



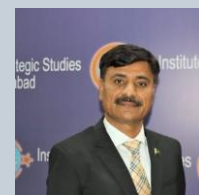
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Report – Webinar

“The New Domicile Law and the Future of Indian Occupied Jammu and Kashmir”

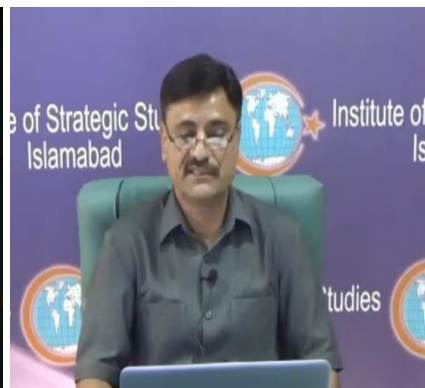
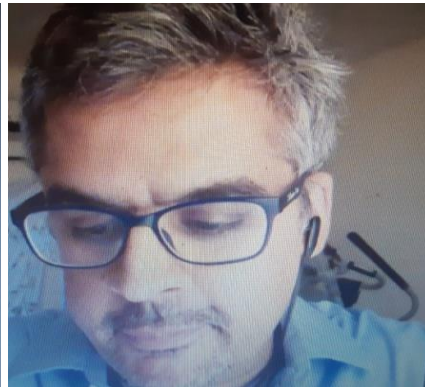
August 5, 2020



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Pictures of the Event



On the eve of one year of illegal re-annexation of Indian occupied Jammu and Kashmir by India, the India Study Centre at the Institute of Strategic Studies organized a webinar titled “The New Domicile Law and the Future of Indian Occupied Jammu and Kashmir” on August 5, 2020. Sardar Masood Khan, President Azad Jammu and Kashmir graced the occasion as the chief guest. Other speakers included Prof. Dr. Sikandar Shah, Lahore University of Management Sciences, Prof. Dr. Noman Hanif, University London, Mirza Saaib Baig, a Kashmiri lawyer and a candidate of Public Policy at Oxford University and Prof Dr. Syed Hussain Shaheed Soherwordi, Director, Institute of Peace and Conflict Studies, University of Peshawar.

In his opening remarks, the Director, India Study Centre, Dr. Saif Malik highlighted the significance of the webinar in view of the one year of illegal re-annexation of the Indian occupied Jammu and Kashmir (IoJK) by the Indian government. It was on August 5, 2019 that Indian government deprived the Kashmiri people of special rights and privileges under article 370 and 35A. At the same time, strict curfew and internet blockade in IoJK was imposed. Covid-19 further deteriorated the situation. The heavy military presence and inhuman practices are meant to prevent people from coming out in protest and to change the demography as a long-term policy. This long-term policy is exemplified by the introduction of the New Domicile Law which has opened floodgates for non-Kashmiris to settle in IoJK.

While welcoming the guests, Ambassador Aizaz Ahmad Chaudhary, Director General ISSI said that today Pakistan is marking *Yum-e-Istehsal* of Kashmiri people by India. He highlighted three dynamics to allude to i.e. internal, India wide and regional. Internally, the Kashmir freedom struggle has continued for more than seventy years. In last one-year atrocities against Kashmiris have touched new heights and in March 2020, implemented a new domicile law which showed the mindset behind August 5 steps that was to change the demography of Kashmir. Unfortunately, Modi is borrowing a page from Israeli book to change the demography of Kashmir. India wide, increasingly people are realizing that they are no longer a pluralistic and democratic society. Hindutva has replaced secularism and in this new India, there is no place for minorities. This extends to Kashmir which is a Muslim majority area under Indian occupation. In the regional dynamic, Modi wants to establish hegemony in South Asia to which all of India's neighbours are resisting. Question here arises what the international community can do? Kashmir issue is being echoed in the United Nations. OIC has also been steadfast in its support

of Kashmir. Countries like Iran, China, Turkey and Malaysia have also extended their support. Voices can also be heard from within India. At the same time the government and people of Pakistan have always supported their Kashmiri brethren and will continue to do so.

The chief guest of the occasion, President Azad Jammu and Kashmir, Sardar Masood Khan said that the introduction of the new domicile law is a very sinister design and will have grave consequences for India as well. Pakistan does not have the luxury of time to prepare and execute a long term plan as demographic composition is changing in IOK at a very fast pace and it will take Indian government only 2-3 years to complete this sinister design. The Article 35 A which was repealed last year recognized the established rights of Kashmiri people with regard to jobs, acquisition of property and education. These privileges actually date back to 1922 to the time of the Maharaja rule which was later recognized by Indian constitution. These laws opened many doors of opportunity for Kashmiri people but it was all taken back last year.

He went on to explain that this plan to change the demography is sinister because non-Kashmiris are being encouraged to migrate to Kashmir. Of these, 99% are Hindus. The process of granting domicile certificate is made very easy and fast track that if within 15 days the certificate is not issued, the *Tehseeldar* (Revenue Officer) will be fined Rs. 50,000. India has made elaborate plans for the displacement of Kashmiris. Militarily trained cadres of RSS are being sent to Kashmir by granting them special status and gated colonies are being established for them. In 2011 census, 68% were Muslims in Indian occupied Jammu and Kashmir. The Muslim ratio in the Kashmir valley was around 98% and therefore, the main target of Indian government for demographic change is the Kashmir valley. India has also started delimiting Muslim constituencies so that Muslims are not able to reach the handpicked Assembly of the so-called Union territory.

In August 2019, India has actually reoccupied, laid siege and brutalized Kashmiri people. Young men are being incarcerated, brainwashed and tortured to change their views on *azadi*. At least thirteen thousand boys, detained under Public Safety Act are not being released. India divided Kashmir into two Union territories without the consent of people. India also started showing Pakistan's Gilgit-Baltistan and Azad Jammu and Kashmir region as their part and threatened that India will also take Azad Jammu & Kashmir militarily.

He went on to say that India has declared threewars; (a) war against all its neighbors; (b) war against its own population particularly Muslims, Christians and Dalits; (c) war against people of Jammu and Kashmir. The ugly face of Hindutva has reared its head. The President also highlighted that when threats were being issued against Pakistan, Indian Prime Minister Modi also openly talked of using nuclear weapons. He also said that India would take only 7-10 days to wipe out Pakistan. Kashmir's 17\$ billion economy has been completely destroyed since August 5, 2019. Crops of saffron, nuts, apples and grains have been destroyed.

He concluded by saying that Pakistan would invest more resources in opinion formation internationally. It would keep going to the United Nations and the human rights council, explore the possibility of law fare, mobilize international civil society and re craft narrative building worldwide. He suggested that Pakistani people should be prepared for war and Pakistan must adopt offensive posture towards India. He also suggested that RSS should be declared a global terrorist entity. He expressed his confidence that the legitimate struggle of Kashmiris will see light of day.

Dr. Sikandar Shah was of the view that the struggle of Kashmiri people cannot be equated with what the Balochistan Liberation Army or Taliban do. There is a difference between struggle for right to self-determination and terrorism. To fight for right to self-determination is an inalienable right of the Kashmiri people which is guaranteed by international law and the United Nations. Referring to the Article 370, Dr. Sikandar said that since India did not fulfill its promise of conducting a plebiscite, it came out with the idea of granting certain privileges under Indian constitution to the state of Jammu and Kashmir which itself was illegal. And now in August 2019, India further degraded the rights of the Kashmiri people besides violation of Simla agreement by revoking Article 370. What India is doing in IoJK is a crime against humanity. Since India is in occupation of this land, it is India's duty to make sure that the human rights are safeguarded. He suggested that Pakistan should regularly raise the issue at United Nations Security Council both as incomplete settlement of dispute but also as threat to international peace and security, United Nations General Assembly special session should be called in, encourage international NGOs to raise the issue of Kashmir and UNMOGIP need to be involved.

Dr. Noman Hanif said that the situation of Jammu and Kashmir is part of larger regional situation which is to check the rise of China. What India did in Kashmir could not be done with a nod from US. As there is a new regional situation, Pakistan needs to upgrade its 21st century politics. He was of the view that repeated references to UN resolutions or releasing new political maps will not help and a drastic rethinking is needed at both political and military level. He stressed that Pakistan has strategic ability and it can bring India to its knees. He also expressed his dismay that post February 2019, Pakistan was too quick to release Indian pilot which according to him was a political mistake.

Mr. Mirza Saaib Baig also expressed his fears regarding the fact that there is hardly any time to be lost as far as the ongoing demographic change in IoJK is concerned. He highlighted the dichotomy that while the ideology of Hindutva is creating frictions in the Indian society, at the same time, Hindutva elements are uniting under Modi. He further explained that while the region of Indian occupied Jammu and Kashmir was under internet blockade, all tenders for mining of minerals were given online which subsequently went to outsiders. He also highlighted that there are only two Muslim judges in Kashmir's high court which has 98% of Muslim population. While explaining the clauses of the new domicile law, he said that the number of people who will be allowed to obtain domicile certificate for serving for 15 years in Kashmir is 1.5 million. Even non-Indians are being given domicile certificates like the Gurkhas from Nepal. At the moment, Kashmiris usually boycott the electoral process but once this process of demographic change is complete, the electoral process would also become legitimate.

Dr. Soherwordi said that Ministry of Information must be guided to formulate national strategy on Kashmir. He also stressed the need for unity and a concrete show of Muslim brotherhood for the resolution of issues faced by Muslim world. He recommended that Pakistan's embassies abroad need to play more active role. He also suggested that there must be an apex body to draw new strategies with regard to Kashmir.

Ambassador Aizaz Ahmad Chaudhary agreed that indeed time is of essence as demographic changes are taking place at a very fast pace. He also agreed that a lot more need to be done as relying only on UN resolutions does not suffice. He also said that the nuclear aspect is very important. Modi is ignoring the fact that both India and Pakistan are nuclear powers and any

hostility between them can be catastrophic for the entire world. The international community needs to take account of it. He however, expressed his doubts that Hindutva is a unifying force. He felt that this could be a temporary solace for Modi. Meanwhile, India's reputation has been badly dented which will haunt it sooner or later.

During the course of discussion, a question was raised regarding China becoming a party to the Kashmir dispute. Dr. Noman Hanif responded; this was a provocation by India which has been trying to mobilize public opinion against China. This is in line with the larger interest of the US which India is playing along. This situation is favorable to Pakistan which can now work more firmly with China.

Towards the end, Chairman Board of Governors, Ambassador Khalid Mahmood said that the new domicile law further aggravated situation but at the same time, it has, also brought in China which is a good development. He also insisted that international law has always been a tool of defence for smaller countries and therefore, cannot be ignored. He said that the legal aspect of the Kashmir conflict is important. The resolutions adopted by UN do not lapse with the passage of time. He said that the deteriorating situation in Kashmir has now also caught the attention of international media and civil society which is very helpful in creating more awareness about the issue of Jammu and Kashmir.