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Report- Seminar

Human Rights, Youth and the Issue of Jammu and Kashmir

May 11, 2016



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Pictures of the Event





Seminar on Kashmir

Human Rights, Youth and the Issue of Jammu and Kashmir

May 11, 2016

Institute of Strategic Studies, Islamabad

0930-1000 hrs: Registration

Inaugural Session:

- 1000 hrs: Recitation from the Holy Quran
- 1005 hrs: Welcome Remarks:
Ambassador Masood Khan, DG, ISSI
- 1010 hrs: Inaugural Address:
Sardar Mohammad Yaqoob Khan, President AJK
- 1020 hrs: **Honourable Maulana Fazal-ur-Rahman,**
Chairman, Special Committee of the Parliament on Kashmir
- 1027 hrs: **Honourable Senator Raja Zafarul Haq**
- 1034 hrs: **Honourable Dr. Attiya Inayatullah**
Former Federal Minister, and Chairperson, Jammu and Kashmir Women for Peace
- 1041 hrs: **Mr. Ghulam Muhammad Safi,**
Convener APHC
- 1048 hrs: **Dr. Samia Raheel Qazi,**
Head of Foreign Affairs, Women's Wing, Jamaat-i-Islami, and Member, Council of Islamic Ideology
- 1055 hrs: **Honourable Senator Lt. Gen. (Retd.) Abdul Qayyum**
- 1102 hrs: Address by the Chief Guest:
Honourable Lt. Gen. Abdul Qadir Baloch,
Federal Minister for States and Frontier Region

1112-1130 hrs: Tea Break

Interactive Roundtable Discussion:

1130-1330 hrs:

Participants:

Video of Prof. SAR Gilani, Delhi University, New Delhi

- **Dr. Syed Nazir Gilani**, *Secretary General, Jammu & Kashmir Council for Human Rights*
- **Shaikh Tajjamul Islam**, *Director, Kashmir Media Service*
- **Mr. Mohammad Farooq Rehmani**, *Senior Leader APHC*
- **Dr. Maqsood Jafri**, *Chairman, Kashmir Think Tank,*
- **Mr. Ahmed Quraishi**, *Executive Director, Youth Forum for Kashmir*
- **Ms. Shaista Safi**, *Manager Programs, Youth Forum for Kashmir*
- **Mr. Mahmood Ahmad Saghar**, *Senior Leader, APHC*
- **Mr. Mohammad Rafiq Dar**, *Spokesman, JKLF*
- **Syed Yusuf Naseem**, *Leader, APHC-AJK*
- **Mr. Ershad Mahmood**, *Columnist*
- **Mr. Altaf Hussain Wani**, *Senior Leader, APHC*
- **Saiyyed Abdullah Gilani**, *Senior Vice Chairman, KFF, APHC*
- **Mr. Javed Rana**, *Director General, Pakistan House*

1320 hrs: Concluding Remarks:
Ambassador Khalid Mahmood, Chairman BoG, ISSI

1325 hrs: Vote of Thanks and Conclusion:
Ambassador Masood Khan, DG, ISSI

Human Rights, Youth and the Issue of Jammu and Kashmir

The Institute of Strategic Studies, Islamabad (ISSI), organised a seminar on "Human Rights, Youth and the Issue of Jammu and Kashmir" on May 11, 2016. President Azad Jammu and Kashmir, Sardar Mohammad Yaqoob made the Inaugural Address, while Lt. Gen. Abdul Qadir Baloch, Federal Minister for State and Frontier Regions was the Chief Guest at the occasion. The seminar was also addressed by a number of distinguished speakers including Maulana Fazal-ur-Rahman, Chairman, Special Committee of the Parliament on Kashmir; Senator Raja Zafarul Haq; Senator Lt. Gen. (Retd.) Abdul Qayyum; Mr. Ghulam Muhammad Safi, Convenor All Parties Hurriyat Conference (APHC); Dr. Samia Raheel Qazi, Head of Foreign Affairs, Women's Wing, Jamaat-i-Islami, and Member, Council of Islamic Ideology; and Dr. Attiya Inayatullah, former Federal Minister.

In his welcome remarks, Director General ISSI, **Ambassador Masood Khan** said that Kashmiris have been subject to atrocities since 1948. However, ever since 1990s, human rights violations have increased multi-fold. Every man, woman and child is suffering. The youth in Indian Occupied Kashmir (IOK), has especially been victimised by the Indian occupied forces.

The recent resistance movement is indigenous. It was started by the youth against the Indian aggression. Since the anniversary of Afzal Guru at Delhi University in early 2016, it has generated a new enthusiasm for the right of self-determination in IOK.

Pakistan's involvement in the movement is non-existent. In fact, Pakistan's efforts for its support to Kashmir cause of self-determination are threatened by the application of calculated strategies by India at various international, regional and national forums. The non-state actors in Baluchistan, FATA and Karachi are given support to carry out terrorist activities inside Pakistan. Vulnerable political and social forces within Pakistan are also being pressurised to withdraw their support to the Kashmiri cause. Some of the leaders are even publically apologetic while talking about Kashmir.

Kashmir is central to Pakistan's foreign policy and it can never withdraw from its demand; neither at international level nor in the bilateral dialogue with India.

India is of the view that there are only two parties to the conflict, whereas Pakistan insists that the issue cannot be resolved without the participation of Kashmiris. It is not just a territorial dispute, but belongs to the Kashmiris and their future.

He suggested that a meaningful dialogue process with India must continue. At the same time, it is essential that we should take it up at the international forums.

Recent resurgence of the resistance movement in India by the youth manifests the consciousness of the Indian society on their state's atrocious activities in IOK. It is unlikely that all the 1.3 billion people in India would agree with the Indian state policy on Kashmir. Pakistan should work on the Indian civil society and create a lobby.

Ambassador Masood suggested that the effected families of Kashmir can also be reached out to by the help of Indian civil society. There is a need of building a humanitarian corridor in Kashmir. The realm of Confidence Building Measures should also be expanded.

Similarly, in order to gain support at international forums, Pakistan needs to equip itself with effective techniques and international laws of the international organisations such as Human Rights Council in order to present its case vehemently and yield positive results.

He emphasised that while living in the same region, Pakistan and India cannot continue to have conflicts. We need to work together for peace and security of the South Asian region.

Sardar Mohammad Yaqoob Khan, President Azad Jammu and Kashmir said that given the current circumstances, it was essential to hold a seminar on Kashmir. The youth movement reaffirms that Kashmir is the jugular vein of Pakistan as was said by Quaid-i-Azam Muhammad Ali Jinnah. Although it is no more one point agenda between India and Pakistan, Kashmiris would continue to respect the promise made by both Nehru and Quaid-i-Azam Muhammad Ali Jinnah, to resolve the dispute through UN resolutions.

The movement is alive even today, and it is time to realise that the youth of Kashmir has rejuvenated the movement in the colleges and schools also. It is equally popular in the non-Muslim Kashmiris and it can never die down. Today, the rise of Pakistani flag in the Indian universities is due to valiant struggle of the Kashmiri people. By stationing seven to eight lakh Indian forces in the Indian occupied Kashmir and brutalising women and children, India cannot enforce its will on us. Whether we join Pakistan or not will be decided by the people of Jammu and Kashmir.

The Kashmiris were deliberately keeping it a peaceful movement so that they cannot be bracketed with terrorism and militancy. They are small in number but their demand is on principles and has immense strength. They enjoy support of several intellectuals, writers and politicians. To educate the people about the issue is the responsibility of the political parties of Pakistan.

Lt. Gen. Abdul Qadir Baloch, Federal Minister for State and Frontier Regions in his keynote address said that it is unfortunate that we made the Kashmir issue an issue between India and Pakistan instead of making it a humanitarian issue.

There are several ways of resolving the issue. The military preparation of Pakistan is certainly in view of our relationship with India due to the Kashmir conflict. To cut down our military preparations in the presence of Kashmir issue seems impossible. This should not be misinterpreted. Pakistan's military does not intend to occupy any territory by force. There is no support in international system for inter-state war and forced occupation.

A dichotomy has occurred within Pakistan between two major opinions; those who want to have friendly relations with India, and those who want to keep Kashmir as their first priority. This has further complicated the issue. We have to create a balance between the two opinions without making it an issue of either India or Pakistan. We need to take it as mainly a humanitarian issue.

Kashmiris are also human and they are being suppressed by the occupational Indian forces. Efforts must be made to make the world realise the atrocities taking place in Kashmir where every home is affected. Resistance is their right. Eighty percent of Kashmir population living today has seen blood bath over seventy years. They are conscious of their own rights and can ably fight for their rights.

He was of the opinion that Kashmiris can never be in favour of India. He also supported the interaction between the Kashmiris across the Line of Control (LoC). He suggested that we should try and resolve the issue in phases.

Maulana Fazal-ur-Rahman, Chairman, Special Committee of the Parliament on Kashmir regretted that the issue has not been appropriately addressed. The political application of the argument has lost its efficacy in the world opinion since it is invariably associated with Pakistan's security and economic interests. Pakistan cannot resolve the issue unilaterally. To fetch world support for mediation/arbitration, an effective strategy to address the dichotomy should be adopted. At the same time, we should also be prepared to show flexibility on the askance of the world.

Ever since Pakistan's involvement in the War on Terror (WoT), the issue of Kashmir has lost its primacy. We are deliberately made out to be involved in the connotations of terrorism, militancy and extremism. Pakistan was made on the ideology of Islam and terrorism has no place in it.

He recommended that Kashmir must be talked about exclusively and the issue must be resolved through negotiations. Pakistan should try and strategise the negotiations rather than thinking in terms of winning.

Senator Raja Zafarul Haq emphasised on the need to take the issue of Jammu and Kashmir in view of the UN Charter and the twenty three resolutions passed unanimously. We should try and revitalise the issue under the current circumstances so that it could be convincing for the world.

UN Security Council resolutions cannot be changed. Article 1 of the UN Charter reaffirms the right of self-determination for all the nations. It is obligatory for UN to help provide a forum for the rights of Kashmiris. No change in the Indian Constitution can have an impact on the UN resolutions. Plebiscite is the only solution of the issue. We have to internationalise the issue more effectively. He said that Pakistan needs to highlight the dispute through its diplomatic missions more proactively and contact the Human Rights organisations active in Britain, France and Italy.

Kashmir and the issue of terrorism cannot be tabulated in terms of priority. It is essential to find a solution collectively. History also denies the current role of India in the UN.

He recognised the difficulties; however, he insisted that efforts should not be halted in order to stop any more bloodshed in Kashmir. Efforts are being made by India to turn Kashmiri Muslims into a minority. We should try and save the Kashmiri generations. Our efforts should be multi-dimensional, since the sacrifices of Kashmiris are incomparable.

He rejected the opinion that the international circumstances are not in favour of Pakistan's stance on Kashmir. He gave the example of OIC which has passed a most comprehensive resolution on Kashmir recently.

Senator Lt. Gen Abdul Qayyum said that at the time of the inception of Pakistan in 1947, basic five objectives were laid down for the running of the country:

1. Territorial integrity
2. Sovereignty and independence
3. Socio-economic welfare
4. Unity
5. Independence of Kashmir.

All the foreign policies made since then have the above mentioned fundamentals. Quoting Quaid-i-Azam Muhammad Ali Jinnah, Senator Qayyum said that Pakistan would always try and have friendly relations with all the countries of the world. It will never have aggressive designs towards any other country and would respect the UN Charter profoundly and work for the international peace from the forefront. While referring to Kashmir issue, Muhammad Ali Jinnah said that we will be supporting the cause of self-determination for all the oppressed and suppressed nations of the world, whether it is Kashmir or Palestine, whether it is Muslim or non-Muslim.

The definition of human rights is universal in character. Pakistan's foreign policy is based on the definitions of collective human rights which supports the right of self-determination. Despite the changes in the international system, the status of UN resolutions has not changed. India has adopted several means of suppressing human rights in Kashmir, girls have been raped by the occupational forces, the youth killed and men and women brutalised. He condemned the black laws of India imposed on the Kashmiris.

Pakistan needs to take its cause more vigorously and should spread awareness through seminars and media including social media. The OIC resolution must be taken forward. Since Kashmir is important for the defence of Pakistan, this is being exploited as Pakistan's vulnerability.

Mr. Ghulam Muhammad Safi, Convenor All Parties Hurriyat Conference (APHC) rejected the idea of patch work solution of Kashmir conflict through Track II diplomacy

which would mean an imposed solution on the people of Kashmir. India is trying to resolve the issue through various economic packages. Earlier, India also tried to lure Kashmiris by offering IoK's own president, prime minister and election commission, but these petty offers are not acceptable. We want freedom from India. Nothing short of the right of self-determination is acceptable that remains the title of our movement. He asserted that the movement would continue since it is a matter of life and death for Kashmiris.

He said that India must recognise Kashmir as 'a dispute' and as a 'precondition' to any dialogue between India and Pakistan. As long as they would call it an integral part of India, no dialogue can proceed. We are not in favour of a war between India and Pakistan, however, he cautioned that India could go to any extent; therefore, Pakistan should remain prepared.

Dr. Samia Raheel Qazi, Head of Foreign Affairs, Women's Wing, Jamaat-i-Islami, and Member, Council of Islamic Ideology, said that the issue should not be handled pessimistically. The resistance movement started by the youth is encouraging and there is a strong awareness in Kashmiris for their rights. Social media has reinforced the movement and the women of Kashmir are equally active.

She presented a report prepared by the Jamaat-i-Islami Research Council on the atrocities faced by the Kashmiri women published in 2011. She regretted that the new connotations like 'half widows' and 'half wives' have surfaced in Indian Occupied Kashmir. She suggested that Urdu should be used as a medium for increased interaction since it is understood and spoken in Kashmir and is compulsory up till tenth grade.

She highlighted the Indian silent genocide in terms of changing the demography of Kashmir by settling Hindus and non-Kashmiris. She quoted a report saying that due to these brutalities, the birth rate is also declining and by 2085 the population of the Kashmiri Muslims would decline to less than fifty per cent.

She insisted that we should have one national narrative and one perspective on Kashmir and the dialogue process with India should be conducted on the basis of equality.

Dr. Attiya Inayatullah also appreciated the youth movement started since 1989 and said that it has seen a strategic shift since 2008, and has turned into a resistance movement. They are following 'Gandhian Non-Violent Pebble Throwing Movement'. She regarded the movement as Intifada, and said that Modi's strategy of dividing IOK into political, ethnic and communal division would be counter-productive in the presence of this movement. The Kashmiri youth is educated, organised and integrated and are redefining the course of their Kashmir struggle. The discontent and the anger amongst the youth are very raw. The political and humanitarian impact of the issue has made it a biggest security threat in the region and the world cannot risk a confrontation between two nuclear states.

She rejected the patch work solution of the Kashmir dispute. Human rights situation is volatile and humanitarian rights emergency must be declared. Dr. Attiya suggested that

the conflict must have a rights-based framework as against a result-based framework. It is the responsibility of the UN to alleviate the Kashmir dispute. International Criminal Court should also take note of the mass graves in Indian Occupied Kashmir (IOK). Dr. Attiya recommended establishing a humanitarian corridor between the IOK and Azad Jammu and Kashmir.

The presentations were followed by an interactive roundtable discussion.

In his video message, **Professor SAR Gilani**, Delhi University, New Delhi, criticised the current Hindu nationalist government in India which is using various forces to promote and propagate Hindu nationalist culture and view. It is basically meant to curb the unity amongst the various movements started by the marginalised community like Dalits who are gradually making friends with other suppressed communities in India. It is meant to reverse the gains achieved by the Kashmiris.

Ambassador Arif Kamal, Director Global Studies, ISSRA, NDU, suggested that since the potency of the UN resolutions is in question, we need to maintain continuity in our policies and market them effectively. Kashmiris also consider India's behaviour subjugation and that also reinforce our stance.

Dr. Syed Nazir Geelani, Secretary General, Jammu and Kashmir Council for Human Rights, pointed out that the dynamics of international politics have changed from Pre WWII. It was easier to gain independence then. Although, in 1950s the UN Security Council had warned the Srinagar government on the amalgamation of the State of IOK into Indian Territory, India is continuing with armed subjugation. The presence of black laws is making the life of Kashmiris miserable. India has started youth profiling under different categories and has introduced 'paid killings' officially. The life of today's youth is worse than the youth of 1930s. The new strategy of establishing non-Kashmiri settlements and colonies for the army personnel, Pundits, Hindu students and beggars of India is alarming. IOK has its own internal dynamics. These settlements would add to the misery of unemployment for Kashmiri youth. He suggested focusing on the problems of Kashmiri youth and human rights violations.

Mohammad Farooq Rehmani, Senior Leader, APHC, said that we do not consider Kashmir only a humanitarian issue but it is suppression by India to curb the Kashmiri right of self-determination. It would be soft to call it intolerance by India. Historically, it has been equated with the Bosnian genocide.

Ironically, all international institutions have become a robot. So, to expect support under such circumstances would be very naive. Nonetheless we should stay optimistic and try and engage all the institutions of the world. Pakistan needs to continue to be on the forefront, and discussions in seminars on the issue should be carried out more frequently and robustly. There should be a concrete strategy prepared.

Dr. Maqsood Jafri, Chairman Kashmir Think Tank, said that Kashmir is a nuclear flash point. It is bleeding. Any irrational act, from either side can turn South Asia into debris. If the issue is amicably resolved, both India and Pakistan can prosper

economically. The only way is to respect the aspirations of the people of Jammu and Kashmir. It is a tripartite issue. He suggested that if all the Muslim countries of the world get united on the issue and boycott their diplomatic and economic relations with India, it could be resolved. At the same time, we should continue our efforts at the UN for free and fair plebiscite.

Ahmed Quraishi, Executive Director, Youth Forum for Kashmir, said that Kashmir is first line of defence for Pakistan because it is a litmus test for India. Whenever there would be a change in Indian behaviour towards Pakistan, it will initiate from Kashmir. They would mellow down their atrocities there. At the same time, whenever they would decide to be hostile, their first victim would be IOK. Pakistan and Kashmiris have no choice but to stay firm on their stance. We should take example from China on Hong Kong. India will have to withdraw its forces from Kashmir.

Ershad Mahmood, Columnist, said that status quo on Kashmir should not continue. The youth of Kashmir has been very successful in using the soft power for their 'message of self-determination' to international community. Even within India, they are talking about their cause with confidence. We should help them expand their influence in the Indian civil society because they have sympathisers there as well. Similarly, we should try and engage with the Indian media more on the conflict. Pakistan needs to maintain its profile low and keep the indigenous character of Kashmiri resistance movement alive. We should try and promote a Kashmiri narrative.

Shaista Safi, Manager Programmes, Youth Forum for Kashmir, while talking about human rights violations in IOK, identified the psychological impact of the state terrorism by the presence of IOF. She regretted that their number is never mentioned in the accounts of Human Rights Watch Dogs or in Amnesty International Reports. Secondly, the recent act of poisoning food by India is meant to reduce the Muslim population, which unfortunately remains unreported. It has already started affecting the birth rate.

Syed Yusuf Naseem, Leader, APHC-AJK, said that the only way of reviving the Kashmiris confidence in the dialogic process between India and Pakistan is:

1. Through their inclusion
2. By achieving concrete decisions.

Altaf Hussain Wani, Senior Leader, APHC, suggested that efforts should be made to engage the Kashmiri Diaspora and the youth of AJK as well, in order to make the case legally more effective at international forums. India can be accounted only if we penetrate into UN mechanisms proactively.

Shaikh Tajjamul Islam, Director, Kashmir Media Service, suggested revising the terminologies being used related to the Kashmir conflict. The terminologies used in terms of the conflict convey unproductive and unconvincing message. He suggested that we should try and appoint a professional international prosecutor who could take

the case of Kashmir to International Court with appropriate interpretations and win the support of the world community.

Saiyyed Abdullah Gilani, Senior Vice Chairman, KFF, APHC, said that the occupational forces in IOK cannot be regarded as security forces since they are not securing the rights of people. They are basically oppressors according to the standards of International Law.

A unanimous consensus was that in light of emerging circumstances in Indian Occupied Kashmir, the struggle and strength of the Kashmiri youth must be assisted.

Ambassador Khalid Mahmood, Chairman Board of Governors, ISSI in his concluding remarks said that the right of self-determination must not be coupled with terrorism. Pakistan should not withdraw from its principle stance of the right of Kashmiris for self-determination. The legality and the righteousness of the struggle of Kashmiris are well recognised. If Pakistan wants to bring it up in International Criminal Court, the Kashmir issue must be studied in detail. Similarly, Human Rights Council must be made aware of the violations by highlighting the findings of Indian Human Rights Council itself.

Ambassador Masood Khan, Director General ISSI, in his closing remarks, agreed with the suggestion of using correct terminologies vis-a-vis the Kashmir cause. He emphasised that the terminologies used must be compatible with international legal requirement which can support and strengthen the Pakistani stance on the Kashmir dispute. He advised that policy makers, writers and advocates of Kashmiri rights should write '*Indian Occupational Forces*' instead of Indian Security Forces and '*Indian Occupied Kashmir*' in place of Indian Held Kashmir, which is a neutral terminology. He said that the recommended terminologies are also compatible with International Law and support Pakistan's perspective on Kashmir.