

**Report-Roundtable
on
Self-Determination Day:
Voices from Kashmir**

January 10, 2020



Institute of Strategic Studies Islamabad

Report-Roundtable

on

“Self-Determination Day: Voices From Kashmir”

January 10, 2020



Institute of Strategic Studies, Islamabad (ISSI) organized a roundtable discussion in collaboration with the Ministry of Kashmir Affairs & Gilgit-Baltistan on January 10, 2020 on "*Self Determination Day: Voices From Kashmir*". President, State of Azad Jammu and Kashmir, Sardar Masood Khan graced the occasion as Chief Guest. Other guests included: Ambassador Faisal Tirmizi, Coordinator, Kashmir Cell, Ministry of Foreign Affairs, Mr. Altaf Hussain Wani, Chairman Kashmir Institute of International Relations, Mr. Faiz Naqshbandi, Convener (APHC Mir Waiz) Mr. Khalid Rehman, Director General, Institute of Policy Studies, Syed Abdullah Gillani, Convener, All Parties Hurriyat Conference, Mr. Ershad Mahmood, Executive Director, Centre for Peace, Development and Reforms (CPDR), Syed Nazir Gillani, Jammu and Kashmir Council for Human Rights, Former Ambassador Arif Kamal and Mr. Tanvir Sultan from business community .

Welcoming the guests at the roundtable, Director General ISSI, Ambassador Aizaz Ahmad Chaudhry said that following the events of August 5, 2019, the Kashmir issue has entered a new phase which has three aspects to it: legal, ideological and human rights. Legally, the events of August 5, 2019 are against not only the UN resolutions, but also the Simla Agreement. Ideologically, Hindutva is being promoted and there are efforts to change the demography of Indian occupied Jammu and Kashmir. The human rights situation in Indian occupied Kashmir is dismal as the entire leadership of Kashmir is under detention and pellet guns are being used against the Kashmiri youth. Pakistan is raising this issue on all international forums and the world too is now reacting to the ongoing crisis in Kashmir. The office of the United Nations High Commissioner for Human Rights (OHCHR) has released two reports on human rights situation in Indian occupied Jammu and Kashmir. In fact, voices are also being raised from within India too. Ambassador Chaudhry expressed optimism that this long battle will be fought with perseverance and determination till victory is achieved.

Speaking at the occasion, Mr. Altaf Hussain Wani said that it is important to understand the real intentions of India. India wants to eliminate the language and culture of Kashmir. Kashmiris are looking towards Pakistan and Azad Kashmir. He appreciated the speech that was delivered by Prime Minister Imran Khan at UN General Assembly session, but also emphasised that lot more need to be done.

Mr. Faiz Naqshbandi was of the view that the UN Security Council resolutions were agreed upon by both India and Pakistan. Later, India declared Kashmir as its integral part despite its obligations towards UN resolutions. India is trying to confuse the international community by propagating that UN resolutions are now old and obsolete. This is not true as there are three situations in which a UN resolution becomes obsolete including (1) if there is a timeframe mentioned in the resolution; (2) when parties enter into agreement (3) when UN pass a resolution cancelling the old resolution. There are not only massive human rights violations taking place in Indian occupied Jammu and Kashmir, but also constitutional violation as immunity has been given to the Indian occupation forces to kill or detain any Kashmiri at will.

Mr. Khalid Rehman said that the Kashmir freedom struggle will have to be carried on with patience and determination as this is going to be a long journey. He emphasised the need for unity among different stakeholders so that a strong message can be conveyed to the people of Indian occupied Jammu and Kashmir that Pakistan and Azad Kashmir are behind their Kashmiri brethren. There is no room for any confusion. He also said that Kashmir is a classic example of the failure of global government system which need to be highlighted.



Syed Nazir Gillani highlighted the fact that it was the 160th day of the lockdown that was imposed by the Indian government in August 2019. He once again emphasised the importance of the two reports released by the OHCHR as these reports have sealed the data of Indian atrocities on hapless Kashmiris.

Ambassador Arif Kamal believed that the current scenario need to be revisited in order to look for a way forward. He said that the erstwhile State of Jammu and Kashmir stands fragmented. The Indian action of August 5 was aimed at a body-blow to Kashmiri identity and international personality of the State, and by this token, to Kashmir file at the United Nations. The situation has been calling for a matching robust response.

He was of the view that India is most likely to maintain inflexibility in its stand and reject the possibility of any roll back of its move. He was of the view that:

1. The contemporary scenario ought to be revisited in a four-fold light if we are on look for a way forward:

- a. The erstwhile J&K State stands fragmented, thanks to friends and foes. The Indian action of August 5 ought to be viewed as a 'quantum jump' in the process . It aimed at a body-blow to Kashmiri identity and international personality of the State and by this token, to Kashmir file at the United Nations. The situation has been calling for a matching robust response.
- b. Perceptibly , India is most likely to maintain inflexibility in its stand and reject the possibility of any roll back of its move. Concurrently, visibility of Pakistani response and its success in the international arena has been measured to date. The intermix of the two in terms of images transmitted to Kashmir Valley, carry the potential of a disquieting impact as against resolve for a sustainable struggle. We should therefore guard against the re-enactment of another Abdullah-Indira Accord of 1974 that was actually sequential to post 1971 perceptions of Pakistani standing.
- c. In our outreach, the international community is showing a good level awareness of the worsening human rights scenario in Kashmir. However, its receptivity on political standing of issue has been marginal and inconsequential. The current political configuration and major power interests are one important factor at play . What else should be the cause of this indifference.? It is time for retrospection.
- d. Islamabad continues to uphold Kashmiri people's right to self-determination though this approach is perceptibly compromised as at times, we add 'Kashmir is our jugular vein.' Concurrently, Islamabad continues to act as 'wakeel' (pleader/attorney) on Kashmiris' behalf together with its standing as a 'party' to the dispute . In the meantime, there is no unified and acclaimed Kashmiri platform engaged in the domain advocacy. These elements when put together, generate the images of India0-Pakistan rivalry rather than a long outstanding case of people's right to self determination.

2. The integrity of the erstwhile J&K State as registered at the United Nations and its people's right to self-determination are interwoven in the domain of narrative-building and advocacy. The



two will receive closer attention when there is a structured Kashmiri face, and a unified and credible platform representing all regions of the State . It does not have to be a government as such .

3. What could be the antidote of fragmentation of the erstwhile J&K and engine for worldwide outreach on a credible footing? We should encourage the emergence of a unified platform of Kashmiris as a counter measure in the domain of psychological warfare. The sheer weight of its cross regional representation within the erstwhile State would give a new and powerful dimension to the struggle.

Syed Abdullah Gillani said that the anniversary of UN resolutions calls for some introspection. Kashmir issue involves three principal parties, two of them, that is Pakistan and Kashmiri people, are on the same page as they want the issue to be resolved in accordance with the UN resolutions. Kashmiri people have offered unimaginable sacrifices to achieve this goal and India, the third party, has stonewalled all the efforts that could lead to the resolution of the issue. Now you have one party that is sacrificing everything to claim its legitimate rights and you have another party who is doing everything it can do to deny them those rights and prove its false claims. Now the question is what is third party doing in all this? In the face of India's naked aggression, Pakistan chose to react responsibly, confining itself to diplomatic efforts and with the help of China succeeded in raising the matter at the UNSC. But the UNSC didn't even bother to issue a formal statement. Prime Minister Imran Khan made another attempt to shake the world conscience with his passionate, and powerful address at the UNGA session. Abrogation of Article 370 and annexing Kashmir exhausts all of India's option with regard to Kashmir. As far as Kashmiri people are concerned, they have always considered India a usurper and an occupying force and have resisted and fought it tooth and nail. Kashmiris are not fighting to make a deal with India. Had that been the case, the movement would have reached its destination long ago when India was offering Kashmiris full autonomy with “sky is the limit” tag in the 1990s itself. Kashmiri people will continue their struggle for the right to self-determination. While it would be premature to predict what form and shape the resistance movement will take in the near future, one thing is certain, it will continue until the last Indian soldier withdraws from the Kashmiri soil.

Mr. Tanvir Sultan suggested that there should be a unanimous resolution by Azad Kashmir assembly demanding government of Pakistan that by virtue of Karachi Agreement, to take care of defence and sovereignty of Kashmir and the people of occupied Kashmir. The same resolution should be passed by Kashmir committee and tabled in parliament of Pakistan. He also suggested that there should be more representation of Azad Kashmir wherever Pakistan represents Kashmir's case.

In his keynote address, Sardar Masood Khan, President State of Azad Jammu and Kashmir said that there is no doubt that the United Nations has miserably failed to resolve the Kashmir dispute as per its resolutions and the wishes of the Kashmiri people. International community realises that this issue remained unresolved only because of India's adamant attitude. President Masood Khan drew a comparison between the events of October 27, 1947 and August 5, 2019 as in both the cases, India had attacked and occupied the state of Jammu and Kashmir by force. On August 5 last year, not only India once again occupied the part of State of Jammu and Kashmir that is under its control, but by bifurcating Kashmir into two union territories, India has also tried to steal away the identity of Kashmir. There was a mixed response from the international community as number of countries like China, Malaysia and Turkey spoke in favour of Kashmiris and there were debates in Parliaments of a number of important countries and among the civil society groups which gave strength to the

Pakistani narrative. However, unfortunately, the role of UN was not as per expectations. He commended the show of support and solidarity that was shown by not only Pakistan and people of Azad Jammu and Kashmir, but also by the Diaspora community abroad in favour of the people of Indian occupied Jammu and Kashmir. He informed the audience that a Kashmir Cell has been established in Malaysian Parliament.

He expressed optimism that due to Modi's own steps, the issue of Kashmir has once again been internationalised and advised the Kashmiri leadership and human rights advocates to take full advantage of this situation to make sure that the international focus does not fade away from this particular issue. He said that India was able to sell its narrative to the international community by equating the Kashmir struggle with terrorism. But today, this situation has changed and the world community is also expressing its doubts regarding India's narrative. Today, due to policies of Modi and Amit Shah, there is chaos in that country and India is reaping what it sowed.

The people of Indian occupied Jammu and Kashmir are offering all sorts of sacrifices. The self-imposed civil disobedience shown by the farmers of apple and walnut crops by not selling their annual produce which amounts to millions of dollars is one such example. He informed the audience that the year 2019 was the most difficult year for the State of Azad Jammu and Kashmir with regard to ceasefire violations and consequent loss of lives of ordinary people. He also spoke about the 40,000 refugees who had crossed into Azad Jammu and Kashmir from across LoC. He said that by giving threatening statements of annexing Azad Jammu and Kashmir and Gilgit-Baltistan, India is trying to impose war and Pakistan should be prepared for it. He also praised the courage of the Kashmiri leaders for enduring all sorts of difficulties in their struggle for the right to self-determination.

Concluding this roundtable session, Chairman BOG ISSI, Ambassador Khalid Mahmood said that the right of self-determination is present in all the important charters and declarations in the world like the UN Charter, Universal Declaration of Human Rights, Declaration of Decolonisation and Declaration of Aggression. Therefore, Kashmiri people had the right to self-determination even in the absence of UNSC resolutions. Ambassador Khalid said that PM Modi's anti-Muslim and anti-minority policies has wreaked havoc in India as there are massive protests across India. He agreed that the UNSC resolutions do not lapse with the passage of time and this fact has also been acknowledged by the UN Secretary General. He concluded his remarks by stating that it is for the first time that the world has started to see the developments in Indian Occupied Kashmir and Pakistan need to continue its efforts with determination.

Pictures of the Event







Institute of Strategic Studies Islamabad (ISSI)

Sector F-5/2, Islamabad, Pakistan

Tel: 0092-51-9204423, 0092-51-9204424, Fax: 009-51-9204658

Email: strategy@issi.org.pk Website: www.issi.org.pk