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Report - Seminar

“UN Report: The International Community Awakens to Human Rights Violations in IoK”

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Pictures of the Event





The Institute of Strategic Studies Islamabad (ISSI) organized a seminar on July 31, 2018 entitled “*UN Report: The International Community Awakens to Human Rights Violations in IoK*”. Sardar Masood Khan, President of Azad Jammu and Kashmir was the Keynote Speaker at the event. Other speakers included: Mr. Riaz Khokhar, Ambassador and former Foreign Secretary, Mr. Imtiaz Ahmed, Additional Secretary Asia Pacific at the Ministry of Foreign Affairs, and Mr. Ahmed Qureshi, Executive Director, YFK-International Kashmir Lobby Group.

Welcoming the speakers and guests to the seminar, Ambassador (R) Aizaz Ahmad Chaudhry, Director General, ISSI, introduced the recent UN report on the situation of human rights violations in Kashmir. He highlighted that the Kashmir cause is central to Pakistan’s foreign policy, and that the people of Pakistan and Kashmir remain connected to each other “through lasting bonds of history, culture, and faith”, asserting that “what ails Kashmiris hurts Pakistanis and vice versa”. Ambassador Chaudhry noted that the people of Kashmir have been fighting for their right to self-determination to guide their destiny for seven decades, and despite countless conferences, seminars, and resolutions, India has refused to listen to voices of reason and the voices of the international community. Instead, India continues to subjugate by force, forgetting that freedom-loving people cannot be suppressed forever. Quoting the American President Abraham Lincoln, he said that “those who deny freedom to others deserve it not for themselves.” Ambassador Chaudhry said that the blatant use of force by India has failed to weaken the resolve of the people of Kashmir, who have for generations been struggling for their rights. Discussing the report, he noted that since 2016, the struggles have represented more people, as younger and middle class and female protestors had come to the fore, and the last few years have been particularly harsh. Despite this grave situation, he lamented that the international community has for long been unable to take note of the brutalities in Kashmir, so that India has gotten away with its high-handed approach. Now, however, the international community is belatedly waking up, and this report is a reminder that the circumstances in Kashmir are grim. Ambassador Chaudhry hoped that this seminar resonates the voices that stand up for the people of Kashmir and exposes the human rights abuses that they face.

Mr. Imtiaz Ahmed, Additional Secretary (Asia Pacific) at the Ministry of Foreign Affairs, gave a brief description of the UN report and its importance for Pakistan. Calling it a “major diplomatic breakthrough for Pakistan”, he said that report was a defining and watershed moment as it

recognized the systematic and state-sponsored human rights violations in Kashmir. By doing so, it validates Pakistan’s repeated claims of the atrocities carried out by Indian forces. In its content, scale, narrative of killings and abuses, he emphasized, the UN report re-affirms what Pakistan has long been highlighting at multiple forums. Mr. Ahmed outlined some of the issues raised in the UN report regarding brutality against innocent Kashmiris, including the draconian Armed Forces Special Powers Act (AFSPA) and the Public Safety Act (PSA) that obstruct law and justice, as well as issues of detentions, use of rape as an instrument of suppression, torture, violations of rights of health, property and education, and suspension of internet services by Indian occupation forces to prevent the voices of Kashmiris from reaching the international community.

Mr. Ahmed noted that in the aftermath of the report, Pakistan had welcomed its recommendation of establishing a Commission of Inquiry, which is in line with Pakistan’s call for an independent Fact Finding Mission. India, he continued, had not only rejected the report, but was also indulging in a malicious campaign against it by distorting facts and figures. He said that the report, by unveiling the human rights abuses in IoK, had caught India off guard. In fact, Mr. Ahmed continued, India’s intensified violence in the wake of this report is another testament of India’s restiveness over its publication. He mentioned the brutal assassination of the Kashmiri journalist Shujaat Bukhari just hours after his tweet on the report. Other indicators of the escalation of Indian oppression include Governor-rule in IoK, the house arrests of Hurriyat leadership, and anti-terrorism operations.

Mr. Ahmed further highlighted that the UN Commissioner on Human Rights had written an article in an Indian newspaper to defend the report in the face of a fierce Indian reaction, but India continued to question its validity. He welcomed the UN Secretary General’s response to this situation that this report needs to be respected. But India only stooped lower and carried out mud-slinging against senior UN officials for exposing its human rights violations. Mr. Ahmed reminded the audience that the Office of the Human Rights Commission has issued a press release expressing its disappointment at India’s malicious reaction to the report, and reiterated its desire for ending human rights violations. This, he noted, is an important recognition for Pakistan and a setback for India. The Ministry of Foreign Affairs subsequently has been working to highlight the report and counter Indian propaganda against it. Mr. Ahmed concluded by

asserting that the international community needs to fulfil its promises made to Kashmiris, and called for an independent comprehensive examination of Indian atrocities in IoK through a Fact Finding Mission or Commission as recommended by the UN report.

The second speaker at the seminar was Mr. Ahmed Qureshi, Executive Director, Youth Forum for Kashmir (YFK), a Kashmir Lobby Group working for peaceful resolution of the conflict in Kashmir in accordance with UN principles. Celebrating the “really momentous report” as it justified the work of human rights activists working for Kashmir’s freedom from oppression since the last UN resolution in 1957, he noted that the excitement following the report since it covers issues that the world had forgotten about. One example, he mentioned, was that the report went back to events in February 1991 when the entire world had been busy with the intervention in Kuwait and had ignored the brutal oppression of a small village where overnight almost all the women were raped by Indian soldiers in Kashmir. This shocking incident, Mr. Qureshi highlighted, had been mentioned in the report briefly but in vivid detail, and the women of the village can finally believe they will get justice as the UN had recognized their plight now.

Mr. Qureshi further highlighted that even though the UN report dealt with Pakistan too, Pakistan had welcomed it and there had been a lively debate in the country. In this regard, Pakistan showed “a big heart” by agreeing to give complete access to the UN in any future investigation, showing its magnanimity. Mr. Qureshi praised the dynamic nature of the country’s diplomacy – asserting that he felt that Pakistan would stick to existing principles of diplomacy and only reciprocate and grant access to the UN if India did the same. He expressed his happiness as a human rights activist that this had been a major shift by Pakistan. This, he felt, needed to be highlighted as this was a major development and shift for the country.

Regarding India, Mr. Qureshi noted that India had compounded the problems in Kashmir. It already faced the UN resolution calling for plebiscite, but had now an added issue of an international investigation. He suggested that the conflict could have been resolved decades ago politically, but by making Kashmir a humanitarian problem as well, India had only created more problems. He asserted that these were views that he shared with human rights activists in Kashmir as well.

Mr. Qureshi also lauded the lively debate in Pakistan following the publication of the report, and

recommended that politicians and the media in the country adopt changes in their work and language. Previously they had been repeating that the international community was ignoring Kashmir, but this is no longer the case as there is engagement with Kashmir in the international media all over the world. Mr. Qureshi also felt that Pakistan had paid a heavy price for standing by Kashmir and Kashmiris, and was optimistic that the strengthening of democracy in the country could lead to Pakistan reclaiming its international position – after all, he noted, it was one of the creators of the existing international economic and political order. That the UN may now pass a resolution to create and authorize a team to conduct an investigation was a huge diplomatic battle, he asserted, as he praised the tough and effective Pakistani diplomats at the UN.

Mr. Qureshi concluded his remarks by highlighting the work, responsibility, and sacrifices of human rights defenders and activists in Kashmir, and suggested that the US had a key role to engage with such individuals and for this, better Pakistan-US relations should be followed. He congratulated Pakistani diplomats, crediting them for the hard work of turning the attention of the international community towards IoK, and noted finally that the real heroes remain the young Kashmiris who were finally witnessing Kashmir becoming an important issue at international platforms.

Ambassador Riaz Khokhar, former Foreign Secretary of Pakistan, as well as a High Commissioner to India, began his discussion by welcoming the UN report and complimenting the Ministry of Foreign Affairs, human rights activists, and other institutions and individuals who had made it possible for the Human Rights Commission to write and publish the report. He criticized India for not just trashing the report but also accusing the Chairman of the HRC, Riaz Hussaini, of being a jihadist and being motivated, and even implying that perhaps the military intelligence had encouraged him. All of this, Ambassador Khokhar emphasized, was unacceptable, and yet it was coming from the Deputy Permanent Representative of India in New York who was an accomplished diplomat, as well as an objective international civil servant. Commenting that India had much to hide since it had continued seven decades of illegal military occupation and “absolutely unrestrained repression” in Kashmir, he also noted that this had started even before partition by Maharaja Hari Singh who had started a massive genocide of Muslims.

Ambassador Khokhar related his personal experiences of meeting numerous Kashmiris during his stay in India for a decade, and listening to their tales of oppression. He recounted that Kashmir has some 700,000 Indian troops, a massive intelligence network, and no restraint is shown by the oppressors. Villages are burnt and rape is common, while the international community remains without a conscience. The same is the case with the plight of Palestinians, he added, where too their conscience is not as alive as in lands where Christians are a majority. He highlighted that there is not a single family in Kashmir that has not experienced repression of some sort- either in the form of killings, injuries, or rapes.

Moving on to what Pakistani political parties have discussed about Kashmir in their manifestoes, Ambassador Khokhar noted that the PTI has identified Kashmir as a problem with India. He further questioned the contribution of the Kashmir Committee of the Parliament, and asserted that a stronger commitment to Kashmir is required, with all political parties coming to a national consensus on the issue as there cannot be different voices on it.

Ambassador Khokhar remarked that the UN report had been widely welcomed in Kashmir, as their voices had finally been raised. But he cautioned that this needed to be the beginning and not the end, suggesting that the Ministry of Foreign Affairs has a huge responsibility to mount a major campaign all over the world to see that eventually the Commission recommended by the report is formed. He also noted that the media has a role to play by highlighting the report, which he lamented had not been the subject of many articles or editorials. He expressed his hope that the media focuses on the issue and strengthens the hand of the Pakistan government by doing so. Highlighting recent incidents, Ambassador Khokhar raised the issue of the assassination of the journalist, Shujaat Bukhari, under strange circumstances. He reminded the audience of a televised event in which Bukhari had bravely said that there was alienation in Kashmir, resentment towards the military occupation, and even hatred of India. Two weeks after this event, he was dead.

Moving on to the issue of propaganda that Pakistan funded or supported armed groups in Kashmir, Ambassador Khokhar encouraged the media to also counter such narratives, and also recommended the use of correct language – such as calling them freedom fighters and not militants. After all, he noted, prominent Indians such as Arundhati Roy had also raised voices for

Kashmir and said it was under military occupation and that the people needed their rights. As for Pakistan, he said that the responsibility lies with the country to keep this issue alive and mobilize the Kashmiri diaspora to ensure this.

Ambassador Khokhar ended his talk with a brief discussion of the reaction of the world to the UN report, mentioning that while there has been some support from OIC countries, many western capitals had not commented on it. Here again, he suggested that Pakistani missions abroad and its Ministry of Foreign Affairs had a huge task to encourage and convince them, work with human rights organizations, and provide whatever support they can to keep this cause alive. This was also since, he concluded, Pakistan needed to ensure that mixed messages are not given to Kashmiris – such as in some backchannel discussion – but rather, there should be clear positions on Kashmir, and talks on the basis of dignity, since war is not an option.

In his keynote address, President of Azad Jammu and Kashmir, Sardar Masood Khan, a former Ambassador to UN and also former Director General ISSI, thanked the organizers for the initiative on behalf of the people of AJK and IoK. However, he cautioned, even as the Ministry of Foreign Affairs had called the UN report a breakthrough, it had not been given as much attention as it should have. This was, he continued, a show of great courage by Ambassador Zaid Hussain, the Human Rights Commissioner, as the UN bureaucracy is infested with Indians and Indophiles, so that it was a “Herculean task to get this report published”. And with the Secretary General also owning the report, it now belonged to the UN and the international community, which was finally breaking its pattern of silence on Kashmir – for which President Khan thanked the Secretary General and the Human Rights Commissioner. After all, even as the UN had made pronouncements on other regions where human rights were violated, the “massive, gross, and consistent” violations in Kashmir had largely been ignored. With this report, there was also another merit as it comes from a neutral body, while its methodology also shows that it was based not on direct observation, but remote monitoring since the Indians did not allow a fact finding mission that Zaid Hussain had proposed much earlier.

Listing the contents of the report, including the massive human rights violations, the culture of impunity, lack of justice, administrative detention in which one can be arrested and detained for two years without any charge or without being presented to a court or trial, excessive use of

force, all kinds of killings (extrajudicial, custodial, fake encounters), and the use of pellet guns, President AJK, Masood Khan noted that this is a text book of human rights violations. And the list goes on to include things such as torture, arbitrary arrests of children, violations of the rights health and education and freedom of expression, reprisals against human rights defenders, and the use of sexual violence as an instrument of war. All of this violates several key international covenants and agreements, including the Universal Declaration of Human Rights and the Charter of the UN, he continued, as well as conventions protecting civil and political rights and condemning torture. The Indian occupation of Kashmir thus ignores all norms of international law.

Lauding the very “weighty and solid recommendations” in the UN report, President Khan noted that the HRC should certainly establish a Commission of Inquiry to examine the crimes listed in the report. And while the report asks India to repeal the AFSPA and amend the PSA, he recommended that the PSA also be rescinded since it was as draconian. This had earlier been also established by Amnesty International that had called the PSA a lawless law, which empowers the occupation forces to commit crimes. He asserted however that the report’s recommendations that India should start investigations and prosecute criminals, and that it should release people under detention, will never be implemented.

Expressing his appreciation of the clarity of the UN report, President Masood Khan noted that the facts it detailed were only the tip of the iceberg, since what the 700,000 occupation forces are doing in India is ethnic cleansing, genocide, and war crimes. He analyzed that as a country that desires to be part of the Security Council, India in committing these crimes is deluded by two logics. The first is the “logic of the occupier”, in which the occupier simply occupies a land and calls it his own – as was the case with Hitler who occupied Poland, and following this everything that he did became legal and all that the Polish did became illegal. This process is evident in India as well, as the country’s constitution simply calls Kashmir a part of India and then carries out such atrocities based on this claim.

The second logic, he continued, is that of a colonial power. President Masood Khan explained this through a conversation between a British officer and Mahatma Gandhi, in which the former said that if the British leave India; Indians would not be able to resolve their problems. Gandhi

had replied to this that they will be “our problems” and we will resolve them, and that one way or the other the British will have to walk away one day because the land does not belong to them, and the 100,000 British people living in India would not be able to solve the problems of 350 million Indians who have their own problems. President Khan gave this same message to Indian Prime Minister Modi and the occupying forces in Kashmir – that they will have to walk out of Kashmir as the slogans there are ‘Go India, Go Back’ and ‘We want Freedom’. The Kashmiris will simply not accept India’s illegitimate rule.

President Masood Khan asserted that the most significant statement demands that India fully respects the right to self determination of the people of Kashmir as protected under international law. Calling this a seminal, strong, compelling statement by the UN, he elaborated on four constructs of self-determination: as a supreme human right; as a right associated with sovereignty; as *erga omnes* i.e. if self-determination is available to people of other places, it should be available to all people including in Kashmir; and *jus cogens*, which is the peremptory international law. He further noted that in 1995 the International Commission of Jurists had asked two questions in a report: have the people of JK acquired the right to self-determination, which it responded with a ‘yes’, and secondly if they had exercised this right? In this case, the answer was in the negative. This, he contended, had to be understood especially by Pakistanis who sometimes are very generous and large-hearted in offering proposals to the other side before India has made any concessions.

President Khan then proceeded to give his views on the role of the international community regarding Kashmir in the recent past, which had been driven by *realpolitik*, which meant commerce without conscience and a moral blindness towards Kashmir. Lucrative deals with India are sought, as are strategic relationships, as the idea is that this will decelerate the rise of China.

Reiterating his appreciation of the UN’s report, President Khan nonetheless emphasized that it had been too cautious and hesitant an institution when it came to Kashmir, and had always tried to create an artificial balance between India and Pakistan. In the process, Kashmiris disappear from the radar as if they do not exist, and people tend to look at Kashmir through the prism of Delhi and not as an independent entity. He requested the UN in this context to side with the

victims, be a little less neutral, as morals and values should guide judgments, rather than *realpolitik*. After all, the UN should be above *realpolitik*.

The people of Kashmir, and Pakistan as well, demand an end to the repression at the hands of the Indian occupied forces, noted President Khan. India is under the mistaken impression that they can intimidate and subjugate Kashmiris through use of state terrorism but they cannot succeed in this. Rather than availing the ample opportunity to integrate Kashmir into the Indian Union in the seventy years of occupation, he continued, they have only used coercion, demonized people as militants and terrorists, tried to isolate Pakistan, and recruited their own supporters in Kashmir. All of these tactics have failed, however, because the land does not belong to India. Moreover, he noted, India continually harps on this theme and misleads the international community that Kashmir is a bilateral issue between India and Pakistan, and itself has no role in resolution. He reminded the audience that in 2016, when Sartaj Aziz was going to New Delhi, he expressed his intention to meet Kashmiri leaders and Sushma Swaraj had objected and said that this is an issue between India and Pakistan, and Kashmiris have nothing to do with it – as President Khan asked emphatically, can there be a bigger oxymoron than this in the history of politics? In fact, he continued, there are three parties to the dispute as the Kashmiris are key constituents who have to determine their own political dispensation as sovereign people, and choose between India and Pakistan in accordance with the UN resolutions.

President Khan also asserted that Kashmiris are not terrorists by any yardstick. As one Major General of the Indian occupation services himself stated last year, there were 250 militants in IoK, and this year they claim to have reduced the number to 150. This, President Khan noted, is despite their 700,000 armed forces. Moreover, he continued, the notion they themselves portray is that the LoC is impenetrable and the strongest in the world with land mines, thermal imagining, monitoring through remote sensors, and electronic surveillance so that not even a bird or animal can traverse it and if a person from AJK or Pakistan traverses it, he will be removed in the hinterland. After all this, what terrorists are they talking about, he asked, when it is officially recognized that militancy has dwindled.

Proceeding to discuss the situation of AJK, President Khan highlighted that there is nothing to hide in the region as there are no extrajudicial killings, custodial killings, enforced

disappearances, arrests, or torture, while dissent in press conferences, in universities and colleges, is tolerated. In fact, he noted that we have something to showcase: we are right now focused on good governance and economic development of the entire territory - AJK is the most literate region in the whole of Pakistan, and any delegation from the HRC is welcome to visit the region, as indeed several foreign politicians, lawmakers, academicians, and journalists have been doing, since there is nothing to hide in AJK.

On this note, President Khan also reminded the audience of the six-point agenda he had introduced when he had become the President of AJK. This included the following:

1. Pakistan should demonstrate unity and reduce confusing voices. There is a need to go back to the UN and to the world parliaments and civil society to build some pressure and let go of counterproductive back channel dialogues, which have not worked because of the bad Indian policy and refusal to talk to Pakistan.
2. The strength of the diaspora needs to be enhanced.
3. The immense power of traditional, as well as new and social media needs to be used.
4. Pakistan should be made a strong nation, which will then have a guarantee of success in the realization of the right to self-determination of Kashmiris. A weak Pakistan in terms of economy and security cannot guarantee such an outcome.
5. The Indian civil society should be reached out to, with individuals such as Arundhati Roy and Pankaj Mishra engaged with. India has a strong lobby in Pakistan but Pakistan does not have a countervailing lobby in India. There will not be any instant success in this, but we need to move in that direction.
6. There is a need to set up peace tables in different places, and India should not be allowed to block dialogue.

Before ending his discussion, President Masood Khan encouraged the people, especially the youth, to disseminate, including online on social media spaces, and reiterated the need to go back to the international community as bilateral channels cannot currently be relied upon. He also appealed to all political parties to use their platforms to highlight the issue of Kashmir, who are

fellow citizens of Pakistanis being brutalized by Indian forces. After all, as he concluded, “Pakistan is incomplete without Kashmir” because of the security that Kashmir provides Pakistan, including AJK, as well as because of the presence of 700,000 troops of India, and because of water, and of economic artery of CPEC. Moreover, the people of Kashmir had said almost a month before partition in 1947 that they will accede to Pakistan. Kashmir too then has no identity without Pakistan.

The discussions were followed by a lively and engaging Question and Answer session with the audience.

Responding to a question about the potential and inadequacy of media, and conferences and seminars on the issue of IoK, Mr. Ahmed Qureshi cautioned that these should not end as he explained from his experience of working with young Kashmiris that such events boosted their cause. President AJK Sardar Masood Khan also highlighted the role played by several television channels in this regard in Pakistan. He additionally noted that it was the end result of all this movement and engagement that the international community had belatedly begun to take notice of Kashmir. Previously, he suggested, people could only whisper on several platforms as they were afraid of India, which manipulated and threatened to cancel contracts, but people had started to speak up now. As an example, he pointed to the All Parties Parliamentary Kashmiri Group in the European Parliament which will also come out with its report soon, including the key recommendation that AFSPA and PSA be rescinded.

Speaking about the Kashmir Committee of the Parliament in his answer to another question, President Khan said that it is not wise to speak of the Committee alone since its very charter is limited. The entire state machinery has to be involved in working for the cause of IoK with full vigour.

When asked another question about whether Pakistan had refused to allow the UN HRC team from visiting AJK, President Khan replied that this was incorrect information and in fact that Pakistan had earlier readily allowed access but there then emerged the risk that perhaps a report would only be published on AJK and not IoK, where actual human rights violations were taking place. This is why conditionality was inserted, as Pakistan did not want a situation where they would face a UN report and India would not.

In another answer on the question of the legality of pellet guns and the definition of “lethal” in international law, President Khan noted – citing a report by the Physicians for Human Rights – that pellet guns are indeed lethal, and there is unanimous agreement in this. Moreover, four principles were not being observed - proportionality, necessity, necessary precaution, and distinguishing between combatants and non-combatants – so that there was violation of all human rights rules and laws when it came to the use of pellet guns by the occupying forces.

Regarding a question about whether a weakened Pakistan will also weaken Pakistan’s position on Kashmir, DG ISSI Ambassador Aizaz Chaudhry opined that strength and weakness is often a state of mind. Reminding the audience about a historical event, he noted that when in May 1941 Germany had already captured Holland and Belgium, run over a large part of France, and it was a matter of moments before they could attack London, leading to Winston Churchill hurriedly being made the Prime Minister amid despondency and calls to talk to Mussolini to have a peace deal with Hitler, it was Churchill who saw in the streets that the Britons were actually ready to fight. As a result, Ambassador Chaudhry noted, quoting Churchill, “success is not final, failure is not fatal, it’s the courage to continue that counts.” Kashmiris, he noted, have had courage for three generations, and Pakistan also helps them.

Responding to another question on whether Pakistan had failed regarding Kashmir, President AJK Masood Khan emphatically replied in the negative, noting that India had tried everything to silence Pakistan but it had not succeeded for seventy years. Pakistan had not abandoned Kashmir, and stands on the issue where it stood in 1947 as the people of Pakistan have not allowed their rulers to budge on this matter. Indeed, he noted, it is because of Pakistan that this issue is alive and Pakistan is the “sovereign window of Kashmiris to the international community”.

Regarding a question about the new incoming Prime Minister of Pakistan, and what he should be expected to do regarding IoK, President Khan reiterated that there is a need to go back to the drawing board and do some reflection and introspection and see what has and has not worked so far, and then peer into the future and come up with a strategy with a distinct international orientation.

Following the interactive session, Ambassador (R) Khalid Mahmood, Chairman of the Board of

Governors of the ISSI gave his closing remarks.

Ambassador (R) Mahmood highlighted the plight of the Kashmiri people as well, who have for over seventy years been struggling to exercise their right to self-determination, an inherent right well-established in international law and reaffirmed in the UN Charter and several human rights conventions, as well as UNSC Resolutions. He pointed to the frustration of the people in their legitimate struggle and resistance to Indian occupation, while India's response has been brutal and barbaric, resulting in the deaths of some 1 million innocent people, and the maiming and injuring of others. Calling this a “horrendous tale of repression” marked by rape, torture, detentions, encounters, missing persons and massive human rights violations consistently carried out by over 700,000 Indian military and paramilitary personnel, Ambassador (R) Mahmood noted that it is due to this that the *Washington Post* has described IoK as a “cage called Kashmir”. Similarly, the *New York Times* has described the year 2016 as an “epidemic of dead eyes” due to the indiscriminate use of lethal pellet guns.

He noted that while the state of affairs is not new, it has entered a new phase since Burhan Wani’s martyrdom in July 2016. What is also new, he continued, is that the human rights abuses have now been verified and acknowledged by the UN, as this is no longer an accusation by Pakistan against India but a report by the UN itself. He also highlighted two main recommendations of the UN report: the establishment of a Commission of Inquiry for an independent international investigation of the violations of human rights in IoK, which has long been Pakistan’s demand, and the even more fundamental recommendation that India should fully respect the right of self-determination of the people of Kashmir as protected under international law.

This, he emphasized, is matter of immediate concern and should be addressed urgently. After all, as he listed why this is the case, the right of self-determination is enshrined in the Charter of the UN, it is part of some 28 commissions and resolutions to which both India and Pakistan are party, it is an inherent right that applies to Kashmir dispute even if there was no UNSC resolution, so it is not contingent on the UN. Moreover, UNSC resolutions do not lapse with the passage of time and remain valid till they are implemented or rescinded by the Security Council itself. He also noted that the struggle for the right to self-determination cannot be called

terrorism, and reminded the audience that its sustainability and durability in the face of Indian oppression should show it is an indigenous struggle in IoK. Finally, he noted, the people of Kashmir should be equal partners in any effort for resolution of their issues, and emphasized and elaborated on a point that had earlier come up in the seminar as well: that 45 hitherto bilateral parleys at the summit level have failed to resolve the Kashmir dispute and not borne any fruit - meaning that bilateral negotiations are not a panacea. Rather, they are only one method of peace in addition to other peaceful means such as arbitration, mediation, judicial settlements.

Ambassador (R) Mahmood cautioned that the response of the international community has been un-edifying as narrow strategic aims have taken precedence, while in order to reach an early solution, the aspirations of people of IoK should be sought – not doing so would be irresponsible as this conflict involves two nuclear powers. He concluded his comments, and the proceedings of the day, by aptly recalling what Martin Luther King Jr. had said: “The ultimate tragedy is not the repression and the cruelty by the bad people, but the silence over that by the good people.”