

# ULFA talks: Focusing the dialogue on resolvables

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ON June 29, the fourth round of talks between the pro-talk United Liberation Front of Asom (ULFA) led by its Chairman, Arabinda Rajkhowa, and the Union Government led by Home Secretary, R.K. Singh was held in New Delhi. The talks concentrated on the ULFA's 12 point "Charter of Demands" and specifically on the grant of greater autonomy to the state of Assam, constitutional amendment to safeguard the rights of the indigenous people of Assam, status report regarding the 50 or so missing ULFA cadres since the 2003 Bhutan operations, the issue of illegal Bangladeshi immigration and rehabilitation of ULFA cadres. A framework for observing the cease-fire ground rules under the Suspension of Operations (SoO) signed by the ULFA last year and the surrender of arms and ammunition were also discussed.

While these peace talks are a positive sign, there are certain fundamental contradictions that need to be kept in mind with regard to some of the core demands of the ULFA. First, it is ironical that Rajkhowa has listed the influx of illegal Bangladeshi immigrants into Assam as one of the main talking points with the Union government. It is a fact that ULFA's entire top leadership including Rajkhowa himself had taken refuge in Bangladesh before they were arrested near the India-Bangladesh border in December 2009. At that time, illegal Bangladeshi immigration into Assam was not amongst the ULFA's list of priorities. Hence, to now change course and state that the illegal flow of Bangladeshi immigrants into Assam is amongst the top issues in their "Charter of Demands" is opportunistic at best.

The second problematic issue is the ULFA's demand to amend the Indian Constitution to safeguard the indigenous peoples' rights in Assam. The question that arises in this context is: who are the indigenous people of Assam? Article 1 of the 1989 International Labour Organization Convention no. 169 with regard to Indigenous and Tribal Peoples in Independent Countries offers a working definition on the concept of "indigenous" which needs to be seriously considered. "Indigenous communities, peoples and nations are those which, having a historical continuity with pre-invasion and pre-colonial societies that developed on their territories, consider themselves distinct from other sectors of the societies now prevailing on those territories, or parts of them. They form at present non-dominant sectors of society and are determined to preserve, develop and transmit to future generations their ancestral territories, and their ethnic identity, as the basis of their continued existence as peoples, in accordance with their own cultural patterns, social institutions and legal system." Further, indigenous communities must

## on resolvables



have common ancestry with the original occupants of the land, occupy ancestral lands, and most importantly, be accepted by the original population as indigenous and belonging to their group. This problematises the issue of "who is indigenous in Assam" given the wave of migrations from Thailand, Yunnan and other parts of India. Therefore, the original inhabitant discourse in Assam as projected by ULFA can create political tensions between the ethnic communities due to claims and counter-claims and hamper movement in the ULFA talks.

Third, for the ULFA to appropriate for themselves the status of "representatives" of the people of Assam in peace talks does not stand the test of democracy. It is not clear whom the ULFA really represents in the present context. The people of Assam have moved beyond the ULFA's separatist narrative based on an exclusivist ethnic base and suspicion of outsiders. Also, the ULFA's claim that it represents the indigenous people of Assam does not hold water since major indigenous tribes in Assam like the Bodos, Dimasas and Karbis do not look upon the ULFA as representing them. The Bodos have their own armed group, the National Democratic Front of Bodoland (NDFB). The Dimasas are represented by the Dima Haram Daogah (Nunisa Faction), which is in peace talks with the Union government. And the Karbis are represented by the United Peoples' Democratic Solidarity (UPDS).

Given all this, it is important that the talks do not get enmeshed on issues that create divisions, counter-claims and result in lack of consensus leading to a locked positional dialogue with no resolution in sight. Instead, there are certain other issues raised in the ULFA's "Charter of

Demands" that need to be seriously considered by the Union and Assam governments for effective policy intervention.

First is the issue of flood management. This is an issue that plagues Assam every year during the monsoons. Flood management needs greater policy focus and scientific collaboration with countries that have managed floods well through drainage systems and diversion of flood waters via the canal system.

Second, the rehabilitation of ULFA cadres is an urgent necessity. Skills need to be imparted to these youths so that they can rejoin society in a dignified and meaningful manner.

Third, ULFA has raised the issue of social and economic deprivation in Assam. This is related to the issue of governance. A state, in order to ensure effective governance in service of the people, must possess both a capability and a capacity to create legitimate procedures for political decision making, strengthen administrative institutions, provide public services in an effective and transparent manner, and work under the rule of law. These aspects are lacking in Assam with high levels of insecurity in conflict affected districts like Dima Hasao, Karbi Anglong, Korajhar, Tinsukia, Sivasagar, etc. Policy intervention is the urgent need of the hour to provide security within the framework of the rule of law, establish health facilities, offer good quality education, jobs, etc. The disarmament of the ULFA cadres is also another priority as they can create nuisance and insecurity in society. Use of legitimate violence must be the monopoly of the state for a rule oriented society and non-state actors should be provided incentive structures to give up violence.

Most importantly, the Union and Assam governments must remain vigilant on the possibility of the anti-talk ULFA faction led by Paresh Barua engaging in violent activities within Assam to derail the peace process. This can be effectively done with the cooperation of the Myanmar government since Barua was last sighted in an NSCN (K) camp in central Sangaing division of Myanmar. Given that the Myanmar government has signed a cease-fire with the NSCN (K) this year, pressure can be brought upon the former to caution the NSCN (K) not to extend support to the anti-talk ULFA faction. Intelligence can also be shared between India and Myanmar with regard to the movement of Paresh Barua across the Myanmar-China border. India must recognize that like Bangladesh, Myanmar's cooperation in ensuring that its territory is not used as base areas by Indian armed outfits is a key to ensuring sustainable peace in states like Assam.

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## From Westphalia to Weltinnenpolitik

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WE honor a great German and world citizen, Carl Friedrich von Weizsäcker, born 100 years ago, and his path-breaking motto, World Domestic Policy, Weltinnenpolitik.

The world as a state-system, the Westphalia system of 24 October 1648, is coming to an end. A holon filled with contradictions. Thus, war was a right if declared and the pursuit of the interests of the dominant nation in each state the rule. European conquered others, as colonies, land and people; and as empires ruling through local elites. A major contradiction with many collapsing after WWII, the Soviet empire in 1990-1, and now there is only the declining US empire left.

There are 193 states in the UN today, maybe 200 in total. And maybe 2,000 nations: cultures with the same language and religion, shared history and a geographical attachment. The state is a piece of territory; the nation is idiom and faith, time and space. Identity.

Inter-state wars are fading away with the state system. The violence of nations wanting a place in the sun is increasing. With only 20 nation-states and 180 multi-national states the contradiction is eating at the states. The obvious solutions, federations inside with national autonomy an confederations, communities, across open borders are coming with glacial speed, and much blood. Only four states are multi-nation federations with reasonable equality between the nations: the mother of them all, Switzerland, Belgium with doubts, India with its linguistic federalism, and Malaysia.

But local authorities also want a place in the sun and there may be two million of them. So do the NGOs; and a world accommodating human diversity will recognize clans and tribes, not only Western voluntary organizations. Many of them stand up for human groups and their rights, others for nature and her rights to survive.

From above, regionalization is absorbing the states except for the largest ones: Russia, India, China; maybe USA and Indonesia. But the latter is already in the growing ASEAN - Association of Southeast Asian Nations, with SAARC - South Asian Association for Regional Cooperation, AU-African Union, and the EU-European Union. Latin America with the Caribbean is coming quickly, the OIC was upgraded from the Organization of the Islamic Conference to Cooperation, and East Asia will find its form with or without Japan.

Very strong, as are the transnational corporations, above all the financial ones, speculating with other people's money. Not so strong the United Nations, crippled by fading Anglo-American imperialism, but with much to build on if the veto is abolished, a UN Peoples' Assembly by free and fair elections is added, and the UN moves from Manhattan to a more representative environment like Hong Kong for example.

Contradictions are important; they identify the actors moving the world, the momentum for a world domestic policy. The message: respect national identities if they respect each other, build on the local and NGOs, respect regions as building blocs, improve, strengthen the UN.

And, tame speculation by making it illegal while continuing the UN-guided work for corporate social responsibility. And that makes us ask, is there a country that could serve as a model for the world?

There is: Switzerland. Four nations on an equal footing, direct democracy linked to the local communities, 2,300 of them, 26 cantons in-between like the states will remain a world in-between. Reasonable equality. The proof is her longevity: more than 700 years.

But world domestic policy demands creativity, not imitation.

For the economy we should start thinking in terms of a minimum living wage for all 7 billion of useasily financed by money wasted on the military and speculations subsidized necessities and money, liberating humans from misery and death to more spiritual pursuits.

For the military we should think of disarmament and world police, and of a violent resolution culture, like hygiene culture. Violence is a monument over unresolved conflict and unreconciled trauma. The way is dialogue; empathy, creativity, nonviolence the driving forces.

For culture we face a wonderful challenge: select boldly the best from all cultures, and eclectic boldly in many, diverse, symbiotic ways.

And for the politics of decision-making: democracy, adding dialogue-enrichment-consensus to Western debate-voting-majority. Adding collective human rights of nations, local authorities and NGOs to the Western human rights. Adding to Western Rule of law a concern for acts of omission equal to acts of commission. And combining world decision-making (in a United Regions if the UN is unreformable?), with the old state system, with direct democracy at the local level. The level where people live, know where the shoe pinches, can handle environment problems directly with localization, not only globalization of the economic cycles.

Challenging, but feasible. By 2048 an Weltinnenpolitik-Weizsäcker system, for instance on 24 October, the UN birthday?

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# Negotiations behind US sanctions against Iran

REVA BHALLA

OVER the past week, the latest phase of US-led sanctions against Iran has dominated the media. For months, the United States has pressured countries to curtail their imports of Iranian crude oil and is now threatening to penalize banks that participate in oil deals with Iran. In keeping with the US sanctions campaign, the European Union on July 1 implemented an oil embargo against Iran. The bloc already has begun banning European countries from reinsuring tankers carrying Iranian oil.

On the surface, the sanctions appear tantamount to the United States and its allies serving an economic death sentence to the Iranian regime. Indeed, sanctions lobbyists and journalists have painted a dire picture of hyperinflation and plummeting oil revenues. They argue that sanctions are depriving Tehran of resources that otherwise would be allocated to Iran's nuclear weapons program.

But Iran's response to sanctions deadlines has been relatively nonchalant. Instead, it suggests that sanctions are likely a sideshow to a much more serious negotiation in play.

## Loopholes in the Sanctions Campaign

The sanctions applied thus far certainly have complicated Iran's day-to-day business operations. However, Iran is well versed in deception tactics to allow itself and its clients to evade sanctions and thus dampen the effects of the US campaign.

One way in which Iran circumvents sanctions is through a network of front companies that enable Iranian merchants to trade under false flags. To enter ports, merchant ships are required to sail under a flag provided by national ship registries.

The U.S. Treasury Department has become more adept at identifying these firms, but a government bureaucracy simply cannot compete with the rapid pace at which shell corporations are made. Several new companies operating under different names and flags can be created in the time it takes a single sanctions lawsuit to be drawn up.

Many of Iran's clients turn a blind eye to these shell practices to maintain their crude oil supply at steep discounts. Notably, the past few months have been rife with reports of countries cutting their Iranian oil imports under pressure from the United States. However, after factoring in the amount of crude insured and traded via shell companies, the shift in trade patterns is likely not as stark as the reports present.

The United States already has exempted China, Singapore, India, Turkey, Japan, Malaysia, South Africa, South Korea, Sri Lanka, Taiwan and the 27 members of the European Union from the sanctions. Many of these countries imported higher than average quantities of Iranian crude in the months leading up to their announcements that they had cut down their supply of Iranian crude. China, South Korea, India and Japan also are finding ways to provide sovereign guarantees in lieu of maritime insurance to get around the latest round of sanctions. Even though many of these countries claim to have reduced their oil imports from Iran to negotiate an exemption, falsely flagged tankers carrying Iranian crude likely com-

pensate for much of Iran's officially reduced trade.

U.S. lawmakers are drawing up even stricter sanctions legislation in an effort to track down more Iranian shell companies, but the U.S. administration is likely aware of the inadequacies of the sanctions campaign. In fact, while Congress is busy trying to expand the sanctions, the U.S. administration is rumored to be preparing a list of options by which it can selectively repeal the sanctions for when it sits down at a negotiating table with Iran.

## The Real Negotiation

While talk of sanctions has dominated headlines, a more subtle dialogue between Iran and the United States has been taking place. In an editorial appearing in U.S. foreign policy journal The National Interest, two insiders of the Iranian regime, Iranian political analyst Mohammad Ali Shabani and former member of Iranian nuclear negotiat-



An Iranian navy warship test fires a new long range missile during the Iranian navy military exercise near the Strait of Hormuz in southern Iran.

ing team Seyed Hossein Mousavian, communicated several key points on behalf of Tehran:

- The United States and Iran must continue to negotiate.
- Sanctions hurt Iran economically but by no means paralyze Iranian trade.
- Iran cannot be sure that any bilateral agreement made with the United States will be honored by a new administration come November.
- The United States must abandon any policy intended to bring about regime change in Tehran.
- Washington has few remaining options other than military intervention, which is an unlikely outcome.
- Iran can significantly increase pressure on the United States by, for example, threatening the security of the Strait of Hormuz, an act that would raise the price of U.S. oil.

Perhaps most important, they said, "the Islamic Republic is willing to agree on a face-saving solution that would induce it to give up the cards it has gained over the past years."

On June 27, the United States delivered an important message. U.S. Chief of Naval Operations Adm. Jonathan W. Greenert said during a Pentagon news conference that the Strait of Hormuz had been relatively quiet and that the

Iranian navy had been "professional and courteous" to U.S. naval vessels in the Persian Gulf. According to Greenert, the Iranian navy has abided by the norms that govern naval activity in international waters. Previously, armed speedboats operated provocatively close to U.S. vessels, but they have not done so recently, Greenert said. It is difficult to imagine Greenert making such a statement without clearance from the White House.

## Red Lines

When Iran began the year with military exercises to highlight the threat it could pose to the Strait of Hormuz, Stratfor laid out the basic framework of the U.S.-Iranian relationship. Both countries have defined their red lines. Iran raises the prospect of closing the Strait of Hormuz or detonating a nuclear device. The United States moves its naval carriers into the Persian Gulf to raise the prospect of a military strike. Both remind each other of their respective red lines, yet both stay clear of them because the consequences of crossing them are simply too great.

The situation calls for a broader accommodation. Over the past decade, Iran and the United States have struggled in negotiations toward such an accommodation. At the heart of the negotiation is Iraq -- a core vulnerability to Iran's western flank if under the influence of a hostile power and Iran's energy-rich outlet to the Arab world. The United States has tried to maintain a foothold in Iraq, but there is little question that Iraq now sits in an Iranian sphere of influence. With Iraq now practically conceded to Iran, the other components of the negotiation are largely reduced to atmospherics.

Iran's biggest deterrent rests in its threat to close the Strait of Hormuz. The leverage Tehran holds over the strait allows Iran room to negotiate over its nuclear program. Of course, the United States would prefer that Iran abandon its nuclear ambitions and will continue efforts to impede the program, but a nuclear Iran might in the end be tolerated as long as Washington and Tehran have an understanding that allows for the free flow of oil through the strait. Everything from the sanctions campaign to U.S. covert backing of Syrian rebels to the nuclear program becomes negotiable. As the Iranians put it, a path has been created for a "face-saving solution" that would allow both to walk away from the dialogue looking good in front of their constituencies, but would also require the sacrifice of some of the levers they have gained in the course of the negotiation.

With only four months until the U.S. election, it is difficult to imagine that this negotiation will reach the point of a strategic understanding between Washington and Tehran. However, one would be remiss to overlook the important confidence-building measures that are being communicated at a time when neither power wants to skirt its respective red lines, Iraq is more or less a moot issue and the United States is trying to redirect its focus away from the Middle East.

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