



OIC REPORT ON KASHMIR HIGHLIGHTS PLIGHT OF KASHMIRI PEOPLE

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The Organization of Islamic Conference (OIC) released its report on Kashmir titled “Report of the OIC-IPHRC Fact Finding Visit to the State of Azad Jammu and Kashmir to Assess Human Rights Situation in the Indian Occupied Kashmir” in October 2017.

The report came after a three-day visit from 27-29 March, 2017 by members of the OIC Independent Permanent Human Rights Commission to Azad Jammu and Kashmir led by its Chairman, Mr. Med Kaggwa.

During their visit, the Commission members met Kashmiri refugees from Indian held Kashmir, the victims and the witnesses, victims of Indian firing and shelling from across the line of control, members of media and civil society and other senior and relevant government officials.

The reports recognizes Kashmir dispute as one of the oldest internationally recognised disputes on the agendas of the Organisation of Islamic Cooperation (OIC) and United Nations Security Council (UNSC). The dispute has two dimensions: territorial and humanitarian (human rights abuses), and it is the latter aspect that this report deals with. The report finds that more than 94,000 Kashmiris have been killed by the Indian Security Forces since 1989. Out of these 94,000, more than 7,000 persons have been killed in Indian custody. More than 107,000 structures have been destroyed. More than 22,000 women have been widowed. Some 105,000 children have been orphaned, and more than 10,000 women have been raped and molested by Indian military and paramilitary troops. The report also deals in detail with the new phenomenon of half-widows. Half-widows is a phrase

used for the wives of men who have been missing for over 10-20 years and nobody knows whether they are alive or not. The report also speaks about the presence of more than 6000 unmarked mass graves.

The report, while quoting a number of reputed international human rights organisations like Amnesty International, specifically deals with the use of pellet guns by Indian Security Forces that has resulted in more than 7000 people being injured. Worst, 200 of these 7000 people have lost their vision which includes children between the ages of 5-16.

The report then goes on to discuss the political dimension of the Kashmir problem. According to the report, the right to self determination of the people of Jammu and Kashmir is accepted and upheld by the United Nations through its resolution numbers 47, 51, 80, 91, 122 and UN Commission on India and Pakistan Resolutions of August 13, 1948 and of January 5, 1949 which clearly states that the dispute would be settled according to the wishes of the Kashmiri people. Hence, the denial of this right to self determination to the Kashmiri people by India is a serious breach of international law.

The report also touches upon the issue of extrajudicial killings and fake encounters in Indian Occupied Kashmir. While going into the details of laws like Armed Forces Special Powers Act (AFSPA) and Public Safety Act (PSA), the Commission came to the conclusion that these laws are discriminatory and encourage impunity. In fact, the Amnesty International had called these laws as "lawless laws".

Another very serious issue that this report highlights is the Indian government's efforts to bring about the demographic changes in the Indian-held Kashmir and convert the Muslim majority of the State into a minority. The OIC fact finding mission found that these fears are not baseless as in 2014, an Indian Parliamentary committee suggested settling of refugees who had migrated from West Pakistan in 1947 in Indian held Kashmir. The Indian government also announced the decision of setting up Sainik colonies to permanently settle Indian soldiers and build townships to settle displaced Kashmiri Pandits.

The report also deals with the issue of ceasefire violations across the Line of Control (LoC). According to a documented figure that was provided to the OIC mission by the officials of Azad Jammu and Kashmir government, in 2016, Indian forces continued to violate ceasefire agreement that resulted in the deaths of more than 46 civilians and wounded 145. Villages and populated areas are the deliberate targets of Indian forces.

The Commission concludes its report by admitting the fact that the Kashmir dispute is not only a question over territorial jurisdiction between India and Pakistan, but it also concerns the future of millions of people and their right to self determination. The Commission expressed its deep concerns over human rights violations and specifically asked India to allow all international organisation to verify the situation on ground through independent fact finding missions. The Commission hoped that the Government of India would allow IPHRC to visit Indian Occupied Kashmir to assess the situation objectively and independently.

While making certain recommendations, the Commission report insists that the UN has a responsibility to protect and promote the rights of the people of Jammu and Kashmir, and enabling them to exercise their right to self-determination. The report requests the UN to impress upon Government of India to put an end to the human rights violations, facilitate holding of an independent investigation into all human rights violations, urge India to repeal black laws like the Armed Forces Special Powers Act (AFSPA) and Kashmir Public Safety Act (KPSA), implement UN resolutions so that people of Jammu and Kashmir can exercise their right to self determination, and block Indian Government's efforts to change the demography of Kashmir. The Commission also hopes that both India and Pakistan would resume their dialogue process at the earliest. It also insists that the Government of Pakistan should continue providing moral and diplomatic support to the Kashmiri people.

The OIC report highlights the plight of Kashmiri people and invites the attention of international community to this very serious issue. At the same time, this report also indicates that the world community believes that the resolution of Kashmir issue is absolutely imperative for peace and security in the region. This report also contradicts Indian claims that Kashmir is an integral part of India and all problems in the Valley are India's internal affairs.