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Issue Brief

71st United Nations General Assembly Session (UNGA): What to Expect for Indian Occupied Kashmir (IOK)

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Prime Minister Muhammad Nawaz Sharif arrived at New York on September 19, 2016 on his most important visit to attend the 71st session of the UNGA. He will be making a forceful case to present the atrocities being committed by India in IOK.

The General Assembly is the United Nation's (UN) primary representative body that gathers 193 members on one platform to deliberate on all pressing issues, including those that could lead to war if left unattended. And Kashmir is top on the list of such issues, along with Palestine, but has remained unresolved since 1948, when the world body pledged to resolve it.

This raises the question that what role has the UN played in the Kashmir dispute over the past decades?

UN has been the most active in the Kashmir dispute and determined many years ago through resolutions that the people of IOK have the right to self-determination. UN began to formally address the Kashmir dispute in 1948 and formed the UN Commission on India and Pakistan (UNCIP) which adopted numerous resolutions on Kashmir declaring that final disposition of the Kashmir dispute was to be through impartial plebiscite under UN auspices. India initially backed the resolutions passed over Jammu and Kashmir. However by 1950, India changed its position and refused to accept any arbitration on Jammu and Kashmir, claiming the IOK as part of the Indian Union. However, the UN has repeatedly rejected any such disposition and discarded the elections in IOK unilaterally arranged by India.

Later on, unfortunately, international affairs overtook and limited the UN actions vis-a-vis Kashmir dispute. Since then, the UN has not done much for the resolution of Kashmir dispute other than urging India and Pakistan to negotiate.

Given the volatility of this region, where the two states have fought two full-fledged wars, UN has not been engaged actively over the past years and prioritize other international issues.

Pakistan has long sought UN intervention and always supported its mediation on Kashmir. Pakistan has always urged the international community, especially the UN, to actively engage with India to resolve the Kashmir dispute peacefully. India, however is a different story. India

has always opposed any kind of UN mediation over Kashmir and views the Kashmir dispute as 'settled' one.

The recent increased unrest across the Line of Control (LoC) over the past few years jolted the UN attention towards the Kashmir dispute. Pakistan, through several complaints against the Indian brutalities in IOK, registered the Kashmir dispute as the top priority issue in UN.

Prime Minister Nawaz Sharif in his 70th UNGA speech in September 2015 proposed a four-point peace initiative with India. The proposal suggested to formalize the 2003 understanding for a complete ceasefire and demilitarization of IOK. On the sidelines of session, the Prime Minister also urged the UN Secretary General Ban Ki Moon for a plebiscite in IOK.

However, despite appeals and condemnations from the UN, Kashmir dispute still awaits a solution.

What has happened in IOK since the 70th UNGA session is a bitter reality that awakened the world conscience.

IOK remains shut for 74th consecutive day. Indian Occupational Forces (IOF) had killed 104 innocent Kashmiris and injured more than 10,000 including 700 who have been rendered completely or partially blind due to use of pellet guns by IOF since July 8, 2016. Despite these atrocities, the popular fifth generation uprising against the Indian occupation, which began in early July, continues. Daily protests against the Indian occupation and brutalities have drawn world attention, making every human rights organization to demand access to the IOK. India, however, has rejected all such demands and also refused the UN fact finding commission to IOK.

What can one to expect from the 71st UNGA session?

One particular significance of this session is that it is the last session under UN Secretary General Ban Ki Moon, who is ending his second term after ten years as Secretary General. Ban Ki Moon has always appreciated Pakistan role for maintaining peace in the region and condemned the killings of innocent Kashmiris by IOF. He, in his recent statements, decried

deaths and offered UN mediation, that was again rejected by India. This demonstrates that nothing concrete is to be expected from departing Secretary General, except mere statements on human rights violations. The Secretary General would not impress upon India to hold a plebiscite.

Also, this time, the Kashmir dispute and Indian inhuman brutalities would find a special mention by the Prime Minister Nawaz Sharif at the UNGA. The Prime Minister will especially draw attention of world leaders to the recent Indian state-backed inhuman atrocities in IOK. The Prime Minister Nawaz Sharif will also engage in raising the Indian atrocities with heads of different states on the sidelines of UNGA.

The leadership of Pakistan and AJK together are raising a unified voice to draw the world attention to the recent humanitarian crisis in IOK.

At the sideline of UNGA, Organization of Islamic Cooperation (OIC) Contact Group on Jammu and Kashmir held a meeting on September 19. AJK President Sardar Masood Khan accentuated the situation in IOK and called upon OIC to;

- a) condemn the brutalities in IOK
- b) call upon India to repeal draconian laws enforced in IOK
- c) urged UNOCHA and other related bodies to explore the possibility of humanitarian corridor in IOK
- d) call on OIC Secretary General to convey the gravity of the situation in IOK to UN Secretary General and UNSC President
- e) urge UN to built Indian accountability for the brutal use of force
- f) help create an atmosphere for engagement between Pakistan, India and people of IOK to explore for lasting solution of Kashmir dispute.

Members of the OIC group have expressed their complete solidarity with the noble struggle of the people of IOK and reaffirmed their resolve to remain the voice of Kashmiris at the international stage.

While the 71st UNGA session would not resolve the Kashmir dispute overnight, however, such moves to highlight the Kashmir dispute and human rights violations by India at every forum at UNGA and on the sidelines are very significant to bring the plights of Kashmiris to the world attention. Such proactive projection of suffering of the people of IOK and Kashmir will make the world conscience realise that Kashmiris lives matters and need their immediate attention.