it to send a set of ideas on devolution/self-governance for Kashmir to Pakistan. In late 2006 it was decided that self-governance should be offered to Jammu and Kashmir by both countries simultaneously and should be “harmonised” (i.e. the same structure of constitutional relations would apply on both sides of the LoC); India and Pakistan would demilitarise Jammu and Kashmir; and the two countries would encourage joint institutions between the different parts of the state.

There were also some hopeful prospects on the security side. The India-Pakistan ceasefire continued to hold and, in 2003, the GoI began gradual security reforms. In 2005 the security duties that the army had conducted in urban areas, such as maintaining check points, were transferred to the Jammu and Kashmir police and the Central Reserve Police Forces. By 2006, the GoI was pressing the security forces to take stringent steps to punish human rights violations and in 2008-2009 security duties in urban areas were transferred to the Jammu and Kashmir police.

The 2008 assembly elections in Kashmir saw the greatest voter participation since 1978 (70 per cent), and they brought in a young Chief Minister, Omar Abdullah, the grandson of Sheikh Abdullah. The large turnout was mostly the result of the policies India pursued between 2000-2008 including talks with Pakistan and the Hurriyat; cross-LoC confidence-building measures; security reforms; development; and improving governance. However, they were not yet a vote of confidence in India but rather represented a ripe moment in which there was a rare Kashmiri consensus that they could negotiate an honourable peace, including on behalf of the Hurriyat.

Layers of dialogue

These achievements would not have been possible without Track II initiatives to develop a public constituency for peace that put pressure on government

and militant factions alike. These began in the mid-1990s with civil society initiatives such as the Pakistan-India People's Forum for Peace and Democracy and by 2000 there were a large number of human rights and women's groups in both countries rallying for peace. The main issues that were raised at this point were people-to-people contacts, de-nuclearisation and, more warily, Kashmir.

From 1999 onwards, more powerful actors joined the constituency for peace and, in the 2000s, the Track II efforts became more professional and issue-focused. The influential Jang media group in Pakistan started an India-Pakistan parliamentary dialogue in 1999-2000 and helped found the South Asian Association of Free Media. Think tanks such as the Delhi Policy Group began a Kashmiri civil society dialogue. Business groups in both countries pointed out that while official trade between the two countries was worth around USD 200 million, unofficial trade was worth over USD 1 billion. If trade relations were normalised between the two countries, Indian industrial and commercial associations estimated, it could rise to USD 5 billion a year relatively quickly. Most important of all, influential members of the Kashmiri diaspora in Europe and the US, whose energies had been revived by the abortive Lahore peace process, reconsidered the unconditional support they had offered to armed struggle and many now backed a peace process.

This new constituency gave political leaders who were supportive of peace efforts greater backing to take on their opponents and gave India the confidence to pursue a risky peace process even in the face of rising violence.

The years between 2004-2006 saw a flurry of Track II meetings and conferences that brought together Kashmiri leaders, both elected and pro self-determination, from the two sides of the LoC. To have such politically opposed leaders at the same table discussing a peace process proactively instead of combatively was, in itself, a confidence boost, and it freed the Hurriyat leaders to speak openly about the next steps they would like to see.

A possible impact of these meetings was that Mirwaiz Umar Farooq, the Hurriyat Chairperson, could say in early 2006 that elected political leaders and civil society must be involved, as well as the Hurriyat, in talks for a Kashmir settlement. In many ways this statement represented another big breakthrough in the peace process in which the self-determination groups accepted that they were

one (very significant) voice among many when it came to a settlement. It also showed how far the Hurriyat had moved from their position that they were the sole representatives of the people of Jammu and Kashmir.

Recommendations from Indian Track II groups also fed into the Track 1 GoI agenda and Prime Minister Manmohan Singh held regular consultations with Track II representatives. It was through these consultations that the Round Table format was adopted and the Track 1.5 Working Groups were instituted. They were based on issues that had come out of the Track II meetings such as cross-LoC relations and connections; autonomy or self-governance (centre-state relations); and the return of young people who had crossed over for arms training.

Track 1.5: The working groups

In April 2007, four of the working groups set up by Indian Prime Minister Manmohan Singh presented their recommendations to the Prime Minister's third Round Table, held in Delhi. The working group on strengthening relations across the LoC recommended:

- Opening six more routes across the LoC;
- Relaxation of restrictions on who could travel to include pilgrims, medical patients and tourists, if necessary unilaterally by India; and
- Creation of a free trade area between Indian and Pakistani Jammu and Kashmir.

And the Working Group on CBMs within Jammu and Kashmir recommended:

- Reviewing the Armed Forces Special Powers Act and the Disturbed Areas Act and if possible revoking them;
- Starting an unconditional dialogue with militant groups to find a sustainable solution;
- Making the return of Kashmiri Pandits (Hindu minority) a part of state policy;
- Providing better relief and rehabilitation for widows and orphans of violence in the state, including widows and orphans of militants; and
- Facilitating the return of Kashmiris stranded across the LoC, many of whom had crossed over for arms training but now wished to return peacefully.

Agreeing on recommendations had not been easy for the members of any of the working groups. Several of the recommendations of the group on CBMs aroused ire at the discussion stage (in particular, on the armed forces' protections, dialogue with militants and return of former militants) and the BJP and Panun Kashmir (a radical organisation of the evicted Hindu Pandit minority) walked out while the recommendations were being discussed. Nevertheless, the chairs of four of the five groups managed to produce their reports by April 2007.

The fifth working group, on centre-state relations, first met in December 2006 and then twice in early 2007. Its first meeting was boycotted by the National Conference to protest against continuing human rights violations. In the second and third meetings in February and March 2007, the debate was so heated that they ended without any agreement even on issues for further discussion. The Jammu and Ladakh based political parties favoured integration with India, while the Kashmir-based parties were divided between those who favoured autonomy, or self-rule, or the status quo. There were similar divisions on talks with independence, pro-Pakistan and armed groups but the majority of the regional or local political parties did favour talks with pro-independence groups. The report of the fifth working group was finally submitted in early 2010, recommending further discussion on autonomy.

Section 3: Challenges and opportunities

Continuing violence

The major challenge to peacemaking is continuing violence. Although Pakistan has begun to reduce support for armed groups fighting in Jammu and Kashmir and there was a gradual decline in violence (from a high of 4,507 fatalities in 2001 to 1,116 in 2006, and below 400 in 2009 and 2010⁵⁵), violence attributed to Pakistan-based militants increased in the rest of India. The years between 2004 and 2007 were marked by terrorist attacks in Delhi, Mumbai, Bangalore, Coimbatore and on the Samjhauta (Friendship) Express, the train that runs between India and Pakistan. In July 2006, just as the back

channel appeared to be succeeding and the Prime Minister's working groups were formed, blasts in Mumbai killed close to 200 people on commuter trains. India demanded that Pakistan fulfill its 2004 pledge to act against militant groups and, in September 2006, the two countries agreed to set up a Joint Counter-Terrorism Mechanism. However, although three meetings took place under the Mechanism, they yielded no visible progress and the Mechanism lapsed.

Following the Mumbai terrorist attacks of 26 November 2008 on hotels and train stations, which killed 184 and wounded over 700 people, the GoI called for the perpetrators to be brought to justice. The Pakistani Government's initial response was co-operative. However, under army pressure, the Pakistani Government turned hostile and there was public pressure on the GoI to explore military options. Eventually concerted international diplomacy ensured that the Pakistani Government arrested nine people for organising the Mumbai attacks in February 2009 including two high level Lashkar e Taiba functionaries and their aides.

The prosecutions, however, proceeded very slowly with hearings still in the initial stage two and a half years later. In July 2009, soon after court hearings finally began, the Indian and Pakistani Prime Ministers met at Sharm el Sheikh and announced that they would work towards a resumption of the peace process. A second attack on the Indian Embassy in Kabul in October 2009 derailed the effort. In February 2010, India and Pakistan made another effort, with the two countries' Foreign Secretaries meeting in New Delhi. However, there were bomb blasts in Pune a few days before the talks (they had been threatened in a speech by Lashkar commander Abdul Makki in "Azad Kashmir" in early February) and the issue of terrorism dominated the talks, which ended without a joint statement. The inconclusive talks were followed by another series of attacks in Kabul, in which Indians were the chief target.

Between 2008 and 2010 the theatre of the Indo-Pakistan conflict widened to Afghanistan. There were two attacks on the Indian Embassy in Kabul in July 2008 which US intelligence tied to the Haqqani group and Pakistan's ISI. The Pakistani military's strategic depth doctrine, which dictates that Afghanistan must be within the Pakistani sphere of influence because it provides a second guard against India, made it inevitable that India's

55 Institute for Conflict Management, South Asian Terrorism Portal, "Jammu and Kashmir Assessment - Year 2011". www.satp.org/satporgtp/countries/india/states/jandk/index.html Accessed June 14, 2011.

growing presence in Afghanistan (where it is one of the biggest aid donors) would threaten Pakistan. The push for a peace deal with the Taliban, which Pakistan is likely to broker, once again puts India in a more vulnerable position in Afghanistan. Analysts are divided over whether the renewal of a Kashmir peace process will impact beneficially on the Afghan peace initiatives and/or vice versa, or whether improvements on one front will be accompanied by decline on the other, a seesaw that has characterised the years 2007-2010.

The fact that many of the concrete gains made during the period between 2004 and 2007 have not been reversed despite the persistence of violence indicates that the two countries are able to make and implement limited peace agreements even when their relations are turbulent.

In the meantime, the suspension of India-Pakistan peacemaking between 2007 and 2010, due to inward preoccupation with a series of political, economic and security crises, has opened up the possibilities for spoilers. In the summer of 2008, a decision on land lease for a Hindu pilgrimage in the valley by the outgoing Governor precipitated a conflict between the largely Muslim valley and largely Hindu Jammu which revealed how far these two parts of Kashmir have been polarised. Although the state regained strength, with the support of the Hurriyat, the summer of 2009 was also turbulent and the valley underwent a mini-uprising over the alleged rape and murder of two young women.

In late 2009, the GoI renewed efforts to get talks restarted with the Hurriyat and it looked as if the efforts might yield a breakthrough. However, in December a top Hurriyat leader, who had negotiated the 2000 ceasefire with armed groups, was shot. Such targeted shootings had derailed previous attempts at dialogue in 2000, 2004 and 2006, and they were once again successful. The New Delhi-Hurriyat channel lapsed for the third time and, in 2010, the valley was once again at boiling point, this time over the death of 118 young Kashmiris by paramilitary troops in clashes with stone-pelting demonstrators. As the response to the protesters indicates, the transfer of security duties to the Jammu and Kashmir police and the Central Reserve Police Forces has not brought relief.

During the period between 2009 and 2010 there were also signs that the Pakistan Government was turning back on the tacit agreement reached in the Lambah-Aziz back channel. There was an increase in infiltration in Kashmir; Foreign Minister Qureshi and a number of Pakistani politicians said that the agreements reached during President Musharraf's rule were not consequential; and the Pakistani Foreign Office denied any knowledge of the talks.

The decade closed with two major setbacks – the targeting of Indians in Afghanistan and a question mark over the achievements of the peace process.

Opportunities

The fact that many of the concrete gains made during the period between 2004 and 2007 have not been reversed despite the persistence of violence indicates that the two countries are able to make and implement limited peace agreements even when their relations are turbulent. The routes that were opened between divided Jammu and Kashmir have not been closed and, in 2007, India and Pakistan settled another long-standing dispute over building a dam on the Baglihar river in Indian Jammu and Kashmir. Pakistan feared that the dam might allow India to shut off shared river waters from Indian Kashmir while Kashmiris on the Indian side are in great need of hydropower. In 2005 both countries agreed to refer the dispute, which had been at a stalemate for close to 30 years, to a World Bank appointed arbitrator under the dispute resolution mechanism agreed by the 1960 Indus Waters Treaty between India and Pakistan. In 2007, the World Bank arbitrator ruled in India's favour.

The period between 2009 and 2010 also saw a renewed determination on the part of Indian, Pakistani and Kashmiri leaders to revive the peace process. At the Thimpu SAARC summit Prime Ministers Singh and Gilani agreed to continue formal talks, and in June 2010 the Indian Home Minister visited Pakistan. Reports indicated his talks with Interior Minister Malik went well and focused on co-operation against terrorism. *"We will wait for the outcome"*, said Indian Home Minister Chidambaram. One positive step was Pakistan's announcement of a Task Force to combat terrorist groups (including the India-focussed Lashkar e Taiba and Jamaat ud Daawa) in the run-up to the two Foreign Ministers meeting on July 15, 2010. The Hurriyat again indicated its willingness for talks in

spring-summer 2010 and if these openings are pursued it may be possible to get back on the four tracks that were established between 2004 and 2006 (outlined in the Executive summary), which included dialogue with self-determination groups. Indeed, the restoration of the New Delhi-Hurriyat dialogue may be the best way to get a peace process back on track.

Section 4: Lessons learned

This brief history of the Kashmir peace process indicates the following general points:

- In the years 1999-2003 violence did not decline despite constant dialogue by the Indian and Pakistani Governments; it declined only when the back channel tackled substantive issues with the focus on finding areas of agreement (2004-2006), which is also when the most progress was made on the elements of a lasting Kashmir solution.
- Despite their frequent ups and downs, the cumulative impact of peace initiatives has improved conditions on the ground in Jammu and Kashmir. At the same time, the regular breakdown or deterioration of peace initiatives has bred further alienation and anger, especially among the generation that has grown up in conflict.
- Paradoxically, the sharp decline in militancy has brought Kashmir to a peacebuilding phase. However, 22 years of armed conflict have taken a severe toll on administrative institutions which will need reform and strengthening to rise to the challenge of peacebuilding.
- For India, the key lesson learned is that a sustainable peace process will have a better chance if the India-Pakistan and India-Kashmiri tracks are synchronised, and human rights violations are systematically and robustly dealt with.
- For Pakistan, and for some Kashmiris, the leading lesson learned is that non-state armed groups cannot be used productively to escalate or calibrate peace negotiations.
- Both Governments have only selectively and/or sparingly related to civil society initiatives, thus failing to capitalise on existing potential for conflict resolution.

Recommendations

Get the back channel on track again. Clearly, the first imperative is to get the back channel and talks on the framework agreement in place again. In 2009, the Pakistani Government appointed Riaz Mohammad Khan, who was Foreign Secretary during the period that the back channel developed the framework agreement, as successor to Tariq Aziz. On the Indian side the negotiator remains the same. However the Pakistani Government is reluctant to pick up talks where they left off and needs to be convinced that they offer the best chance for a lasting peace.

Pick up the framework talks where they left off. Continuity is an important part of trust-building and to discard the framework agreement just because it was General Musharraf's legacy erodes confidence. As a framework, it identified the key features of a future peace agreement and there is sufficient flexibility available in working out the details. Its key features were supported by both previous Pakistani Prime Ministers (Benazir Bhutto in 1988 and Nawaz Sharif in 1999) and it drew from inter and intra-Kashmiri dialogue. As such, it provides the best base for negotiations towards a workable peace agreement.

Restore the New Delhi-Hurriyat track. The back channel made the most progress during the period that the New Delhi-Hurriyat track was active. The protests of 2008-2010 indicated that public opinion in the valley, and in most of the Muslim districts of Jammu and Kashmir, vociferously backs talks on political status. The opinions of political parties and civil society are already reflected in the reports of the Prime Minister's Working Groups. However, the New Delhi-Hurriyat track is yet to embark on this discussion.

Implement security reforms. In previous New Delhi-Hurriyat talks, the focus was on security reforms, reflecting a core demand of the current protests in the valley and south Kashmir. This focus included the release of political prisoners and, what Prime Minister Singh called, "zero tolerance" for human rights violations. The transfer of security duties in the cities from the army to Jammu and Kashmir police was a key security reform, but the police had little training in crowd control and few steps were taken to equip them with proportionate responses to stone-pelting. The retraining currently under way

ought to plug this gap. Two other key issues that are currently being discussed by policymakers are a review of army deployments in light of a decline in militancy, and amendments or revocation of laws on preventive detention and special powers for the military.

Bring the armed groups on board. Between 2004 and 2006, there appeared to be an unspoken understanding that Pakistan would bring the armed groups on board and India would engage the Hurriyat and implement security reforms. Although the armed groups did not enter into a ceasefire, the decline in militancy allowed the two Governments to negotiate in the back channel. Although protest in Jammu and Kashmir shifted from armed attacks to stone-pelting, the shooting of a Hurriyat leader who was negotiating with the Government shows that armed groups can still derail peacemaking. There has also been a rise in attempts to infiltrate them in 2010 and the risk that armed conflict will re-start is high.

Co-operate against terrorism. Although the violence in Jammu and Kashmir declined, terrorist attacks increased in the rest of India and groups like the Lashkar e Taiba and Jamaat ud Daawa in Pakistan continue to preach armed struggle and support terrorist acts against India. In Pakistan, the trials of the seven accused of organising the Mumbai attacks are proceeding very slowly. It would help if progress is made following the Home and Interior Ministers' meeting in Islamabad in June 2010, both in the bilaterals discussed by Ministers Chidambaram and Malik, and in the regional agreements to make the SAARC Convention against Terrorism operational.

Marshal key stakeholders. President Musharraf did not take civilian politicians into his confidence about the framework discussions and this paved the way for the 2008-2010 impasse. In past periods of civilian government, peace initiatives have been undermined by the fact that the Pakistani military took a different approach to the elected leadership (Bhutto and Sharif). In 2000, opposition parties undermined the Vajpayee Government's peace initiatives but from 2002 onwards the GoI and most opposition parties have shared the same perspective. The Indian military leadership is also broadly supportive, but the Indian security forces on the ground are not appropriately equipped, or trained.

Develop the public constituency for a Kashmir settlement. In 2010 two Indian and Pakistani media conglomerates, the Jung and Times Groups, launched the *Aman ki Asha* (Hope for Peace), a media campaign which built on the influential support the Jung group had given to peace initiatives in 1998-1999. Both the Indian and Pakistani media tend, on the whole, to exacerbate the conflict. If they can learn to report peacemaking initiatives in the same depth and detail as they report conflict, the public constituencies for peace that have been displayed in India, Pakistan and Jammu and Kashmir in a series of elections, would be strengthened.

Insulate the India-Pakistan-Kashmir track from the Afghan-Pakistan track. The push for reconciliation with the Taliban in Afghanistan is a complicating factor – whenever the Pakistani Government has moved in support of Afghan policy the situation in Kashmir, especially Indian Jammu and Kashmir, has worsened. However, the Pakistani Government has, in the past, been influenced by Kashmiri and (to a lesser extent) international pressure to move forward in talks with India. If the Kashmir and Afghan peace tracks could be insulated from each other, each might make more rapid progress.

Encourage trade and people-to-people relations across the Line of Control and between India and Pakistan. Between 2005 and 2006, India and Pakistan re-opened several routes for divided families to travel in two parts of Indian and Pakistani Jammu and Kashmir and by 2009-10 they began negotiating trade across the LoC. These breakthroughs were enabled by gradual improvements in cross-border trade between the two countries. However, both people-to-people and trade ties are marred by complicated permits and clearances, and should be simplified.

Whilst considerable analytical material is available on the conflict in Kashmir, some gaps remain. Areas where information could be strengthened for consideration by the conflict parties include: strategies for managing spoilers/opponents in a Kashmir peace process; articulation of sustainable peacebuilding activities to anchor a peace process; research on the role of civil society organisations, and especially the roles of women, in conflict resolution in Kashmir could also help increase their participation in the peace process.

Case Study Three

An elusive peace – A review of dialogue efforts in Manipur

Executive summary

In the domestic and international news coverage of insurgencies in India's North East, Nagaland and Assam usually receive the most attention. Yet it is the neighbouring state of Manipur that is now the most violent theatre of conflict in the North East. Manipur recorded the highest number of insurgency-related fatalities among North Eastern states in 2008 and 2009, with 416 and 485 deaths respectively.⁵⁶ More than 5,000 people are estimated to have been killed in the last two decades.⁵⁷

The Government of India's conflict resolution efforts in the North East similarly focused on Nagaland, Assam and Mizoram until the 1980's. The result has been a series of negotiations and accords of various kinds which, even if not entirely successful, have at least left behind a rich history and experience of conflict resolution that will prove valuable in charting the way forward. In comparison, Manipur fares quite poorly. To date, with the exception of the 2005 Suspension of Operations (SOO) agreement with a coalition of groups of the minority Kuki community and the 2010 Tripartite Agreement of Understanding with the Lallumba faction of the Kangleipak

Communist Party (KCP) - Military Council, there has not been a major sustained process of dialogue in Manipur nor any peace agreement.

This raises the obvious question: why? At least part of the answer has to do with timing. The Naga rebellion was the first armed challenge to the newly independent Indian state (followed by Mizoram in the 1960's) and has continued ever since, occupying much of New Delhi's attention. The answer also has to do with profile. Assam, the most populous of the North Eastern states, has always loomed large in mainland India's – albeit limited – consciousness of the region. However, the armed conflict in Manipur, which is situated on the easternmost tip of India and has a relatively small population, took time to develop and only really strengthened in intensity in the 1980's and the years since (notably in 2004).

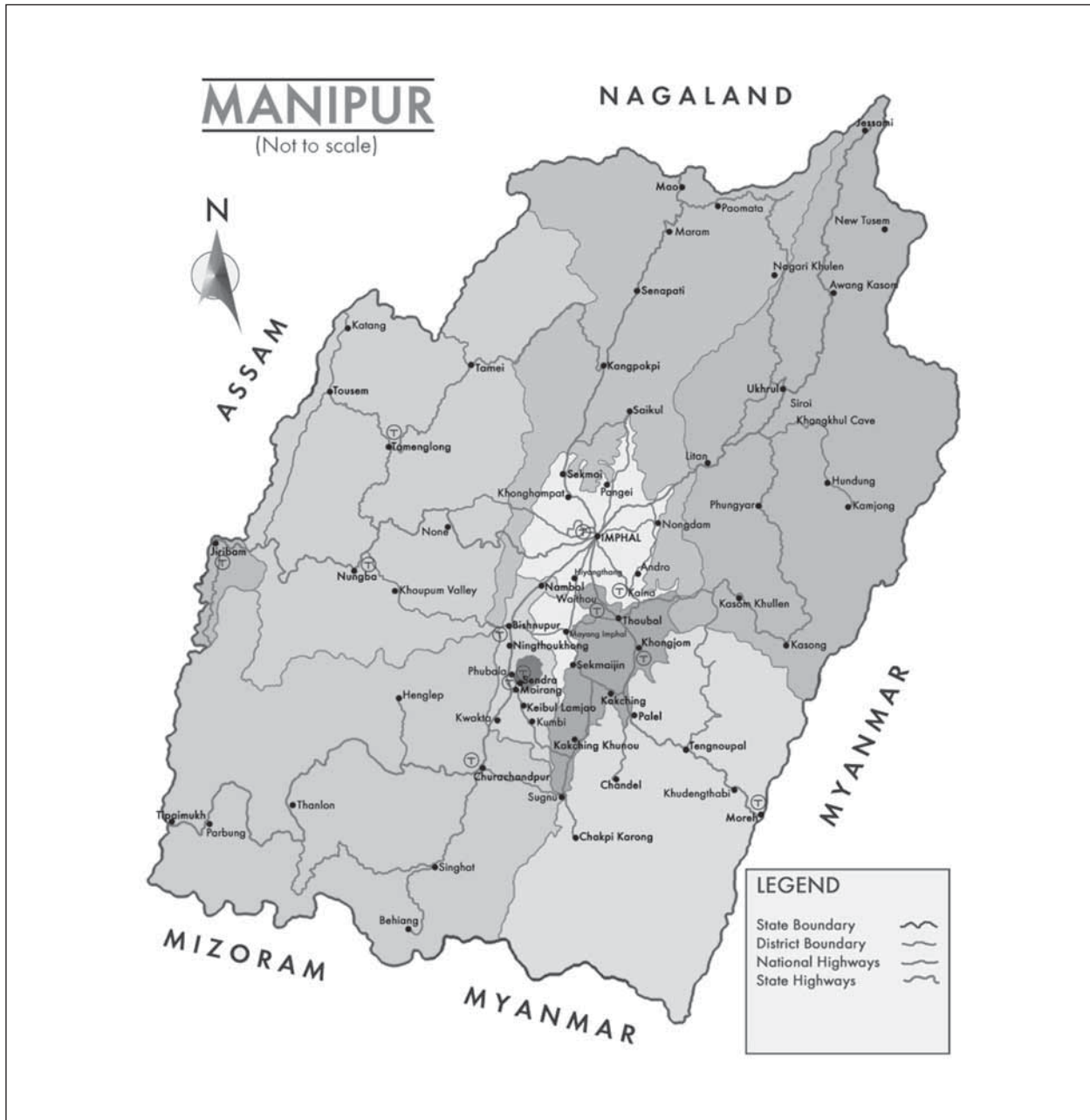
A major part of the current problem is that the state of affairs in Manipur is particularly complex, even by the (dismal) standards of the North East. There are around 30 armed groups in Manipur representing several ethnicities and with varying – and often competing – demands. There are multiple conflicts across the state that appears to fuse together into a complex whole with no clear solution. In such a situation, the Government of India (GoI) is confronted with the hard questions of 'who does one talk to?' and 'what does one talk about?' Indeed, the complexity of the situation in Manipur often leads to it being perceived as being an almost intractable conflict.⁵⁸

56 Institute for Conflict Management, South Asian Terrorism Portal, "Manipur Assessment – Year 2011". www.satp.org/satporgtp/countries/india/states/manipur/index.html Accessed June 13, 2011.

57 Institute for Conflict Management, South Asian Terrorism Portal, "Annual Fatalities in Terrorist Violence in Manipur, 1992-2011". www.satp.org/satporgtp/countries/india/states/manipur/data_sheets/insurgency_related_killings.htm Accessed May 24, 2011.

58 Shashikumar, V. K., "Finding Manipur's hidden war", *Himal*, January, (2007). www.himalmag.com/component/content/article/1147-Finding-Manipur%E2%80%99s-hidden-war.html Accessed May 24, 2011.

Figure 1: Map of Manipur



Courtesy of the official website of the Government of Manipur <http://manipur.gov.in/images/Manipur-Map-copy.gif> Accessed May 24, 2011.

However, even intractable conflicts can be transformed over time if all the parties concerned demonstrate a willingness to engage with each other and confront the root causes. Even if no agreement is reached, sustained political dialogue often has a transformative effect since parties have to articulate their views which enable the mapping of areas of potential progress. Sustained engagement also often results in an improvement in the situation on the ground even if a final political solution remains a distant reality.

This case-study will seek to highlight the fact that, despite the complexity of the conflict in Manipur,

progress is possible. It lists the main causes for the present state of affairs, overviews the key actors, possible solutions, the role of the civil society and includes a set of recommendations. It also argues that the need to address the conflict in Manipur is urgent. The alternative, allowing the already volatile situation to continue relatively unheeded, carries grave risks. Such long-running, low-intensity conflicts have a tendency to become ever more intractable over time, often building up to a wider and more explosive crisis at a later stage.

Section 1: Conflict drivers

About Manipur

Manipur, with a population of some 2.7 million people spread out over 22,000 square kilometres is on the most easterly corner of India. It borders Myanmar to its east and southeast, and the Indian states of Nagaland (to its north), Assam (to its west) and Mizoram (to its southwest). The state is strategically located as it is the primary road (and future rail) gateway between the sub-continent and Myanmar as well as Southeast Asia beyond.

Manipur is a multi-ethnic, multi-religious state, sometimes referred to as a microcosm of India. The Meitei ethnic group which predominantly follows Vaishnavite Hinduism makes up some two-thirds of the state's population, with the rest consisting mainly of Christian tribes – of which the Nagas and Kukis are the two largest – as well as Muslims. The population distribution is skewed, with the Imphal valley (10 per cent of the state's area) containing an overwhelming majority of the – mostly Meitei – population. The tribes, for the most part, live in the surrounding hills.

Historically, Manipur's existence as an independent kingdom can be traced back around 2,000 years (according to the royal chronicle, or *Cheitharol Kumbaba*). The ruling Meiteis followed an animist faith until their mass conversion to Hinduism around the 18th century. While the growth of Hinduism in Manipur probably dates from much earlier, it was made the state religion in the early 19th century by King Pamheiba. Christian missionaries subsequently converted the hill-residing tribes. Following the 1891 Anglo-Manipuri war, Manipur came under British suzerainty, its status remaining unchanged until Indian independence in 1947.

The years 1947-1949 are of particular importance to most Manipuri Meiteis and include some dates which still hold significance: *11 August 1947*, when Maharaja Bodhchandra signed the Standstill Agreement and the Instrument of Accession with India, giving the latter control over the princely state of Manipur's defence, foreign relations and communications; *June-July 1948*, when the people of Manipur elected a state assembly, the first elections under universal adult franchise in India, which resulted in the Maharaja becoming a constitutional monarch; *21 September 1949*, when the Maharaja signed the Merger Agreement, merging Manipur with India; and, *15 October 1949*, when the Merger

Agreement went into effect, making Manipur a 'Part C' state in the Indian Union. Manipur was subsequently ruled directly by New Delhi as a Union Territory until it became a fully-fledged state in 1972.

The conflict in Manipur: The issues

Merger with India

Many Manipuri Meiteis still question – and contest – Manipur's merger with India in 1949. As far as the GoI is concerned, the general line is that Manipur was not the only princely state then under British suzerainty that was merged or integrated in one way or another with India; there were some 565 of them and, if the circumstances surrounding Manipur's case were to be looked at anew, what would stop a veritable explosion of similar demands across India?

However, with the exception of Kashmir, none of the other former princely states have witnessed an insurgency of the scale currently seen in Manipur. While no doubt there are other contributory factors to the violence, the circumstances of Manipur's merger remains a major sore point for many ordinary Manipuri Meiteis, not to mention for the myriad of Meitei armed groups that use the issue to justify their continued existence. This is a problem that needs to be acknowledged and addressed.

It is important at this point to clarify the issue in terms of the merger. Some would argue that the entire process of Manipur's merger with India was without justification, but a more dispassionate discussion with Manipuri Meiteis usually reveals that few ultimately question King Bodhchandra's signing of the Standstill Agreement and Instrument of Accession with India on 11 August 1947. This left Manipur in charge of its own affairs with the exceptions of defence, communications and foreign relations. However, the manner in which the Maharaja – who had become a constitutional monarch by then – was made to sign the Merger Agreement with India on 21 September 1949 is still questioned. The Maharaja is said to have been put under considerable duress to sign the Agreement, which gave full control of Manipur's governance to New Delhi. In addition, he was apparently not allowed to consult the Manipur State Assembly (which had been elected just a year earlier) on the matter. This bypassing of a directly elected legislature, which had come to power in the first elections held under universal adult franchise in independent India

(something Manipuris are fiercely proud about) is what really rankles even the most moderate of Manipuris today.

The hill-valley divide

Beside the separatist rebellion against Indian control waged by mainly Meitei groups, the other main tensions are between the Meiteis, many of whom live in the Imphal Valey, and tribes who are mainly from the hill regions, and among the different tribal communities themselves. There is general Meitei resentment of the Kukis, Nagas and other tribal minorities for the special educational and employment privileges which they accrued under India's affirmative action programme. By virtue of being officially designated a 'tribe', the Kukis and others benefit from reservations in jobs and educational institutions – a not insignificant advantage in Manipur. While the effective implementation of this reservation policy is contested and it has been argued that Nagas and Kuki's in reality remain under represented in government jobs, the perception among the Meitei community is that the tribes have an undue advantage.

The Meiteis are also not allowed to buy land in the hills, while those tribes traditionally from the hills are permitted to acquire land in the fertile Imphal valley. However, those in the hill communities claim the majority Meiteis favour the valley – and the city of Imphal in particular – when it comes to development, at the expense of the hills. The minorities have also accused the Meiteis of unduly interfering in their concerns and trying to amend laws which provide a degree of autonomy to tribal communities and recognise communal ownership of land. In this regard, tribal hill communities in Manipur demand that they be brought under the Sixth Schedule of the Constitution of India, which deals with provisions for the administration of tribal areas.

However, it is important not to over-emphasise the extent of the hill-valley schism. Some of it is natural in a multi-ethnic society, not least one where the skewed geographical distribution of people easily lends itself to divisions. It is noteworthy that, for the most part, disagreements between the majority and minority communities have rarely degenerated into outright violence. In addition, many Meiteis live in hill areas and many Kuki's and Naga's live in the Imphal valley. However there is a legacy of mass displacement of communities due to ethnic differences.

There has been a much more violent fault line between the different hill communities, notably the Nagas and the Kukis. This has essentially revolved around rival claims over land. This intra-tribal rivalry exploded in violence in the 1990's and more than 1,000 people were killed in vicious riots. These have not re-occurred since then but tensions still simmer and if left unmanaged, the situation could flare up again.

However, recent events seem to indicate a widening rift between the Nagas and Meiteis in Manipur. Following widespread agitations in May 2010 (explained in the next section), the United Naga Council (UNC), the apex Naga civil body in Manipur, declared severance of all political ties with the Manipur Government and demanded an alternative administrative arrangement for the Nagas in Manipur. In a memorandum to the Union Home Minister, UNC leaders wrote: "*We are making this submission to reiterate that Nagas in Manipur will accept nothing short of an alternative arrangement outside the state of Manipur.*"⁵⁹ There have been two rounds of tripartite talks on this issue involving the UNC, the State and Central Governments. More such talks are planned.

Manipur and 'Greater Nagalim'

Perhaps no other issue has the potential (and demonstrated ability) to trigger a wider conflagration in Manipur than the 13-year dialogue process between GoI and the National Socialist Council of Nagaland (Isak – Muivah) or NSCN (IM). The process has been conducted in the utmost secrecy since 1997 and touches on the issue which is, perhaps, of greatest importance to the Meiteis: preserving the territorial integrity of Manipur.

The NSCN (IM), the largest of the Naga armed groups, demands that all Nagas be brought together under a single entity called 'Nagalim' or Greater Nagaland. Their demand includes those areas of Manipur, Assam, Arunachal Pradesh and neighbouring Myanmar where Nagas reside.⁶⁰ While none of the latter three are willing to part with their land, it is in Manipur where the issue is most sensitive.

59 "Nothing less than separation from Manipur", *Morung Express*, May 12, (2010). www.sinlung.com/2011/05/nagas-want-nothing-less-than-separation.html Accessed May 24, 2011.

60 From the Naga perspective of history, they have been divided internally into four states of India and also internationally (across India and Myanmar).

Agreeing to a Greater Nagaland would entail Manipur losing large chunks of its Naga-populated hill districts, something that is unthinkable to a Meitei population proud of the 2,000-year old history and geographical borders of the Manipur kingdom. At the same time, the Nagas have their own interpretation of the history of the hill districts coming under the Manipur King's suzerainty. Thus both sides have competing histories of the areas in question.

The depth of Meitei emotion around Manipur's territorial integrity was demonstrated in 2001 when New Delhi agreed to extend its ceasefire with the NSCN (IM) 'without territorial limits'. The Meiteis interpreted this to include the Naga areas in Manipur as well and saw it as a pre-cursor to the inevitable separation of these areas to form a Greater Nagaland. The decision led to massive protests in Imphal. Many government buildings, including the *state assembly*, were burnt to the ground. Nineteen people lost their lives in police fire and New Delhi subsequently had to make an embarrassing retraction on the ceasefire. The year 2001 is seen as a major milestone for the conflict in Manipur. Some experts suggest that the strength of armed groups rose threefold after 2001.⁶¹

A more recent example is the attempt in early May 2010 by T. Muivah, the NSCN (IM) General Secretary, to visit his village in Manipur's Ukhrul district after a period of 40 years. The State Government in Imphal refused to allow the visit, fearing it would be used by Muivah to canvas support for Greater Nagaland among Manipuri Nagas. In retaliation for this and to protest the holding of local elections to the Autonomous District Council which was perceived as disempowering Naga tribal authority and autonomy in the hill districts in Manipur, various Naga groups enforced a blockade of the main highway into Manipur which passed through Nagaland. This blockade carried on for more than two months and crippled normal life in Manipur. Increased tensions in both states eventually led to the Manipur Government police firing on Naga protesters on the inter-state border, claiming three lives. The situation was only brought under

control with New Delhi's intervention. The challenge to the territorial integrity of Manipur by the Nagas is one of the few issues which can rally the Meiteis into a unified group and even the United National Liberation Front (UNLF), the largest Meitei armed group, applauded the State Government on the firm stance it took on the issue. Interestingly, some experts have pointed out that the demand for an alternate arrangement by Manipuri Nagas, also demonstrates their disappointment and disillusionment with the Naga national movement and in particular, the collective leadership of the NSCN-IM, to stand up for integration.

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Meitei sensitivities should also be seen against the backdrop of a long-standing rivalry with the Nagas. Since India's independence, the Meiteis have watched, with growing alarm and resentment, the success of the Nagas in their consolidation of a pan-Naga ethnic identity, even among Manipuri Nagas. The Nagas have also been most successful among all of the peoples in the North East at internationalising their conflict with the Indian state – and securing tangible concessions from New Delhi. For example, New Delhi openly recognises the 'unique history' of the Nagas and conducts talks with the NSCN (IM) – at senior levels – without any pre-conditions requiring them to accept the Indian Constitution. No such recognition, largesse or attention is afforded to the, now much more violent, conflict in Manipur and the parties to it. Nagaland also became a fully-fledged state of India in 1963, nearly a decade before Manipur was granted statehood.

Although GoI officials categorically and publicly state that they would not change Manipur's borders for the Nagas, this doesn't quite convince Manipuri Meiteis. This could be because these statements always come after top secret talks and also because Manipuri Meiteis know Article 3 of the Indian Constitution for creating new states could be applied without their consent to the Naga dominated areas of Manipur.

61 Comment made at the peer review meeting for the case studies included in this report. The meeting was organised by the Delhi Policy Group and the Centre for Humanitarian Dialogue in New Delhi, March 2011.

Alienation from 'India'

In the eyes of Manipuri Meiteis, India's apparent consideration of Naga grievances is in stark contrast to the perceived neglect of their own equally legitimate concerns. New Delhi's missteps on the NSCN (IM) process and how it relates to Manipur have only accentuated this feeling. Of course, Manipuris are not alone in the North East in feeling a general sense of alienation from mainland India, and not being considered part of "mainstream" India.

Recent events, such as the initial inaction of the GoI during the economic blockade of Manipur by Naga groups only serve to reinforce the sense of alienation felt by the Meiteis. Even national newspapers in India commented that such a situation would not have been allowed to happen in any other state in India. The economic blockade was finally lifted on June 18 2010, having been started 67 days earlier over the night of April 11 by the ANSAM (All Naga Students' Union of Manipur) and the United Naga Council (UNC), Manipur.⁶²

However, as with the ethnic Assamese, a deeper feeling of disappointment with New Delhi is perceived among the Meiteis than other communities in the North East. For around the last 300 years the Meiteis have, to a certain extent, felt a common bond with the majority of Indians who share their common Hindu faith and finding their allegiance to the Indian state being taken for granted has enhanced Meitei disillusionment. This, in turn, has led to the revival of *Sanamali*, the traditional form of worship in Manipur dating from before Hinduism became established in the region.

Under-development

Widespread corruption and extortion by armed groups has hampered economic development in Manipur. Poverty is rampant, especially in rural areas and there are hardly any industries. The lack of adequate jobs, economic opportunities and infrastructure has meant that many young, educated Manipuris have had to leave the state to earn a living. Often the only option for those left behind is to join the State Government, the state's largest employer, but even those jobs are few in number and hard to come

by. This leaves masses of unemployed young people and the many armed groups can capitalise on this situation for recruitment. Almost 700,000 people are unemployed in Manipur according to the latest figures.⁶³ In such a scenario, membership of an armed group is usually a path to arms and easy (ill-gotten) money.

Manipur's fiscal condition is poor and its own-tax revenue accounts for a small amount of its budget. Manipur is largely dependent on direct funding from the New Delhi. As a result of the breakdown of the administrative machinery, a considerable amount of this funding is lost in the haze of systematic corruption. The immense scale of corruption is thought to have contributed to dissatisfaction in Manipur with prevailing administrative and governmental structures. In the 1960's and 1970's, a coterie of contractors with connections in New Delhi siphoned off most of the development funds which had been allocated to the state, leading to widespread resentment.⁶⁴

In addition, Manipur has, what many observers call, the most sophisticated and widespread extortion network in India. Large amounts of the state's financial resources either directly or indirectly flow to the armed groups through the extortion network. This, in turn, affects the ability of various levels of government to deliver services. Almost all private businesses have to factor in the cost of paying out extortion money. The multiplicity of armed groups makes the situation even more difficult since most of them demand separate taxes.

At least some of Manipur's difficulties also stem from its location in an economically depressed region awash with insurgencies, as well as the arms and drug trade and the instability which accompanies them.

Institutional breakdown

Manipur suffers from a lack of good governance. Institutions of the state have been unable to effectively respond to people's needs. Corruption is rampant in official circles; there seems to be a general

62 Talukdar, Sushanta, "ANSAM temporarily suspends siege", *The Hindu*, June 19, (2010). www.beta.thehindu.com/news/national/article472567.ece Accessed May 24, 2011.

63 "Unemployment nearing the seven lakh mark in Manipur", *Kangla Online*, February 1, (2011). www.kanglaonline.com/2011/02/unemployment-nearing-the-seven-lakh-mark-in-manipur/ Accessed May 24, 2011.

64 Rammohan, E.N, "Manipur: A Degenerated Insurgency", In Gill, K.P.S and Sahni, Ajai (Eds.), *Faultlines*, Volume 11, (New Delhi: Bulwark Books and the Institute of Conflict Management, 2002). Available at www.satp.org/satporgtp/publication/faultlines/volume11/Article1.htm



Children hold their toy guns prior to burning them in symbolic protest at Keinou, south of Imphal, May 21, 2008.
© AP Photo/K. Bipin Sharma

lack of commitment by the local political leadership to public welfare, and respect for the rule of law by all entities has diminished alarmingly.

In essence, as Pradip Phanjoubam has noted, the moral legitimacy of the established order is steadily being eroded in Manipur, and the vacuum of legitimacy left by the establishment is often being filled by the insurgency.⁶⁵ He points out that local daily papers often carry overt and covert appeals to insurgents by local people for swift justice on a variety of issues.

This breakdown of institutions can be seen to be a product of the insurgency as well as its driver. Either way, it is imperative to ensure that the people of Manipur have better standards of governance, accountability and rule of law.

Armed Forces Special Powers Act

Any analysis of Manipur would be incomplete without mentioning an issue that is a prominent

⁶⁵ Comments made by Pradip Phanjoubam, Editor of the *Imphal Free Press*, as part of a peer review of this case study.

contributor to current discontentment in the state: the Armed Forces Special Powers Act (AFSPA).⁶⁶ In effect, since 1980 the Act has provided legal cover and immunity in Manipur to national security forces undertaking counter-insurgency operations. It should be noted that AFSPA is not unique to Manipur and is also used in other conflict-affected areas in India such as Kashmir.

The AFSPA grants extraordinary powers to the security forces. According to the AFSPA, in areas declared to be “disturbed” an officer of the armed forces has powers to “fire upon or otherwise use force, even leading to death, of any person who is acting in contravention of any law” or is in possession of deadly weapons, or against an “assembly of five or more persons”; arrest without a warrant and with the use of “necessary” force anyone who has

⁶⁶ The Act was passed in 1958 by the Indian Parliament. It conferred wide-ranging powers upon armed forces in, what the language of the Act calls, “disturbed areas” in the states of Arunachal Pradesh, Assam, Manipur, Meghalaya, Mizoram, Nagaland and Tripura. It was later extended to Jammu and Kashmir as The Armed Forces (Jammu and Kashmir) Special Powers Act, 1990. An analysis of the Act is available at www.pucl.org/Topics/Law/2005/afspa.htm

committed certain offence(s) or is suspected of having committed offence(s); and enter and search any premise(s) in order to make such arrests.

Many within the security forces say that the Act is required to allow their personnel to do their job and should stay in place as long as insurgency prevails in the state.⁶⁷ It has also been argued that the army requires protection against false prosecution when performing police duties. Under Indian law, the army cannot arrest without a warrant like the police. However, human rights activists blame the Act for creating a culture of impunity and, in extreme cases, giving security forces a carte blanche to commit rape, torture and carry out custodial killings.

Opposition to the AFSPA resonates widely in Manipuri society and is epitomised by the continuing ten-year fast undertaken by a young Manipuri woman, Irom Sharmila, who has vowed to continue her action until the Act is repealed from Manipur. Sharmilla started fasting in protest at the 2 November, 2000 killing of ten civilians waiting at a bus-stand in Malom near Imphal who were gunned down by the security forces on suspicion of being insurgents. The then 21-year-old Sharmila resolved to fast unto death to protest against state violence.⁶⁸

The people of Manipur have been agitating for the removal of the AFSPA for a long time but matters came to a head after the alleged rape and killing of Thangjam Manorama on July 11, 2004. This followed her arrest by a team of the paramilitary Assam Rifles, who suspected her of being a member of the banned People's Liberation Army (PLA).⁶⁹

Speaking at the review meeting for this paper held in New Delhi in March 2011, one commentator noted that the AFSPA encourages lazy soldiering since it provides no incentive to build relationships and gather good intelligence. He suggested that the focus should be on finding the right people rather than punishing the entire population. He urged that the AFSPA should be withdrawn for six months to see if the security situation will deteriorate drastically. He also suggested that when an army person

is accused of a violation, a committee of eminent persons who have the trust of the local people should be asked to monitor proceedings.⁷⁰

There has been an increasing trend of accusations of human rights violations being levelled at state police forces, particularly the Manipur police commandos, rather than the army.

Many entities which argue for the repeal of the AFSPA also suggest that, given the limited capacity of the state police to maintain stability in a fragile security environment, the army should not be completely withdrawn from Manipur. There has been an increasing trend of accusations of human rights violations being levelled at state police forces, particularly the Manipur police commandos, rather than the army. In this regard, building police capacity in terms of effectiveness and accountability is an urgent priority.

It should be noted that a five-member commission set up in 2004 by the GoI, known as the Jeevan Reddy Commission, recommended the repeal of the AFSPA. However, the GoI has not yet reacted to the recommendations of the Commission.

The AFSPA is an enabling act which is implemented once an area is declared as being disturbed. Under Section 3 of the AFSPA, the GoI has the power to unilaterally designate an area as disturbed. However, for the past ten years, the State Government in Manipur has designated most parts of Manipur as disturbed areas, thus enabling the AFSPA to be implemented. In August 2004, the AFSPA was withdrawn by the State Government from parts of Imphal in response to protests over the killing of Thangjam Manorama. The State Government acted unilaterally, despite reservations expressed by the GoI. Commenting on the issue, Prime Minister Manmohan Singh stated: "*AFSPA was enforced in Manipur by an explicit decision of the Government of Manipur and hence they have a right to modify their decision*".⁷¹

67 Kamboj, Anil, "Manipur and Armed Forces (Special Powers) Act 1958", *Strategic Analysis*, Volume 28, Number 4, (2004).

68 Mehrotra, Deepti Priya, *Burning Bright: Irom Sharmila and the Struggle for Peace in Manipur*, (New Delhi: Penguin Books, 2009).

69 For more detail see, Human Rights Watch, "These Fellows Must Be Eliminated", *Relentless Violence and Impunity in Manipur*, (New York: Human Rights Watch, September 2010). www.hrw.org/en/reports/2008/09/29/these-fellows-must-be-eliminated Accessed May 14, 2011.

70 Comment made at the peer review meeting for the case studies included in this report. The meeting was organised by the Delhi Policy Group and the Centre for Humanitarian Dialogue in New Delhi, March 2011.

71 Press Trust of India, "Polity resilient enough to deal with interstate disputes: PM", *Outlook India*, September 4, (2010). www.news.outlookindia.com/item.aspx?247206 Accessed on 24 May 2011.

Section 2: The conflict in Manipur – the main parties

The armed groups

Manipur has around 30 armed groups, broadly clustered around the state's main ethnic divisions. The high number masks significant differences in capabilities with the main Meitei groups, operating mostly in the Imphal valley, accounting for most of the violence. There are also coalitions of Kuki groups, as well as some representing the local Muslim community and other minorities such as the Paites and Hmars. The two main Naga armed groups, the NSCN (IM) and the National Socialist Council of Nagaland (Khaplang) or NSCN (K), also operate in Manipur; the former has a particularly strong presence in the Naga-inhabited hill districts. Many small armed groups exist only on paper. In addition, membership of armed groups goes through waves of popularity. It should also be noted that not all armed groups are fighting the Central and State Governments.

The Meitei groups

The Meitei groups account for the bulk of the violence in Manipur and for the high number of armed cadres. The United National Liberation Front (UNLF) which was set up on November 24, 1964, is the oldest Meitei group, although it only took up arms in the 1990's.

Meitei groups make up the six Manipuri groups banned by the GoI. All of the Meitei armed groups, small or large, claim to be fighting for independence from India. However, there are three main strands of thought among the groups, which primarily operate in the Imphal valley: the first focuses on and seeks the reversal of the 'annexation' of Manipur by India in 1949 (the UNLF is the major group in this category); the second, as exemplified by the People's Liberation Army/Revolutionary People's Front (PLA/RPF), is more revolutionary and seeks the overthrow of the governments in Imphal and New Delhi along Maoist lines; while the group Kanglei Yawol Kanna Lup (KYKL) typifies the third, revivalist strand that wants Manipur to return to its pre-Hindu past. Many of the groups also agitate against *mayangs* or outsiders who are blamed for the economic and social backwardness of the Meiteis.

The UNLF, PLA/RPF, People's Revolutionary Party of Kangleipak (PREPAK) and KYKL are considered to be the four most powerful Meitei

groups. Of these, the UNLF and the PLA/RPF are the largest and are estimated to have approximately 2,000 armed cadres each. The two loosely co-ordinate their actions with PREPAK under an umbrella organisation called the Manipur People's Liberation Front (or MPLF). Most of their bases are said to be on the Myanmar side of the international border.

The UNLF appears to have the clearest political stance: a UN-organised plebiscite to decide Manipur's future. Its Chairperson, RK Meghen or Sanayaima, is the Convenor of the MPLF and is seen as the pre-eminent leader of the insurgency led by Meitei-groups. In October 2010, Sanayaima mysteriously went missing from Bangladesh. A BBC report indicated that he had been arrested by Bangladeshi police and handed over to India.⁷² This prompted political parties and civil society in Manipur to seek confirmation from the GoI that Sanayaima was in their custody. Almost two months later, Indian newspapers carried reports that Sanayaima was formally arrested in the Indian state of Bihar by security agencies. He was charged with a number of crimes including waging war against the Indian Union and is currently fighting his case in court.⁷³ Sanayaima's arrest is a huge blow to the UNLF.

A prominent Indian magazine reported that Sanayaima's arrest was part of a strategy to get rebel groups in North East India to the negotiating table.⁷⁴ According to this report, while in custody Sanayaima was urged to claim that he had surrendered and agreed to peace talks with the GoI. A similar strategy is currently being used with United Liberation Front of Asom (ULFA) in Assam. Eight top ULFA leaders in the custody of Indian authorities were released on bail after they agreed to peace talks.⁷⁵

In a statement made in January 2011 to the media, Sanayaima refused to enter into a dialogue process with the GoI and reiterated the UNLF demand that

72 Bhaumik, Subir, "Arrested India rebel's family appeals for information", *BBC News*, October 27, (2010). www.bbc.co.uk/news/world-south-asia-11633604 Accessed May 24, 2011.

73 Hueiyen News Service, "NIA team in Imphal to investigate case against RK Meghen", *E-Pao*, January 5, (2011). www.e-pao.net/GP.asp?src=16..060111.jan11 Accessed May 24, 2011.

74 Choudhury, Ratnadip, "Prince Meghen has gone missing. Is the royal rebel a pawn in Delhi's cunning plan?", *Tehelka*, Volume 7, Issue 48, December 4, (2010). www.tehelka.com/story_main48.asp?filename=Neo41210Prince_Meghen.asp Accessed May 24, 2011.

75 Indo-Asian News Service, "Another ULFA leader released on bail, way paved for talks", *Hindustan Times*, January 12, (2011). www.hindustantimes.com/Another-ULFA-leader-released-on-bail-way-paved-for-talks/Article1-649423.aspx Accessed May 24, 2011.

a plebiscite was needed to determine the future of Manipur.⁷⁶ Responding to criticism made by another underground organisation regarding the call for a plebiscite in Manipur, on May 20 the arrested UNLF Chairperson told the media on the sidelines of one of his court appearances that he and his party are willing to consider any other credible means of peaceful settlement of Manipur's conflict with GoI even if it is not a UN monitored plebiscite.⁷⁷

The PLA is another powerful group and is inspired by a leftist ideology. Founded in 1978, it is thought to have a disciplined army with sophisticated weapons. It claims to be a trans-tribal organisation seeking to lead the non-Meiteis as well. In 1989, the PLA formed a political body called the Revolutionary People's Front (RPF).⁷⁸ In 2009, it announced a formal alliance with the Communist Party of India (Maoist) or CPI (M), the main Naxalite/Maoist group in mainland India.⁷⁹ Like other such groups, the PLA publicly calls for the complete overthrow of the existing forms of government in Manipur, and India for that matter. It supported Sanayaima's much-reported 2005 demand for a plebiscite in Manipur. PREPAK and the revivalist KYKL, which aims to rid Manipur of all social ills and return Meitei society to its pre-Hindu past, complete the quartet of major groups. The Kangleipak Communist Party (KCP) is another significant group but one that has splintered into several factions.

The Meitei groups, like all others in the state, raise huge amounts of money from an extensive extortion network. Major groups, like the PLA and the UNLF, have shown themselves to be more sophisticated and sensitive to the ordinary Manipuri's concerns in this regard, recently stating publicly that they would no longer extort money from the people; instead, they are now said to take a cut directly from the funds (government salaries, contracts) transferred to Manipur from New Delhi.

Alliances and links

There are considerable links among the insurgents groups active in North East India including around the provision of training, procurement of weapons and sharing of camps. The dynamics of regional politics influence these links including the state of India-Bangladesh relations, India-Myanmar relations and the degree of control that the Myanmar Government has over territory controlled by its ethnic nationalities.

The UNLF is considered close to NSCN (K). On 30 April 1988, the NSCN (K) tried to assassinate the leaders of NSCN (IM). Almost 200 cadres of the NSCN (IM) were killed and its leadership had a close escape. It is rumoured that the head of the UNLF, Sanayaima, was aware in advance of the NSCN (K)'s plans but did not warn the NSCN (IM). The UNLF is also opposed to NSCN (IM) on ideological grounds since the NSCN (IM) claims four districts of Manipur as a part of its proposed 'Nagalim'.

On May 22, 1990, the UNLF, along with the NSCN (K), the ULFA, and the Kuki National Army (KNA) floated a pan-Mongoloid coalition called the Indo-Burma Revolutionary Front (IBRF) to wage a "united struggle for the independence of Indo-Burma."⁸⁰ However, this coalition did not make much headway. In 1997 the leaders of the ULFA, NSCN (IM), NSCN (K) and Sanayaima of the UNLF met in Geneva to discuss the revival of the IBRF against India. According to the NSCN (K), this meeting did not result in a thaw of relations with the NSCN (IM). However it is rumoured that the ULFA, NSCN (K) and Sanayaima of the UNLF issued joint directives that only the IBRF could hold parleys with the Central or State Governments on behalf of any constituent of the Revolutionary Front. There have also been instances of joint operations by the UNLF and ULFA.

The UNLF is thought to have training camps in Myanmar and Bangladesh. It is reported that some of these camps are shared with the ULFA, NSCN (K) and other Manipuri Meitei groups such as the PLA and KYKL. In Myanmar, some of the camps are in areas controlled by ethnic nationality groups.

The UNLF and the PLA/RPF are thought to have managed to forge links with the increasingly powerful Communist Party of India (Maoist) or

76 "UNLF chairman calls for united resolve to have plebiscite decide Manipur issue", *Kangla Online*, January 11, (2011). www.kanglaonline.com/2011/01/unlf-chairman-calls-for-united-resolve-to-have-plebiscite-decide-manipur-issue/ Accessed May 24, 2011.

77 "UNLF chairman calls for united resolve to have plebiscite decide Manipur issue", *Kangla Online*, May 20, (2011). <http://kanglaonline.com/2011/05/unlf-welcomes-any-means-to-indomanipur-solution-rk-meghen/> Accessed June 6, 2011.

78 Institute for Conflict Management, South Asian Terrorism Portal, "People's Liberation Army". www.satp.org/satporgtp/countries/india/states/manipur/terrorist_outfits/pla.htm Accessed May 24, 2011.

79 "PLA's alliance with Maoists rings alarm bells", *Northeast Daily*, May 21, (2009). www.northeastdaily.com/618-plas-alliance-with-maoists-rings-alarm-bells Accessed May 24, 2011.

80 Centre for Development and Peace Studies, "Insurgency overview- Northeastern India". www.cdpsindia.org/ne_insurgency.asp Last updated 26 January, 2011. Accessed May 24, 2011.

CPI (M), which is active in a belt stretching through the central parts of the country from the Nepalese border down to Telengana in Andhra Pradesh. The CPI (M) is reported to have agreed to co-operate – if the Manipuri rebels pledge not to attack ‘the Indian proletariat’⁸¹ in the state (for example, migrant workers from Bihar, Uttar Pradesh, West Bengal, Orissa and other poorer states). Making such a pledge would, of course, undermine the credibility of the Meitei nationalists as one of their main demands is that outsiders (i.e. other Indian citizens) have to leave the state. Nevertheless, it is not impossible that Manipur’s leftist revolutionaries may seek an alliance of convenience with the Indian Maoists. It would be in the Manipuri rebels’ interest to see increased military activity elsewhere in India on account of Maoists attacks as that could mean the withdrawal of some Indian forces from Manipur and an alliance with the Manipuri rebels would give the Indian Maoists direct access to the black arms market in Myanmar.

Reports in the Indian media in January 2011 suggested a nexus between the CPI (M) and PREPAK. Apparently a deal was reached in which the two groups agreed to exchange arms and ammunition, and PREPAK will train Maoist cadres. Such training has reportedly already taken place in the forested areas of central India.⁸²

In terms of external links, the main Meitei groups have allegedly, at different times, received arms and training from various neighbouring countries.

Links to the East

The Meitei rebels have never received as much support from China as the Nagas but in April 1976, a group of 16 to 19 Meitei militants went to Tibet via Nepal. They received political and military training in China. When the group returned to Manipur in 1979, they formed the PLA/RPF. In the mid-1980’s, the Kachin Independence Army (KIA) in Myanmar trained and equipped some 200 PLA militants. This was also part of a trend since China gradually revoked its third front doctrine of directly supporting insurgent groups across the globe. In

the case of North East Indian groups, the gap was filled by ethnic groups in Myanmar such as the KIA. However, support in terms of training and equipment from the Myanmar ethnic groups had to be paid for by the North East Indian groups.

In September 2009, the KIA said they had severed connections with North East Indian rebel groups after they signed a ceasefire agreement with Myanmar’s ruling junta. However the KIA did not rule out the possibility of the presence of the Indian rebels in other parts of Kachin state in Northern Myanmar. Some PLA cadres remain in Yunnan, where they may have facilitated the purchase of the Chinese-made arms which are abundant in Manipur. The United Wa State Army (UWSA), a former rebel group that entered into a ceasefire agreement with the Myanmar Government in 1989, maintains an unofficial “office” in the border town of Tamu, which could also explain why guns from China and drugs produced in Myanmar are flooding Manipur. Despite pledges to co-operate with Indian authorities to crack down on North East Indian insurgents using its territory, Myanmar has not yet demonstrated its ability and genuine desire to do so.

Links to the West

Throughout the 1980s, the PLA and UNLF – along with groups from Assam and Nagaland – were able to maintain a presence in Bangladesh, where they allegedly liaised with Pakistan’s Inter-Services Intelligence (ISI). However, when the Awami League returned to power in Bangladesh following a general election in December 2008, several leaders of the United Liberation Front of Asom were apprehended and handed over to the Indian authorities. Most importantly, as outlined earlier, UNLF leader Sanayaima was allegedly renditioned from Bangladesh in October 2010 and handed over to Indian authorities. This shift in attitude by Bangladesh authorities is an obstacle for Manipur insurgent groups.

Other groups including Kukis, Nagas, Pangals and Paites

The last two decades have seen armed groups emerge from among all of Manipur’s minorities. Prominent among them are 18 groups claiming to represent the hill-residing Kuki community. These groups have now organised themselves under two umbrella

81 Bhaumik, Subir, “Ulfa, Maoist and the nationality question in North East India”, *Subir Bhowmik’s Column*, November 20, (2009). www.subirbhowmikscolumn.blogspot.com/2009/11/ulfa-maoist-and-nationality-question-in.html Accessed June 14, 2011.

82 Chattopadhyay, Suhrid Sankar, “Desperate act”, *Frontline*, Volume 28, Issue 1, January 1-14, (2011). www.hinduonnet.com/fline/fl2801/stories/2011011428011400.htm Accessed May 24, 2011.

organisations called the Kuki National Organisation (KNO) and the United People's Front (UPF). The Kuki groups entered into a Suspension of Operations (SOO) agreement with the GoI in 2005 and account for little of the current violence in Manipur. Unlike the separatist Meitei groups, the Kukis demand the formation of a separate Indian state of Kukiland comprising of those areas where Kukis reside. This threatens the much-cherished Meitei goal of protecting Manipur's territorial integrity and the Kukiland demand pits the Kukis directly against the Nagas, who share much of the same geographical space. In the early 1990's these competing claims over land degenerated into large-scale violence between the two communities – with the NSCN (IM) leading on the Naga side – which claimed over 900 (mostly Kuki) lives. While clashes on such a scale have not re-occurred since then, tensions continue.

In more recent years, the Naga-Kuki conflict appears to be a fight for control – and therefore lucrative illegal taxation – of trade routes from Myanmar to India. While the NSCN (IM) was fighting the Kuki National Organisation (KNO) for control over strategically and economically important roads to and from the India-Myanmar border-crossing at Moreh-Tamu, the KNO established links with the NSCN (K).

At the same time, there has been at least one communal clash between Kukis and Meiteis. On June 3, 2007, a young Meitei auto-rickshaw driver was shot by suspected Kuki rebels in Moreh. Local Meiteis retaliated by attacking Kuki property and settlements, resulting in the deaths of 11 people, of whom six were Meities and five were Kukis.

The rise of Hindu-Muslim tensions across India in the wake of the demolition of the Babri masjid in 1992 also affected Manipur. In 1993, riots pitting the Meiteis against the local Muslims, or Pangals, broke out in the state and led to the formation of a number of armed groups representing the latter community. The People's United Liberation Front (PULF) is the largest such Pangal armed group, with an estimated 200 cadres. The group is alleged to have links with Pakistan's ISI and has suffered serious reverses in recent years. Manipur's other communities - including the Paites; Hmars (the Hmar National Army and the Hmar People's Convention); the Zou (ZDV, the Zou Defence Volunteers; several factions); the Komrem (the United Komrem Revolutionary Army with an estimated 40-50 cadres); and others - have also generated a number of armed groups, each of which espouses aims favouring its own community.

In terms of the Nagas, apart from the NSCN (IM) there is also the much smaller MNRF (Manipur Naga Revolutionary Front). This was formed in 2008 under the leadership of Allen Siro and with the aim of saving the territorial integrity of Manipur; and the UNPC (the United Naga People's Council), which was also formed in 2008 and consists of a splinter group from the NSCN (IM). Its leader, S.S. Max, is also said to be in favour of safeguarding the territorial integrity of Manipur.

The State Government and security forces

Over the past three decades, Manipur has suffered from a volatile political situation at the state level. Since the state's formation in 1972, the norm has been short-lived governments interspersed with spells of presidential rule. Political change in the state has also been influenced by what happens at the national level and it is no coincidence that the party in power in Imphal is often the same as, or closely allied with, the one in New Delhi. It is only in the last decade or so that the situation has stabilised and elected governments have started to complete their full five-year terms. The current government of the Congress Party-led Secular Progressive Front – and the Chief Minister Ibobi Singh – are an exception, as they completed a full term from 2002 to 2007 and then were re-elected in the 2007 elections. To a large extent, this period of recent political stability is on account of the introduction of an Anti-Defection Law which meant that a legislator would incur disqualification if he/she switched sides or disobeyed party instructions on voting.

Buffeted on all sides, not least by a complex insurgency that now afflicts all parts of the state, the State Government in Imphal is a beleaguered one. Critics say it only has itself and its predecessors to partly blame for the current predicament Manipur finds itself in. Indeed, many state legislators have been accused of being corrupt⁸³ and of colluding with armed groups,⁸⁴ opting to buy a short-term

83 Phanjoubam, Pradip, "Wake-up call for Congress in Manipur", *The Statesman*, February 27, (2011). www.thestatesman.net/index.php?option=com_content&view=article&id=360645&catid=52 Accessed May 24, 2011.

84 Venkatraman, Kartyk, "Militant-politician nexus: Manipur Govt to take action in future cases", *Indian Express*, October 31, (2007). www.indianexpress.com/news/militantpolitician-nexus-manipur-govt-to-take-action-in-future-cases/234495/1 Accessed on 24 May, 2011. Also see Datta, Saikat, "Manipur CM Gave Rs 1.5 Crore To Separatists", *Outlook India*, 12 December, (2005). www.outlookindia.com/article.aspx?229503 Accessed May 24, 2011.

peace instead of asserting the state's authority. Even a casual visitor to Manipur can observe that the place has little to show for the massive development funds sent by New Delhi over the years. Large sums are said to have been siphoned off by a nexus of politicians, bureaucrats and armed groups, to the detriment of Manipur's development. A stagnant and underdeveloped economy has meant that the state has legions of unemployed and educated young people who, if they haven't already left the state for better opportunities elsewhere, are a ready source of recruitment for armed groups.

In the security sector, as in the case of other states which have insurgencies, a mix of central and state level security forces operate in Manipur.

In the security sector, as in the case of other states which have insurgencies, a mix of central and state level security forces operate in Manipur. These forces are estimated to include more than 50,000⁸⁵ personnel of the Indian Army and central paramilitary units such as the Assam Rifles, the Border Security Force and the Indian Reserve Battalion, all of whom are deployed to augment the state police. The state police force is about 14,000 strong.⁸⁶ Sources in Manipur felt that since 2004 (when public anger against an alleged custodial killing boiled over) the state police have been trained to take a greater role in counter-insurgency in Manipur with the army and central security forces increasingly taking a backseat, especially in Imphal.⁸⁷

Interestingly, the GoI and senior army officers have repeatedly stated that there can be no military solution to the conflict(s) in Manipur and that a political solution must be found.

Civil society and the Manipuri people

“Not so civil” is how a Delhi-based NGO representative aptly described civil society in Manipur.⁸⁸

Indeed, the conflict in Manipur has developed such deep roots over the last few decades that no section of society – not least civil society groups – has escaped politicisation and the taking of sides (forcibly or of their own volition). Analysts say that as a result, there is virtually no independent civil society in Manipur; indeed, the space for an independent voice just does not exist.⁸⁹

As Pradip Phanjoubam has written, civil society transforms into an extension of the conflict zones they are supposed to be standing between and arbitrating.⁹⁰ Rather than being peace agents, they often become an instrument of “war by other means.”⁹¹ The ‘civil society’ space has been deeply fissured along sectarian lines. As a result, wars by other means are fought on practically every issue involving any two or more of the state's many communities. The conflicting parties themselves begin to contest this space by putting up their ‘civil society’ proxies, having realised how powerful these bodies can be in multiplying their agenda through precisely the “war by other means”.

Any person (or organisation) who tries to present his or her view is immediately branded either pro-government or pro-‘UG’ (a popular abbreviation for ‘underground groups’). Anyone taking a stance which is seen to favour one or the other side is often subsequently initially subjected to pressure and then outright intimidation, or worse. This also applies to Manipuri academics, either based in the state or outside, who attempt to analyse and debate the current situation. There have been instances of such academics subsequently receiving threats from the armed groups and the security forces. Often walking a thin line, certain human rights groups and academics have nevertheless played an important role in highlighting excesses on all sides in Manipur. The Apunba Lup, an amalgam of 32 organisations formed in 2004 after Thangjam Manorama's shooting has been prominent is highlighting violations by security forces.

Manipur's press is also highly constrained in its ability to report and analyse events in the state. Armed groups often demand that their full views and statements be carried in the papers; failure to

85 Human Rights Watch, (2010).

86 Official website of the Manipur Police: <http://manipurpolice.org/history.html> Accessed May 25, 2011.

87 Interview by Hemant Katoch and Ouseph Tharakan with an anonymous source in Imphal, Manipur, in May 2010.

88 Interview by Hemant Katoch and Ouseph Tharakan with a civil society representative in New Delhi, July, 2009.

89 Interviews by Hemant Katoch and Ouseph Tharakan with various individuals in Imphal, Manipur, in May 2010.

90 Phanjoubam, Pradip, “Pawns in conflict zones”, *Infochange News & Features*, November, (2009). <http://infochangeindia.org/Agenda/Civil-society/Pawns-in-conflict-zones.html> Accessed 24 May, 2011.

91 Phanjoubam, Pradip, (2009).

comply with their diktats carries the risk of retaliation. Editors and their staff are routinely subject to such threats and, on occasion, Manipur-based papers have shut down completely for several days in protest against the pressures brought to bear on them.

Women's roles and contributions

Women's groups are another significant element of civil society, reflecting the historically prominent and assertive role of women in Manipuri society in general. Manipuri Meitei women have been known for their valour, skill and active involvement in social, economic, political and cultural activities. In the history of Manipur there is ample evidence of women's involvement in politics. The first *Nupilal* (women's war) in 1904 and the second in 1939 are striking instances of Manipuri Meitei women's collective revolt against political injustices and inhuman religious dogmas. Women's groups have also tried their best to end alcoholism and drug abuse in the state.

During the ethnic clashes between the Nagas and Kukis (1992-1996), in addition to the key role played by the Church to bring about peace, women from both communities started many initiatives in order to curb human rights violations. Women played a leading role during the protests against the extension of the ceasefire with the NSCN (I-M) without territorial limits by the GoI on June 18, 2001.⁹² Women were also in the forefront of the protests against the Assam Rifles which finally forced them to move out of the historical Kangla Fort on November 20, 2004. As noted previously, for the last ten years Irom Sharmila, has been observing a fast unto death demanding the repeal of the AFSPA from the state.

Of particular note are the Meira Paibis, or torch bearers, a grassroots women's organisation that has spearheaded many protests in the state, most recently against the AFSPA. While the Meira Paibis are still seen by some commentators as relatively independent and credible, others believe that they have lost their earlier sense of purpose of reforming society and some of their members have developed links with the major Meitei armed groups. It has been argued though that it is inevitable that any individual in Manipur will have some association with

armed groups, given that it is a small society.⁹³ The Naga Women's Union, Manipur is also known for its activism.

Conclusion

Views differ on the general trends in wider Manipuri society. Some say that the situation has worsened in recent years, with each ethnic group arming itself and ethnic differences deepening. A counterview is that the latter was true until 2001 and, since that year, Manipuri society has gradually begun to coalesce and 'social engineering' in the form of inter-ethnic marriages and social relations has gathered pace.⁹⁴ This view contends that the turning point was the (later aborted) 2001 extension of the NSCN (IM) ceasefire to Manipur, which made the majority Meiteis realise that a more cohesive Manipuri society was perhaps the best assurance against a redrawing of the state's borders. Both views are understandably contested.

What is clear, however, is that Manipur's population increasingly finds itself squeezed between a militarised state machinery and an expanding insurgency. An academic put it best when he described ordinary Manipuris as being caught up between their "protectors" and their "liberators."⁹⁵ They have grown tired of the daily violence, extortion and heavy security presence, none of which have shown any signs of abating. Protests on various issues draw large crowds of people on to Imphal's streets on a regular basis.

Section 3: Past attempts at dialogue

The movement for statehood

The granting of statehood to Nagaland in 1963 was one of the triggers for what eventually became a widespread and sustained campaign for the same process in Manipur. The concession to the Nagas came as a jolt to the majority Meiteis who had already

92 For more detail see, Manchanda, Rita, "Northeast India", In Centre for Humanitarian Dialogue, *Peacemaking in Asia and the Pacific: Women's participation, perspectives and priorities*, (Geneva: Centre for Humanitarian Dialogue, 2011).

93 For further detail on the women's movement see Phanjoubam, Pradip, "Challenges Before Women's Movement in Manipur", In Dutta, Anuradha and Ratna Bhuyan (Eds.), *Women and Peace: Chapters from Northeast India*, (New Delhi: Akansha Publishing House, 2008).

94 Interview by Hemant Katoch and Ouseph Tharakan with a civil society representative in New Delhi, July, 2009. See also, Phanjoubam, Pradip, (2009).

95 Interview by Hemant Katoch and Ouseph Tharakan with an academic in Imphal, Manipur, in May 2010.

seen their erstwhile kingdom reduced to a Part C state in 1949 and then a Union Territory in 1956, ruled directly by New Delhi. The emergence of a fully-fledged state of Nagaland from the Naga Hills District of neighbouring Assam, with its own government and elected legislators, gave immediate impetus to the demand for similar status for Manipur.

Through the 1960s, delays in New Delhi on the issue of statehood only served to increase resentment among Manipuris Meiteis. The campaign for statehood took a violent turn during the years 1969-1970 including massive demonstrations in Imphal (which led to a crackdown) during the visit of Prime Minister Indira Gandhi in September 1969. A breakthrough finally came a year later when the Prime Minister promised statehood to Manipur. On 21 January 1972, the President of India assented to the North Eastern Areas (Reorganization) Act, 1971, which had been passed by both Houses of the Parliament. As well as Manipur, the Act gave statehood to Tripura and Meghalaya, and recognised Mizoram and Arunachal Pradesh as Union Territories.

The granting of statehood is important as it marked the political accommodation of a key demand of the Manipuri Meitei people even if there was no real 'dialogue' between New Delhi and Imphal. However, this achievement was dimmed by the fact that it had taken a decade of frustrating protests to be considered and it had occurred long after Nagaland to the north had been created. The movement for the recognition of Meiteilon (or Manipuri) as a national language under the 8th Schedule of the Indian Constitution was to follow a similarly tortuous trajectory in the 1980's, only to be successful in 1993.

Interestingly, the granting of statehood in 1972 also undermined the campaign for independence of the Revolutionary Government of Manipur (RGM), a government-in-exile established in then East Pakistan by a breakaway faction of the UNLF. The RGM's operations had already been dealt a decisive blow by the creation of Bangladesh in 1971 which led to the arrest of many of its leaders. The remainder of the leadership subsequently accepted an amnesty offer by the then Chief Minister RK Dorendro Singh, possibly the last such successful amnesty case in Manipur.

Other initiatives

With the possible exception of the granting of statehood (which took place as part of a broader process of redrawing the North East's borders)

there has been little progress in finding lasting political solutions to Manipur's many problems. The following are some of the major efforts over the last four decades:

Chief Minister R.K. Jaichandra Singh's attempt (1988-1989)

The period following statehood saw a mushrooming of – mainly Meitei – armed groups in Manipur. This included the PREPAK, which was formed in 1977, the PLA/RPF in 1978, and the KCP in 1980. Violence consequently increased in the 1980's and it was only at the end of that decade that a serious attempt was made to start negotiations with the armed groups. This came when RK Jaichandra Singh, (a confidante of then Prime Minister Rajiv Gandhi who had recently concluded three peace agreements in the North East, the Assam Accord of 1985, Mizoram Accord of 1986 and Tripura Accord of 1988) was Chief Minister during 1988-1990. RK Jaichandra Singh opened a secret channel of communication with the then Commander-in-Chief of the PLA, Manikanta Singh, to discuss the possibility of the surrender of its cadres. A safe passage was issued to the PLA leader, in co-ordination with the state police, to allow him to come to Imphal for face-to-face talks. However, the initiative was undermined at the last minute by political rivalry within the Manipur Government. Tompok Singh, the state Home Minister at the time and a personal rival of the Chief Minister, ordered the Assam Rifles, a paramilitary force, to arrest the PLA team headed by Manikanta Singh that was en route to Imphal for the talks. The arrest and subsequent jailing of the PLA leader brought an abrupt end to the secret process even before it had been given a real chance to be tested. RK Jaichandra Singh's tenure ended a year later and another decade was to pass before further moves were made towards dialogue.

UNLF's conditional offer of talks (2000)

The number of armed groups operating in Manipur continued to increase throughout the 1990's. Of particular note was the decision, in 1990, by the UNLF to resort to an armed struggle as it had previously focused on a programme of (non-violent) mass mobilisation for independence

In November 2000, the UNLF put forward three conditions for talks with the GoI. The group demanded that New Delhi include the topic of

sovereignty on the agenda if it was truly serious about talks, adding that the GoI should first ‘demilitarise’ the region and a third country should monitor the talks. Not surprisingly, these conditions were unacceptable to the GoI and there was little further movement on the question of talks.

Chief Minister Radhabinod Koijam’s unilateral ceasefire (2001)

In March 2001, for the first and only time, a Chief Minister of Manipur offered a unilateral ceasefire to all armed groups in the state including the main Naga groups. Chief Minister Radhabinod Koijam made the offer for a one-month period. The announcement was followed on 17 March by the setting up of a contact group by Governor Ved Marwah to liaise with the different armed groups. Although the initiative increased expectations of a breakthrough and received tentative support from a wide cross-section of Manipuri society, it came to nothing as it was rejected by the main armed groups. By the end of March, the groups that had rejected the truce offer included the UNLF, PLA/RPF, PREPAK and KYKL.

The behind-the-scenes politics between the State and Central Governments at this time were also revealing. Chief Minister Radhabinod Koijam is said to have been admonished by the central Home Minister, LK Advani, for making the move apparently without adequate consultation with New Delhi. The criticism is noteworthy as it came against the backdrop of a long-standing GoI complaint against those states facing insurgencies: namely, that law and order is the responsibility of states under the Indian Constitution and that State Governments rarely do enough to address the issue themselves, instead relying on New Delhi to bear most of the burden.

There were two other significant aspects to these events: In March 2001 the State and Central Governments were led by different (rival) political parties; and, secondly Koijam made his ceasefire offer at a time when the GoI was in intense negotiations with the NSCN (IM) about the extension of the latter’s then four year-old ceasefire. This may have contributed to the tension between Imphal and New Delhi on the issue as the GoI would have seen it as interfering with – or a distraction from – its own focus on obtaining an extension of the NSCN (IM) ceasefire. This was also interference or distraction by a State Government led by a rival political

party (Samata Party) with which the ruling party in New Delhi (BJP) was in competition at the state level. Indeed, what followed bears this out as not long after Chief Minister Koijam’s ceasefire offer had been rejected by the main armed groups, his Government was brought down by the BJP and, in June 2001, the GoI agreed to an extension of the NSCN (IM) ceasefire ‘without territorial limits’ setting off violent protests in Manipur.

Governor S.S. Sidhu’s attempt (2005)

In his 2005 Republic Day speech, Governor of Manipur S.S. Sidhu called for an end to the hostilities in Manipur and for the initiation of a peace process. In a break from the past, the Governor referred to the armed groups as “disaffected brethren” (avoiding the previously used, and apparently more paternal, term of “misguided youth”) and appealed to them to exercise their demands through non-violent and democratic means, and to resolve all issues through dialogue and negotiations.

In response, on 31 January 2005, the UNLF issued a public statement welcoming the change in language and made a counter-offer of talks based on four points:

- A plebiscite under UN supervision to elicit the opinion of the people of the state on the core issue of the restoration of Manipur’s independence;
- The deployment of a UN peacekeeping force in Manipur to ensure the process is free and fair;
- The surrender of arms by the UNLF to the UN force, matched with the withdrawal of Indian troops; and,
- The handing over of political power by the UN in accordance with the results of the plebiscite.⁹⁶

In a statement on 24 February 2005, the PLA/RPF hinted at its tentative support for the UNLF proposal and said that it would wait to see how the GoI responded to it. Predictably, the UNLF proposal of a UN-supervised plebiscite in Manipur – with its parallels of Kashmir – was not acceptable to New Delhi and the process (if it could even be called that) lost momentum and ended soon after.

⁹⁶ Routray, Bibhu Prasad, “Talks with the UNLF: A Non-starter”, *Institute of Peace and Conflict Studies*, Article Number 1659, 3 March, (2005). www.ipcs.org/article/india/talks-with-the-unlf-a-non-starter-1659.html Accessed May 24, 2011.

The Suspension of Operations with the Kuki groups (2005)

In August 2005, the two Kuki umbrella groups, the KNO and the UPF, entered into the SOO agreement with the Indian Army. Under the terms of the agreement, the Kuki groups agreed to give up violence and the security forces agreed not to carry out any operations against them. The Kuki groups have been accommodated in designated camps set up by the State Government. On 22 August 2008, the Government in Imphal also signed the SOO and tripartite talks were held in New Delhi for the first time later that year. To date, these have focused on the ground rules of the SOO, with political negotiations yet to get under way. Nevertheless, the SOO remains the only example of a concrete agreement of any kind reached between a Government (State or Central) and armed groups in Manipur.

In August 2005, the two Kuki umbrella groups, the KNO and the UPF, entered into the SOO agreement with the Indian Army.

Interestingly, the SOO was initially pursued and agreed on between the Indian Army and the Kuki groups without the knowledge of the State Government. Imphal and the Indian intelligence agency (the Intelligence Bureau) were said to have been furious at being left out when news of the agreement broke. In the Indian Army's subsequent efforts to get the State Government on board, the main stumbling block was Imphal's insistence that the ground rules of the SOO recognise that there would be no compromise on Manipur's territorial integrity. This was resisted by the Kuki groups who saw it as going against their demand for a separate Kuki homeland and as a potential condition for future political talks. Due to New Delhi's intervention it was finally included as part of the ground rules which allowed the tripartite agreement to be signed in 2008. However, the parties' subsequent statements indicate that the issue has by no means been settled with the Kukis, in particular, maintaining that they reserved the right to raise it again once the political talks begin.

The SOO has also been problematic given accounts of Kuki ceasefire groups ignoring the terms of the agreement and indulging in extortion. The impetus for the Kuki groups agreeing to a ceasefire seems to have been to protect themselves from the more powerful Meitei and Naga insurgent groups.

A conditional offer (and rejection) of talks (2009)

On 22 December 2009, Union Home Minister P. Chidambaram used the occasion of a Confederation of Indian Industries (CII) Summit to appeal to the ULFA in Assam and the UNLF in Manipur to drop their demand for sovereignty, give up violence and come forward for talks.⁹⁷ He said that the GoI would be ready to negotiate for anything, including looking at 'new governing structures', should the demand for sovereignty be dropped. However, both groups rejected the offer, with the UNLF categorically noting in a statement that there was nothing to negotiate with the GoI except sovereignty.

KCP-Military Council Lallumba faction (January 2010)

In early January 2010, the first round of talks involving the KCP-Military Council (KCP-MC) Lallumba faction, the State Government and GoI Home Ministry officials was held in Imphal. This was the first reported instance of talks with a Meitei armed group and came after months of contact between it and the State and Central Governments. A Tripartite Agreement of Understanding was signed on 6th August, 2010⁹⁸ and subsequently 114 cadres surrendered with their weapons.⁹⁹ However, it should be noted that most people in Manipur are dismissive and sceptical of this initiative which involves a relatively minor sub-faction of the KCP with little power and support on the ground.

Senior Citizens for Society (February 2010)

At a meeting in Imphal on February 10, 2010, the non-governmental Senior Citizens for Society (SCS) – which consists of retired academics, lawyers, doctors and other respected members of the community – stated, through its secretary Khaidem Mani, that a

97 "Shun violence and come for talks, Chidambaram tells ULFA, UNLF," *Indian Express*, December 22, (2009). www.indianexpress.com/news/shun-violence-and-come-for-talks-chidambaram/557863/ Accessed 24 May, 2011.

98 Statement in reply of Rajya Sabha unstarred question No. 2236 for 16.03. 2011, Ministry of Home Affairs, Government of India. <http://164.100.24.167:8080/members/website/quest.asp?pref=166345> Accessed 13 June, 2011.

99 Report Card of Ministry of Home Affairs for August, (2010). <http://pib.nic.in/newsite/erelease.aspx?relid=65490> .Accessed 13 June, 2011.

memorandum had been submitted to the Prime Minister of India “expressing the earnest desire of the people for a resolution to the decades long armed conflict in the state through political dialogue.”¹⁰⁰

The memorandum came after a previous SCS meeting on January 21 had issued a resolution calling for such talks. At the time, the SCS asserted that 19 “groups” had responded positively to the call for peace talks. However, the day after the second SCS announcement, the Revolutionary People’s Front (RPF), the political wing of the People’s Liberation Army (PLA), rejected the proposal. The RPF’s publicity chief, GM Changjou, was quoted by the daily *Imphal Free Press* as saying that “every care should be taken before spelling out any matter relating to Manipur people’s political freedom and national sovereignty [. . .] this is a matter of life and death for the Manipur people and its future generations.”¹⁰¹

Changjou went on to declare that the RPF “is not against holding peace talks but it is questionable as to when and under which condition the talk had to be held. Before holding a peace talk, there needs to be a political situation. If the GoI is sincere enough and assured to reinstate Manipur’s sovereignty and start withdrawing Indian government machinery and its forces from Manipur, then the RPF is ready to hold talks.”¹⁰² According to Manipur sources, the RPF also made veiled remarks that the SCS should “shut up”.¹⁰³ This effectively ended the SCS initiative.

Sonia Gandhi’s emphasis on dialogue (November 2010)

Sonia Gandhi, the head of the ruling Congress Party and one of the most influential politicians in India, visited Imphal in November 2010 and stated that violence has never provided enduring solutions, and dialogue is the only way forward.¹⁰⁴

100 “Manipur citizens’ bid to end insurgency”, *The Telegraph*, January 23, (2010). www.telegraphindia.com/1100123/jsp/northeast/story_12016247.jsp Accessed 24 May, 2011.

101 “Elders’ peace brokering move shot down by RPF”, *Imphal Free Press*, February 11, (2011). www.ifp.co.in/shownews.php?newsid=7900 Accessed 24 May, 2011.

102 “Elders’ peace brokering move shot down by RPF”, *Imphal Free Press*, February 11, (2011). www.ifp.co.in/shownews.php?newsid=7900 Accessed 24 May, 2011.

103 Interview by Hemant Katoch and Ouseph Tharakan with a civil society representative in Imphal, May, 2010.

104 Newmai News Network, “Dialogue only way forward: Sonia”, *The Morung Express*, November 12, (2010). www.morungexpress.com/frontpage/57704.html Accessed 24 May, 2011.

Home Minister’s offer of dialogue (December 2010)

On December 14, 2010 while on a visit to Imphal, the Home Minister of India appealed to militant groups to come forward for dialogue so that their problems can be resolved. The Minister stated: “Militant outfits should come to us to talk about their problems which could be solved through dialogue and discussion”.¹⁰⁵ However, the UNLF explicitly rejected the Home Minister’s overtures and reiterated its demand for a plebiscite.¹⁰⁶

The shadowy presence of the insurgent groups is so deep-rooted in Manipuri society that it is not difficult to find interlocutors who are able to convey information to the parties concerned.

Irengbam Chaoren of the RPF/PLA, in a message given to the people of Manipur on the occasion of its Independence Demand Day of February 25, stated that the invitation of GoI to the revolutionary groups for holding peace talks is not about sovereignty of Manipur but it is for consolidating the integrity of India at the cost of Manipur’s sovereignty. The RPF/PLA categorically stated that armed campaign is the only practical means to regain the lost sovereignty of Manipur.¹⁰⁷

Other efforts

In addition to the attempts listed above, there is speculation that the main intelligence agencies have attempted to open confidential channels of communication with various armed groups. The shadowy presence of the insurgent groups is so deep-rooted in Manipuri society that it is not difficult to find interlocutors who are able to convey information to the parties concerned. In this regard, the issue may be the need for clear political will to use these channels to set the ground for more substantive talks.

105 Press Trust of India, “PC asks NE insurgents for little more give & take”, *Zeenews*, December 15, (2010). www.zeenews.com/news674356.html Accessed May 24, 2011.

106 Staff reporter, “Chandel ambush, response to Chidambaram: UNLF”, *The Sangai Express*, December 18, (2010). www.thesangaexpress.com/fullstory.php?newsid=2377 Accessed May 24, 2011.

107 Institute for Conflict Management, South Asian Terrorism Portal, “People’s Liberation Army”, www.satp.org/satporngtp/countries/india/states/manipur/terrorist_outfits/pla.htm Accessed May 24, 2011.

Section 4: Learning from the past

Although limited, Manipur's record of conflict resolution nevertheless provides important lessons for the future. One of these is that the use of pre-conditions by one side or the other in Manipur hinders the chance of any progress. Whether it is the UNLF's public insistence that sovereignty is on the agenda of any talks or New Delhi's demand that a group give up its weapons first, the result has always been the same: the creation of deadlock before talks have even begun. The parties subsequently find it impossible to moderate their positions without losing face.

Of course Manipur is not alone in this regard. Parties to dialogue processes all over the world have learnt, through bitter experience, the self-defeating nature of pre-conditions. Overcoming them often takes many frustrating and lost years. The state only has to look across its borders to Assam where the ULFA's demand for the inclusion of sovereignty on the agenda of any talks with the GoI has led to years of missed opportunities. On the other hand, the experience of Nagaland shows that talks can make progress if the parties drop pre-conditions and agree to talk about all issues of contention. While the Naga talks are far from perfect, and still need to address the most contentious issues, the fact is that violence in Nagaland has dropped significantly in the years since the talks began. Indeed, 2009 was considered the most peaceful in two decades. This has been achieved through over 50 rounds of talks covering all points of disagreement, during and between which neither the NSCN (IM) nor New Delhi have dropped their core demands of sovereignty and greater autonomy respectively.

Past experience also illustrates the links between the Naga process and the situation in Manipur, with events in the former deeply influencing the latter. This inter-linking manifests itself in a range of ways in Manipur, as demonstrated by the aftermath of the granting of statehood to Nagaland in 1963 and the NSCN (IM) ceasefire extension in 2001, as well as events surrounding the recent attempt by the NSCN (IM) Chairperson T. Muivah to return to his ancestral village. What is common to all of these cases is that they evoked a passionate response among Manipuri Meiteis – who were not consulted during the Naga talks – and their effects reverberated among Manipur's communities for a long time afterwards.

Another lesson is that effective co-ordination between Imphal and New Delhi is important to the success of any attempted negotiations. Indeed, the absence of a common approach between the State and Central Governments contributed to the failed initiative in 1989 when Manipur's Home Minister used the paramilitary Assam Rifles to stop his own Chief Minister's state police-supported secret talks with the PLA. This further highlights how vulnerable and open to manipulation initiatives can be if they are not supported by both New Delhi and Imphal. A lack of co-ordination was also evident in 2001, when Chief Minister Kojam was sharply censured by the Union Home Minister for offering a unilateral ceasefire.

These points relate closely to a broader lesson: that any initiative launched without the necessary groundwork and a clear sense of what it hopes to achieve is likely to eventually fail.

These points relate closely to a broader lesson: that any initiative launched without the necessary groundwork and a clear sense of what it hopes to achieve is likely to eventually fail. Governor S.S. Sidhu's appeal for talks in January 2005 and Chief Minister Kojam's failed 2001 ceasefire are cases in point. While both were greeted with cautious optimism and even some hope among ordinary Manipuris, they suffered from a lack of preparation and no stated guiding vision for the proposed processes. As a result, after an initial bout of enthusiasm and predictable rejections by the armed groups, the initiatives soon lost momentum and faded away.

What is particularly striking in Manipur is that, while everyone talks about the need for a 'political solution' to its conflict(s), very few seem to have given much thought to just what such a solution should look like and what the process might be to get there. Of course, the usual suggestions range from outright independence on the one hand to a solely development-orientated response without any changes to Manipur's political status. However, what has been missing is a thorough review and discussion of all the options in between which could possibly be acceptable to the majority of Manipur's population. Not only has the space to have such a discussion in Manipur been limited to date, but there has been little evidence of either the State or

the Central Governments taking an initiative in this regard. Instead, the same cycle of obstructive pre-conditions, circular debates and tired rhetoric repeats itself endlessly, with no changes on the ground.

The lack of a general consensus on what dialogue should focus on, together with the sheer number of groups operating on its territory, exacerbates Manipur's predicament. Without an overarching framework for dialogue which has broad popular support, the different armed groups don't hesitate to out-manoeuvre each other in an effort to show themselves to be the true upholders of the cause they espouse. Thus, whenever an effort to initiate talks is made, each group closely watches the others to see how they respond and is ever ready to denounce any apparent signs of flexibility on the part of others. The main lesson from Manipur's experience in this regard is that the more inclusive a process is in terms of engaging the different armed groups, the better the chances of progress.

The fact that the UNLF reacted to Governor S.S. Sidhu's attempt to reach out to insurgent groups by calling them "disaffected brethren" rather than "misguided youth" also indicates that semantics play a role in contributing to the creation of an environment for dialogue. The potential role which an independent civil society could play was also demonstrated by the SCS attempt to facilitate dialogue. It showed that such civil society initiatives provide an opportunity to engage in indirect dialogue in a pre-negotiation phase. No parties have to make any commitments, yet an exchange of views can take place which could eventually lead to dialogue. Such initiatives could also be useful for the various groups to build a common minimum negotiating position in a political dialogue.

Section 5: The way forward

The case for political dialogue in Manipur is strong. Levels of violence remain very high. The prospect of widespread ethnic conflict with horrific consequences for civilians in addition to the threat of an enhanced insurgency looms large with various armed groups polarised on ethnic grounds and sophisticated weaponry easily available. On account of the prevailing situation, development activities are hindered and respect for the rule of law is decreasing. In the process, the people of Manipur continue to suffer and be alienated. They live in a highly hostile environment with no improvement in sight. The

continuation of this situation is likely to provoke a backlash by citizens against some of the smaller armed groups and also the GoI and State Government. The gradual and sustained breakdown of order is likely to further complicate the situation.

Allowing such a volatile situation to continue in its current form for an extended period of time carries grave risks. Long-running, low-intensity conflicts have a tendency to become ever more intractable over time, often building up to a wider and more explosive crisis at a later stage. Another possibility would involve periods of dormancy interspersed with the regular eruption of mini crises – such as in 2001, 2004 and the 2010 events centred around the proposed Muivah visit – with every subsequent crisis becoming harder to resolve.

The arrest of UNLF leader Sanayaima and the recent appeals for dialogue in Manipur by top Indian officials and politicians seem to indicate that Manipur is firmly on the GoI's radar. This focused attention could be an opportunity to prepare the way for long-lasting peace.

Resolving the conflict(s) in Manipur

When this question was posed to people in Manipur interviewed for this case study, some replied without any hesitation that they deemed the situation to be impervious to any positive change. The conflict in Manipur has festered for so long and has struck such deep roots in all spheres of society that one could be excused for thinking the situation hopeless and beyond repair. Taken to a fatalistic extreme, proponents of this view contend that, left unattended, the conflict will naturally extinguish itself, a process that could take anywhere from one to several decades.

A lot can be done to improve the situation in Manipur and its apparent complexity should not serve as a deterrent to action. This does not mean that this case study seeks to down play the challenge. In the case of Manipur, the single biggest obstacle to peace is that for many key stakeholders, a continued state of conflict may be perceived as being in their interest.

The most obvious action point, and one that applies to most such conflict-afflicted areas, is development. This entails good governance at the state level, including through the creation of infrastructure and the generation of job opportunities for the state's unemployed – but educated – young

people. While some would argue that development is hardly the panacea for Manipur's problems (many of which are more deep-rooted and political in nature), the fact is that its absence helps feed the conflict and makes it harder to resolve. As an initial step, the development of good road and rail links would be a step forward in this regard. Further, given the established track record of sports persons from Manipur successfully competing at the national and international level, any development plan should seek to support this field more.

Manipur needs a forward-looking political strategy that incorporates some of the issues and lessons learned outlined in this case study.

Measures should also be undertaken to streamline the administrative structure. Creative administrative and legal mechanisms should be deployed by the State Government, with the active encouragement of the GoI, to curb official corruption, as well as address the lack of good governance and decreasing respect for the rule of law. There is an urgent need to strengthen the police force and criminal justice system. The police force in Manipur is polarised along ethnic lines and an atmosphere of impunity seems to have set in. The police need to be better trained and more accountable, particularly in terms of human rights standards. As noted before, the Manipur police commandos in particular have been in the spotlight for alleged violations. As a start, the reform process could focus on this unit.

Multiple dimensions have to be dealt with simultaneously. As such, Manipur needs a forward-looking political strategy that incorporates some of the issues and lessons learned outlined in this case study. Most analysts interviewed for this case-study agree that, at a fundamental level, ethnic reconciliation is key to resolving the conflicts in India's North East.¹⁰⁸ They say that meeting the demands of one ethnic group against those of another or pitting two groups against one another for short term gains will only serve to prolong unrest in the region. The thrust of New Delhi's actions should therefore be towards adopting a regional approach

and reconciling the multitude of ethnic groups in the North East. Rather than altering existing state borders they could instead be softened.

An initial step in this regard would be the establishment of a link between the GoI-NSCN (IM) talks and the State Government. While it is understandable that detailed knowledge of a sensitive peace process necessarily needs to be restricted, it is equally the case that when the main agenda item of the talks involves a major part of a neighbouring state's territory, the latter should be kept informed. The need for such a link is all the more important in the case of Manipur where preserving the state's territorial integrity – which clashes directly with the demand for Greater Nagaland – remains a highly emotive topic for the majority Meiteis.

To date, the absence of such a link has meant that every round of the GoI-NSCN (IM) talks, always conducted in the utmost of secrecy, has fuelled speculation and anxiety in Manipur – and created resentment against the GoI about its true intentions regarding Manipur's Naga-inhabited areas. It has also helped create the conditions in which a planned visit by Muivah to his home village in Manipur in May 2010 easily mutated into a crisis of fairly serious proportions. It should be no surprise that subsequent declarations by senior Home Ministry officials about the GoI's commitment to preserving Manipur's existing borders did not convince many in the state. Some of this unease could potentially be assuaged if periodic briefings on relevant issues of concern were provided to the Manipur Chief Minister or state cabinet by the GoI interlocutor to the Naga talks. Of course, this would have to be done carefully enough so as not to compromise the talks.

However, while links between the Naga process and Manipur are important, the key to charting a successful way forward is to ensure that Manipur is no longer treated as an appendage to the Naga issue. This would require explicitly acknowledging that the problems confronting Manipur are unique in their own right, as are their origins and current dynamics, and addressing them will require a unique approach specifically tailored for the state. The failure to recognise, empathise with, and articulate this uniqueness since India's independence has contributed greatly to Manipur's alienation from India. This feeling has only been compounded by the commensurate and increasing discussion of the uniqueness of the neighbouring Nagas over the same period.

¹⁰⁸ Interviews by Hemant Katoch and Ouseph Tharakan with various individuals in Imphal, Manipur, in May 2010 and in New Delhi, July, 2009.

In terms of a future conflict resolution approach, the single track negotiations New Delhi is currently pursuing with the NSCN (IM) may not be most suitable for Manipur. Unlike in Nagaland (or Mizoram in the past), there are far too many groups in Manipur for this to be feasible or worth the effort or time. Each of the groups could be reasonably expected to denounce and/or profit from any one of its rivals entering into talks with the GoI – especially among the Meitei groups. Manipur’s armed groups also have no equivalent of the Mizo National Front’s Laldenga who effectively negotiated on behalf of all Mizos in the talks with New Delhi and was able to bring along all of the armed cadres with him. While RK Meghen, or Sanayaima, as leader of the UNLF and convener of the umbrella MPLF, is certainly recognised as a major leader among the armed groups, neither the other Meitei groups nor Manipuri society in general will give him the legitimacy or mandate to negotiate with India on their behalf. Finally, it also remains to be seen whether the approach taken in the Naga case eventually turns out to be the right or sustainable one. The NSCN (K), the Naga National Council (NNC) and others have shown themselves to be ever ready to criticise the NSCN (IM) and it is not clear whether any deal struck between the GoI and NSCN (IM) will stick without fully bringing on board the other Naga armed groups.

In Manipur, approaches could be made to the MPLF, the umbrella grouping of three major Meitei groups including the UNLF, PLA and PREPAK, and an offer of dialogue could be made specifically to this collective entity. Whatever the response, a common statement from the three major groups articulating their collective stance on dialogue would represent a step forward in terms of policy coherence. Sustained engagement and dialogue with the MPLF could bring about some degree of coherence among its constituents on significant policy issues. This is crucial in order to undertake any major dialogue process with the Meitei insurgency, given the large number of different groups.

In its initial stages, such a dialogue could be carried out in the public realm. Senior GoI or State Government functionaries could make public appeals to the MPLF for dialogue. This initial period could also be marked by noticeably conciliatory language and statements, especially from New Delhi, stressing the importance of finding a negotiated way out of Manipur’s unique problems. The pronouncements, aimed at both Manipur’s people and the armed

groups, would ideally seek to avoid setting pre-conditions for dialogue, instead emphasising a willingness to discuss all divisive issues. Simultaneously, the possibility of opening confidential channels of dialogue with the MPLF could be pursued. In terms of initiating contact with insurgent groups, this does not seem to be a major issue in Manipur. Both Naga and Kuki groups reportedly maintain links with state authorities and local politicians. The Meitei groups are said to be even more influential in local politics. State politicians of all communities depend on critical support from – and experience intimidation from – “underground” activists during local elections. In Manipur there is a symbiotic relationship between state politicians and authorities on one side, and the state’s various rebels groups on the other. This relationship could be utilised to reach out to the insurgent groups and establish an informal, confidential dialogue track.

Initially the discussions in a confidential process could have a humanitarian emphasis, with a focus on how to reduce civilian suffering.

Initially the discussions in a confidential process could have a humanitarian emphasis, with a focus on how to reduce civilian suffering. This could involve the discussion of ways to allow development work, reduce extortion and reduce harassment of civilians by all parties. Ideally, even though it is likely to be controversial, a confidence-building measure around the AFSPA could also be explored. If some form of violence reduction or confidence-building measures could be agreed, a more inclusive dialogue process could be undertaken with a view to bringing in the smaller Meitei groups as well as the Kuki and Naga groups, including through the pressure of civil society groups.

In a fractured society such as Manipur, civil society has the potential to play a crucial role in preparing the way for dialogue. As in Nagaland, Manipuri civil society could mobilise itself as a forum to reconcile differences within the state and in the process help bring coherence to a potential dialogue process. Civil society could also play a role in facilitating informal and indirect dialogue between the insurgent groups and the GoI. However, all parties concerned would need to agree that civil society should be given the space to engage in such

initiatives. In other conflicts in India, parties involved have been reluctant to legitimise the role of civil society in peace processes.

Indeed, in Nagaland, the Church has played an important role in terms of promoting reconciliation within the Naga community and urging the peaceful resolution of the conflict through dialogue. Societal structures such as the Naga Hoho (the apex tribal body of the Nagas), the Joint Forum for Gaon Burahs (village headmen) and Doaibashis (village elders) or the JFGBDB, and the various Tribal Hohos (councils) have made ardent efforts over the years to bring about peace in Naga areas. They have conducted peoples' consultative meetings; spoken out against inter-factional violence between the NSCN (IM) and NSCN (K); declared an underground ceasefire between all armed Naga outfits in 2007; and ensured that people have someone to go to about extortion and criminality associated with the armed outfits.¹⁰⁹ Currently there are no equivalent institutions or movements in Manipur and, in outlining the way forward, it would be useful to consider who could play a similar role in Manipur. Traditional institutions such as "elders" and "religion" which were once the anchor of Meitei society and provided much needed moderating influences have now become increasingly irrelevant, according to Pradip Phanjoubam. An effort by an elders' society to try and prepare the ground for a negotiated settlement to the Manipur problem was shot down by the RPF/PLA with open threats to its members. Phanjoubam notes that the onset and embrace of modernity has induced Meitei society to shed their faith in traditional institutions, but modern institutions with foundations set in rule of law as well as modern jurisprudence have still not taken root amongst them. He points out that a corrupt and uncommitted public leadership is delaying, if not inhibiting this transition further and points out that scepticism and lack of faith in institutions is also reflected in the manner in which even insurgent organisations espousing similar ideologies are unable to forge any strong alliance. Phanjoubam suggests that building public trust and confidence in modern public institutions is a major challenge before any peace initiative amongst the Meiteis, as it is unlikely traditional institutions can be revived

to the extent of acquiring the authority they once commanded.¹¹⁰

It should be emphasised that no dialogue process is likely to get going in Manipur, let alone aspire to succeed, if it is not seen to have the full support of the political (and military) leadership in New Delhi. Past experience would have taught every armed group and/or member of civil society that initiatives of this nature only ever work with the support and involvement of the GoI – and the security forces under its direct command. New Delhi does not need to take the lead at the expense of the State Government in Imphal but it should be a collaborative effort with clear and unambiguous buy-in from the State Government. It is also important to create a constituency among New Delhi's political and bureaucratic elite to push for a political dialogue process in Manipur.

At the same time, irrespective of what commitments the GoI may agree to, they mean nothing if the State Government disagrees. This was exemplified by the Naga-Metei standoff over Muivah's visit which was approved by the GoI which then backtracked because of pressure by the State Government.

It should also be noted that, while objective approaches to resolving conflicts such as Manipur are necessary, they are not always sufficient. Subjective elements of the mind such as a sense of hurt, betrayal and insecurity cannot be ignored. An acknowledgement of past mistakes and a simple honest "apology" can sometimes considerably help move forward the process of resolving conflict.

Similarly, Manipur has a rich and varied cultural tradition. Performing arts such as *Shumang Lila* (courtyard plays) and theatre, have a very widespread audience in Meitei society, including amongst insurgent cadres. These art forms are able to create a dialogic space where nuances and interpretations of the perceived logic, history and compulsions which drive the conflict in Manipur are examined and sometimes critiqued. This is a sensitive and difficult process and the arts can make a significant contribution.

As Pradip Phanjoubam has noted, playwright Ratan Thiyam's *Nine Hills One Valley* highlights that historical events and developments did not happen in a vacuum, and it may not be always justified to blame supposedly manipulated history for

109 Goswami, Namrata, "An Unending Dialogue", *Outlook India*, 5 March, (2010). www.outlookindia.com/article.aspx?264579 Accessed May 24, 2011.

110 Comments made by Pradip Phanjoubam while reviewing this case study.

present predicament. Another play directed by M.C. Thoiba and written by M.C. Arun, *Rajashri Bheigyachandra* similarly tells of how it was historical logic which led the Meiteis to embrace Hinduism. Addressing the frequently voiced complaint of Manipur's history having being coerced into subservience by forces from the West and in the process made to abandon its traditional ties with the East, the play also showed how it was an increasingly aggressive Kingdom of Ava (modern Myanmar) which led to Manipur kings slowly but surely beginning to look for succour towards the West.¹¹¹

Section 6: Conclusion

It should be expected that the broad strategy to initiate dialogue outlined in the previous section may encounter any number of problems in implementation. Too many vested interests have benefitted for far too long from the conflict in Manipur for there not to be significant resistance to any attempted changes to the status quo. The launching of a major effort in Manipur could also have an impact on the hard-earned gains of the talks with the NSCN (IM) and also the more recent dialogue with the Kuki groups. In addition, faced with threats such as those posed by the Maoists and Pakistan-based groups, New Delhi may not have either the time or the resources to focus on the complexities of tiny Manipur on the periphery of India.

And yet, what happens in Manipur has much greater ramifications for the region and the country. For example, the consent of the people of Manipur – especially the majority Meitei community – will eventually have to be secured if either the Naga or the Kuki talks are to be successfully concluded. In addition, as Manipur is strategically located at the crossroads of South and Southeast Asia, and as India's primary road – and future rail – gateway to Southeast Asia, progress in implementing India's 'Look East' policy of engaging Southeast Asian states depends, to an extent, on a peaceful and stable Manipur. Moreover, the state could prove to be among the first 'battlegrounds' (if only initially in the battle for hearts and minds) in the North East in the great ongoing – and future – rivalry between China and India.

The people of Manipur deserve a chance to lead peaceful lives and, due to its strategic location, its

stability is crucial for the region. Despite the complexity of the situation, there is a lot that can be done. Better governance, more accountable development, and a sustained formal or informal dialogue process between all concerned parties could play an important role in reducing violence and formulating a common vision to end the conflict in Manipur.

There are intersecting conflicts in Manipur – with the Indian state as well as inter-ethnic conflicts and inter-tribal conflicts - all of which depend for legitimacy on competing perceptions of history and geography. There can be no quick and easy solution. However, to move forward towards peace, there needs to be discussion of these different perceptions. At the moment each party holds on to its own perception of history and geography, and acts on it. While a discussion of these perceptions is unlikely to result in any quick convergence of views, the process is important for any sustainable peace process. In this regard, an open-ended political dialogue provides a better platform to share and more effectively understand different perceptions. While such a discussion might not immediately have a positive impact on this complex situation, it may improve it in the long term.

Recommendations

Civil society has the potential to play a crucial role in preparing the way for dialogue in Manipur if it is given the appropriate space and independence by the armed groups and the State Government. As in Nagaland, Manipuri civil society could mobilise itself as a forum to reconcile differences within the state and in the process help bring coherence to a potential dialogue process. Civil society could also play a role in facilitating informal and indirect dialogue between the insurgent groups and the GoI.

While the multitude of armed groups in Manipur raises the question of who to talk to in a dialogue process, approaches could be made to the MPLF, the umbrella grouping of three major Meitei groups including the UNLF, PLA and PREPAK. A common response from the three major groups articulating their collective stance on dialogue would represent a step forward in terms of policy coherence.

While political issues eventually have to be discussed in any dialogue, initially the discussion could have a humanitarian emphasis with a focus on how to reduce civilian suffering. This could involve the discussion

111 Comments made by Pradip Phanjoubam while reviewing this case study.

of ways to allow development work, reduce extortion and reduce the harassment of civilians by all parties. Ideally, even though it is likely to be controversial, a confidence-building measure around the AFSPA could also be explored.

Any dialogue process in Manipur needs to be led by the GoI in close co-operation with the State Government. It is important to create a constituency among New Delhi's political and bureaucratic elite to push for a political dialogue process in Manipur.

The Naga peace process should not be seen in isolation from the situation in Manipur. The Manipur State Government should be regularly consulted in this process. Any policy which might imply that the situation in Manipur is seen as an appendage to the Naga issue is damaging. Just as the Naga armed groups have been engaged in a dialogue process, an attempt should be made to extend a similar process

to Meitei armed groups. Similarly the Naga peace process should not be dependent on Manipur.

An interlocutor could be appointed for Manipur by the GoI to help initiate dialogue with insurgent groups in Manipur. This has been done for other conflicts areas in India such as Kashmir.

The violent conflict in Manipur requires more analytical material relevant to policymaking and peacemaking practice. Some suggestions for themes that may benefit from action-orientated research include how women's groups and movements in Manipur could be more substantively included in peacemaking; the impact of India's 'Look East' policy on North East India; police reform and public security; the reduction of small arms weapons proliferation; and more nuanced understanding of the basis of the Naga minority complex in Manipur and its political articulation in the demand for an 'alternative arrangement'.