

Monthly

KASHMIR TODAY

September 2018

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FUTILE INDO-PAK WATER TALKS



Dr. Muhammad Khan

The Two-day water talks between Pakistan and India ended in Islamabad on August 30, 2018 without making any headway. The Pakistan side was headed by Indus Water Commissioner Mehar Ali Shah and Indian side

headrace tunnel and into power station on the reservoir of the Dul Hasti Dam. Construction on this reservoir started in February 2014 by Patel Engineering, Bharat Heavy Electricals and Limak Holding of Turkey. The Lower Kalnai hydroelectric



was headed by its Indus Water Indian Commissioner, PK Saxena. This water talks was mainly centred on construction of two water reservoirs over Chenab River by India. These reservoirs include; The Pakal Dul Dam, a concrete-face rock-fill dam on Chenab River, in Kishtwar district of the Indian occupied Jammu and Kashmir. This is primarily a hydroelectric power generation project designed to produce 1000 MW electricity. Its planned height is 167 meters with 4 x 250 MW Francis-type turbines. With a total water storage capacity of 108,000,000 m (88,000 acres feet), the project will produce 1000 MW electricity upon construction. This project includes diversion of Chenab river water to south through a 10 km long

power plant is a 48MW (2x24MW) hydroelectric power project at Lower Kalnai Nallah, a tributary to Chenab River in Doda District of Indian occupied Kashmir. The project includes construction of a dam, tunnel, powerhouse, substations and installation of generators, transformers and transmission lines. Initiated in 2013, the project was formally started in 2016. It will divert water of Lower Kalnai Nallah through 4.25 km tunnel to Thatri for power generation. To conceal it for a localized impact and to avoid objections from Pakistan, the project has been given under the Government of Indian occupied Kashmir. There have been many debates and correspondence between Pakistan and India over the construction of these dams. The two-days

meeting between Indus Water officials of Pakistan and India at Lahore has totally focused about the designs and technical aspects of these reservoirs. Pakistan strongly feels that, design of both reservoirs, being built on Chenab River was not in line with the provisions of Indus water Treaty-1960. The Indian side however, maintained that, the engineering design of Pakal Dul Dam and Lower Kalnai Nallah hydroelectric project are in line with the provisions of the Indus Water Treaty thus cannot be modified now. It was unclear that like earlier, Pakistani officials were not fully prepared or it was Indian rigidity, however, the deadlock is maintained on these two projects. It is said that, during talks, Indian Indus Water Commissioner, PK Saxena indicated to Pakistan that, it (Pakistan) has not been able to built even a single dam after Mangla and Tarbela, thus have no right to object India over the construction of these two dams on Chenab river. Furthermore, the Indian side also told Pakistani side that, changing climate has led to severe lack of water in Chenab River.

It is worth mentioning that, Pakal Dul Dam will be “the first water storage infrastructure project by India on western rivers”, whose water was dedicated for Pakistan as per Indus Water Treaty-1960. During this meeting, Pakistan emphasized India to 'reduce the freeboard height of the Pakal Dul hydro-power project which will have an installed capacity of 1,000 megawatts. Pakistan also asked Indian delegation to reduce the height of the Pakal Dul's reservoir up to five metres. It urged India to maintain 40-metre height above sea level while making spillways' gates of the Pakal Dul project besides clarifying the pattern and mechanism for the water storage and releases. Indian side however, refused to accept this Pakistani demand, despite it is a violation of IWT-provisions. Likewise, on Pakistani concerns over the Lower Kalnai Hydropower Project, the Indian delegation asserted that

they would follow through with the initiative. Since the Indo-Pak Talks on water issues ended without any headway, Pakistan has hinted to approach the international forums defined in the Indus Waters Treaty (IWT). As per Pakistani officials, “We have categorically made it clear that we will have no option but to use international forums appointment of neutral experts, taking the case to international court of arbitration, etc in case India failed to address our concerns that are absolutely genuine and can be resolved amicably.” While the construction on both projects is continuing, India is using delaying tactics to gain time. At the end of the two-day talks, India refused to accept Pakistani demand for the change of designs, however, it (Indian delegation) “assured the Pakistani side of taking up the issues in the next meeting of the commission to be held in India.” It is worth mentioning that, India used the same strategy while constructing the Baglihar Dam on River Chenab and Kishenganga Dam on Neelum River. Later, once Pakistan referred the case to international arbitration, there was no success except wastage of money and time. Indeed, on the issue of Indian water manipulation of Western rivers, Pakistan has not been able to pursue its case in front of India and the international community, especially the World Bank and the international arbitration. Failure of the two days talks in Lahore and earlier attempts to stop India from constructing dams on rivers dedicated to Pakistani, clearly indicates that Pakistan must raise the level of talks to Ministerial level, leaving aside the meagre efforts made by the officials of Pakistani Indus Water Commission. The sooner, Pakistan raises the level to seriously address the water issues, better it would be, since Pakistan has already lost substantially on account of water sources.

The writer, Professor of Politics and International Relations, is based in Islamabad.

INDIA REVOKES AL-JAZEERA LICENCE

Sultan M Hali

The year 2018 is the 70th anniversary of the Universal Declaration of Human Rights, adopted by the UN on December 10, 1948. The Universal Declaration is rooted in the principle that “all human beings are born free and equal in dignity and rights.” It remains relevant to everyone, every day. On June 14, 2018, United Nation's Office of the High Commission for Human Rights (OHCHR) issued its first-ever report on the situation in Kashmir. The 49-page report details human rights violations and abuses on both sides of the Line of Control, and highlights a situation of chronic impunity for violations committed by security forces. UN High Commissioner for Human Rights Zeid Ra'ad Al Hussein declared: “The political dimensions of the dispute between India and Pakistan have long been centre-stage, but this is not a conflict frozen in time. It is a conflict that has robbed millions of their basic human rights, and continues to this day to inflict untold suffering. This is why any resolution of the political situation in Kashmir must entail a commitment to end the cycles of violence and ensure accountability for past and current violations and abuses by all parties, and provide redress for victims.” The UN HR Commissioner has resolved to urge the UN Human Rights Council to consider establishing a commission of inquiry to conduct a comprehensive independent international investigation into allegations of human rights violations in Kashmir. The Kashmir issue stems from India's illegal occupation of 2/3 of Kashmir, where Indian security forces have martyred over 100,000 innocent Kashmiris, raped their women and incarcerated the youth for

decades. The situation took a sharp turn on 8 July 2016, when popular Kashmiri youth leader Burhan Wani was treacherously assassinated by Indian forces. The gruesome murder brought unarmed Kashmiri youth to the streets in protest. The OHCHR report takes cognizance of Indian Forces' malevolence from July 2016 April 2018, when large and unprecedented demonstrations erupted. Indian security forces used excessive force that led to unlawful killings and a very high number of injuries, the report says, citing civil society estimates that up to 145 civilians were killed by the security forces between mid-July 2016 and the end of March 2018, with up to 20 other civilians killed by Indian armed forces in the same period. One of the most dangerous weapons used against protesters in 2016 and which is still being employed by security forces was the pellet-firing shotgun. According to official figures, 17 people were killed by shotgun pellets between July 2016 and August 2017, and 6,221 people were injured by the metal pellets between 2016 and March 2017. Civil society organizations believe that many of them have been partially or completely blinded. “Impunity for human rights violations and lack of access to justice are key human rights challenges in the state of Jammu and Kashmir,” the report says, noting that the Armed Forces (Jammu and Kashmir) Special Powers Act 1990 (AFSPA) and the Jammu and Kashmir Public Safety Act 1978 (PSA) have “created structures that obstruct the normal course of law, impede accountability and jeopardize the right to remedy for victims of human rights violations.” The AFSPA prohibits prosecution of security forces personnel unless the Indian Government grants prior permission to prosecute. “This gives security forces virtual immunity against prosecution for any human rights violation. In the nearly 28 years that the law has been in force in Jammu and Kashmir there has not been a single prosecution of armed forces personnel granted by the central government,” the report says. There is also almost total impunity for enforced or involuntary disappearances, with little movement towards credibly investigating complaints, including into alleged sites of mass graves in the Kashmir

Valley and Jammu region. Chronic impunity for sexual violence also remains a key concern in Kashmir. An emblematic case is the Kunan-Poshpora mass rape 27 years ago when, according to survivors, soldiers gang-raped 23 women. According to the report, “Attempts to seek justice have been denied and blocked over the years at different levels.” The report also castigates Pakistan for imposing restrictions on freedoms of expression, peaceful assembly and association in Azad Jammu and Kashmir (AJK) and in Gilgit-Baltistan. Motivated by the OHCHR report, Qatar based Al Jazeera TV Channel produced and aired a Documentary on the subject. India, which has been trying to hide its atrocities and the havoc its forces wreak on the Kashmiris, took serious offence and has withdrawn the security clearance granted to the network. The country's home ministry revoked the clearance and the matter is in consideration pending a final decision by authorities. Resultantly, Al Jazeera's

broadcasts in India are likely to stop according to Indian daily “Times of India.” India pretends to be the world's biggest democracy and a secular state but by gagging an international media giant like Al Jazeera over a report which exposes its cruelty towards Kashmiris, speaks volumes of its duplicity. It is noteworthy that despite repeated requests, the UN Human Rights Office has not been provided access to Indian Occupied Kashmir. The OHCHR, which prepared its report via remote monitoring, has declared that it is essential the Indian authorities urgently repeal the AFSPA & PSA; establish independent, impartial and credible investigations to probe all civilian killings since July 2016 and all abuses committed by its armed forces. The 73rd session of the UN General Assembly opens on 18 September 2018. The world must castigate India for its unbridled brutality towards Kashmiris.

The writer is retired PAF Group Captain and a TV talk show host.

SHADOWS OF 35-A

Dr. Abdul Majid Siraj

If only as an experiment India held a referendum to ascertain and decide if they want to retain A-35 or scrap it, a political solution to a political problem was in sight. This would be the route taken by all democratic countries of the world if they faced a situation that impinged on the over-arching constitution applicable in that part of the country. India has overwhelming military force in Kashmir but they call governance here an extension of India's Liberal democracy and free market economy model promoting Liassic faire dealings with client population. The challenge to the presidential order of 1954 proclaiming 35- A instrument as binding, the case now pending in Supreme Court of India was transmuted to confirm the State Subject Law already entrenched in governing customary laws. All important subjects that staked future lives must be placed in public domain. The first call should have been taking a vote from people by taking the case from Law chambers to a referendum. Britain has set the scene for liberal democracy for the world and as examples to cite they dared a referendum for Scots to cede from the country that turned out

against secession. Few more votes and Great Britain was divided but they took the risk of having a referendum. Another referendum to sever ties with European Union in Brexit resulted in the impending breakup of EU and one more referendum in Northern Ireland kept the Irish acceded.

Casting votes has been played out with unwilling people of Kashmir over and over again for gaining political power to rule over them. The first rank of local bodies called Panches and Sarpanches are in the process of being groomed. They get adopted by legislative parties and will be used as a platform for canvassing. In the aftermath this process will be used to install permissive governance that will navigate pre-determined political agenda from the centre. A-35 will remain making news and pivotal fulcrum for politicians to dance round.

Future Sarpanches will start making rounds. People as an education must be made aware of the politics of balloting. A ballot in hand is a power cell. This is what the aspirants in politics want people to give them. Candidates confront public with previous performance and future promises. It may be for

this reason National Conference party have pulled out of the Sarpanch elections because people will demand promises for keeping their State Subject status intact and never to be tampered with, a promise that NC will not make. In Kashmir elected governments have a dismal record of delivering fragile and malevolent governance. The laws of attribution or governance of this beleaguered state required that there be an intentional display of power and authority by the exercise of jurisdiction and state functions, on an effective, continuous and peaceful basis. Effective governance needed to be understood. It was not the brazen show of authority by escorted motorcades and pageantry of Z security or access to lucrative contracts and property that made favourable impression of masses. The

receive and execute them to please masters of their destiny.

Young people and old die facing unprecedented violence, is one reason why in the elections for local bodies in Kashmir there is a general unwillingness in the masses to stand for these positions. In its present life of governance questions are alive about the fragile coalition party that crumbled and was aborted making way for rule by the governor of the State. Panchayat elections as prelude to wider forms of electoral process to form a government in people domain will make people rethink if this way is the correct deliverance of the crucial problems the nation is facing.

Education on the use of adult suffrage has accelerated in Kashmir. Voting process is the backbone of democracy. It was



punitive force used to sub serve the purpose to contain insurrection was corrosive. Kashmir-India relations have been punctuated with treaties and Accords and successive Governments have failed to execute terms of reference and caveats in these accords mutually signed. Each presidential order or legislation from Constitution of India was ordained to be adopted by the State legislature. The legislatures wittingly or un-wittingly witnessed these jurisdictions, laws and regulations within their view flying in their face but never raised an eyelid to protest or felt the need to debate or adopt any one before they came into force. Instead they laid bare their open space to

surreptitiously introduced in Kashmir to consolidate occupation far from the world view on the subject. Normally in voting process you commit yourselves to their care and in return they promise to work to facilitate your living. If you are obliged to express dissent against injustice promised to you under Article 19 Freedoms, and you fight to liberate from oppression, they provide the space. There are two cardinal armaments to control expressive dissent and bring people to compliance, force applied with sticks and guns or lure them to polling booths. Both instruments are used.

I recall a conversation with a local vote manager. He confessed

receiving some money and cajoled voters to get the MLA elected. In the aftermath when he did not get the road repaired he told them he paid money for votes therefore he is under no obligation. It has always been a challenge to get the election process to conclude in peace and harmony. The Achilles' Heel of elections in Kashmir is the plebiscite that people demand humbles this process. In order to overcome resistance, incentives are magnified and pressures applied inordinately over the mark. The memories people have of past elections are terrifying. In nineties the exercise of being dragged to polling booths at gun point was alive in their minds.

People in Kashmir are given a basic understanding specific in local needs of the community and knowledge of voting process designed for their consumption. Voting process in practice is 'first past the post' social choice theory, or voting theory in all three elections. All institutions based in Delhi get involved and

normally the candidates with favourable strings get elected. In this effort it is the subfield of the game theory delivered through mechanism design. Game theory is a mathematical model or concept that is beyond the common understanding that elects people. It is common knowledge that for every local high office candidates run to New Delhi to be the favourites. It is a mere formality as sequel to organise the mechanism design and logistics to make the chosen win. The complexion of voting process also include chosen candidates who get involved in zero sum game as a vendetta against an activist in which they get a voluntary demolition so the winners gain resulted in loss for opponent. Mechanism design also offers economic incentives. If I was an Indian leader I would offer a referendum to people of Jammu & Kashmir. It will not only validate the presidential order but also delineate a way towards electoral process for the bigger gains in peace.

KASHMIR, BLOOD AND GRIEF IN AN INTIMATE WAR: 'THESE BODIES ARE OUR ASSETS'

Jeffrey Gettleman

Qasbaya, Kashmir It was 9:30 p.m. when Sameer Tiger came to the door, a rifle slung over his shoulder.

Most of the village of Qasbaya, a tucked-away hamlet surrounded by apple orchards and framed by Kashmir's mountain peaks, was getting ready for sleep. A few yellowish lights burned in windows, but otherwise the village was dark.

"Is Bashir home?" Sameer Tiger asked. "Can we talk to him?"

Bashir Ahmad's family didn't know what to do. Mr. Ahmad wasn't a fighter; he was a 55-year-old pharmacist. And Sameer Tiger was a bit of mystery. He had grown up a skinny kid just down the road and used to lift weights with Mr. Ahmad's sons at the neighborhood gym; they'd spot each other with the barbells, all friends.

But Sameer Tiger had disappeared for a while and then resurfaced as a bushy-haired militant, a member of an outlawed Kashmiri separatist group that had killed many people, the vast majority of them fellow Kashmiris.

Kashmir's war, a territorial dispute between India and neighboring Pakistan, has smoldered for decades. Now it is collapsing into itself. The violence is becoming smaller, more

intimate and harder to escape.

Years ago, Pakistan pushed thousands of militants across the border as a proxy army to wreak havoc in the Indian-controlled parts of Kashmir. Now, the resistance inside the Indian areas is overwhelmingly homegrown.

The conflict today is probably driven less by geopolitics than by internal Indian politics, which have increasingly taken an anti-Muslim direction. Most of the fighters are young men like Sameer Tiger from quiet brick-walled villages like Qasbaya, who draw support from a population deeply resentful of India's governing party and years of occupation.

Anyone even remotely associated with politics is in danger. That included Mr. Ahmad, who, when he wasn't sitting behind the counter of the village pharmacy, was known to host events for a local Kashmiri political party.

"Don't worry," Sameer Tiger said, standing at Mr. Ahmad's door, seeming to sense the family's anxiety.

He looked Mr. Ahmad's son right in the eye.

"We don't mean any harm," he said. "Your father is like our father."

Mr. Ahmad rushed home from work and invited Sameer Tiger in for tea. They sat on the living room carpet talking quietly, then Mr. Ahmad nodded goodbye to his wife and son and left with the visitor. He didn't have much choice. Sameer Tiger was armed, and insistent, and had arrived with three others who were waiting in the road. The group moved slowly down the unlit lane. At a bend in the road, in front of a shuttered shop, Sameer Tiger and Mr. Ahmad started arguing, a witness said. Four gun blasts rang out. Mr. Ahmad screamed. The few remaining lights in the neighborhood were suddenly extinguished.

JUST THE NAME KASHMIR conjures a set of very opposing images: snowy mountain peaks and chaotic protests, fields of wildflowers and endless deaths. It is a staggeringly

beautiful place that lives up to all its fabled charm, yet even the quietest moments here feel ominous.

Kashmir sits on the frontier of India and Pakistan, and both countries have spilled rivers of blood over it. Three times, they have gone to war, and tens of thousands of people have been killed in the conflict. It is one of Asia's most dangerous flash points, where a million troops have squared off along the disputed border. Both sides now wield nuclear arms. And the two sides are divided by religion, with Kashmir stuck in the middle. mosque in Srinagar. The Kashmir Valley is predominantly Muslim, but it is controlled by India, which is predominantly Hindu.

Credit Atul Loke for The New York Times



A photograph showing Indian soldiers dragging the bloodied, half-naked body of a Kashmiri has triggered outrage in and outside Indian-administered Kashmir, with rights activists calling it a "barbaric" act which violates international humanitarian law.

ADMINISTRATION OF JUSTICE IN JAMMU & KASHMIR DURING *DOGRA* REGIME



Raja Muhamamd Sajjad Khan¹

Abstract

State of Jammu and Kashmir located in South Asia. The modern State of Jammu and Kashmir was established by *Dogra*² Gulab Singh through Amritsar Treaty of 16th March 1846. The Treaty of Amritsar was signed between *Dogra* Gulab Singh and British Government. According to Article 01 of this treaty the British Government had transfers the independent possession of Kashmir to Maharaja Gulab Singh and according to Article 03, Gulab Singh had paid 75 Lakh *Nanik Shahi*³ to British Government⁴. The *Maharaja* had levied heavy taxes on the people of Kashmir because his aim was to recover the money given to British Government and earn for himself. The *Dogra* regime was started in 1846 and ended on 1947. The *Dogra* rulers were Gulab Singh, Ranbir Singh, Partap Singh and Hari Singh. Although the *Dogra* rulers ruled Kashmir in a tyrannical and repressive way, however they had made some laws and also established some judicial institutions. The *Dogra* rulers were the founder of modern State of Jammu and Kashmir. They ruled from 1846 to 1947. The main objective of this paper is to analyze the laws made by *Dogra* rulers and administration of justice system in that period because this was the base of mass movement against the *Dogra* regime.

Historical Backdrop

Sultan Sadar-ud-Din was the first Muslim ruler of Kashmir. His reign was only three year (1320-1323). After his death Adyan Dev became ruler. Sultan Shah Mir recaptured the government in 1339. Kashmir was ruled by *Sulateens*(1339-1555), *Chaks*(1555-1586), *Mughals* (1586-1752), *Afghans*(1752-1819), *Sikhs*(1819-1846) and *Dogras* (1846-1947)⁵. Legal and judicial system in Kashmir has routes even in the time of kings. The King was considered as the fountain of justice and he decides the cases independently. In Muslim period Sultan Shamasud Din appointed Mulla Ahmed Allama as Shaikhul Islam for administration of justice. At this period King's Court was the highest court and Sultan appointed Qazi and Mir Adil. Sultan Zain al Abdeen appointed Darya Khan , a Muslim, Shiry Bahta, A Brahman and Talika Charya, a Budhist as minister who assisted him in decisions. He also appointed Syed Hasan Shirazi as first Qazi. The Chak rulers abolished the post of *Sheikh ul Islam* and post of qazi was renamed as *Qazi-ul-Qazat* or Chief Justice. Mughal rulers established an efficient system of justice. *Qazi-ul-Qazat* or supreme Qazi was the head of judicial administration and in every provincial capital and town Qazis were appointed. The king himself decides some cases personally on Wednesday. Mughal kings especially Akbar, Jehngir and Ahrangzeb were very much interested in judicial administration. The period of Afghan and Sikh rulers was worst⁶. In *Dogra* rule the modern judicial system was established and many new laws were framed.

Administration of Justice

The *Dogra* rulers purchased Jammu and Kashmir and they run the affairs of government in the State according to their will and wish. Maharajas were not answerable to anyone. There was absolute monarchy up to 1889⁷. The *Dogra* rulers were the supreme authority in the State in all judicial and administrative affairs. First *Dogra* ruler *Gulab Singh* and *Ranbir*

¹ Scholar Ph.D (Law)IIU Islamabad.

² Dogra is a clan of Hindu Rajputs.

³ Currency of Lahore darbar.

⁴ Muhammad Yusuf Saraf, *Kashmir Fights for Freedom, 1819-1946, Vol-1* (Mirpur: NIKS,2015),195.

⁵ Raja Muhammad Sajjad Latif Khan, *Mutlha-e-Kashmir* (Muzaffarbad: Neelum Art Press, 2016),30-34.

⁶ M. Ashraf, "Kashmir's judicial system" *Greater Kashmir* , July 29, 2006, <http://www.greaterkashmir.com/news/opinion/kashmir-s-judicial-system/10080.html>.

⁷ Walter Lawrence, *The Valley of Kashmir* (UK :H.Forwde,1895),2.

Singh held their *Darbar* daily and hear petitions⁸. The administration of justice in initial *Dogra* period was based on injustice and cruelty. Every petitioner has to pay the customary offering of a rupee to Maharaja to submit appeal to him. Fredrick Drew writes about Gulab Singh's greed for money, "He would pounce like a hawk on the money, and having appropriated it would patiently hear out of the petitioner"⁹. The *Jagirdars* were the owner of the land and they exercise civil and criminal powers without any regular office. *Chakadars* and *Mafidars* were also decide the cases of their estates. *Tahseldars* and other officers fined people without any criminal jurisdiction. Every officer in the state without having any legal authority keep persons in confinement, recover fines and use force. The Maharaja was above the law and members of the Maharaja's family and the courtiers enjoy influence over the Judges. There was not any uniformity of laws as well as application. These laws were enforced on the some sections of the people. For the poor people even the whipping was awarded in many cases but for influential persons sentences of imprisonment commuted to fines. Brahmans were exempted from punishment it was a duty of the *Thanadar*¹⁰ and *Kutwals*¹¹ to maintain peace and repress crime but they also work as a lowest court in their respective areas.

Ranbir Singh brought some improvements in judicial system of the state. Regular courts were established and some laws were framed for these courts. To dispose of petty criminal and civil cases *Chakladars* were appointed in every police station¹². Ranbir Penal Code was published in 1873, which was consisting of hundred sections¹³. It was the first codified penal law. To decide civil matters between the European and subjects of Maharaja, a mixed court comprising of a civil judge of the state and British officer was established in 1873. Criminal Procedure Code was amended in the reign of *Maharaja Partap Singh*. He also issued several judicial circulars and law of evidence and limitation were enacted. Honorary Magistrates Powers were given to certain chiefs with limited jurisdiction¹⁴. According to Bamzai, on the lines of Macaulay's code¹⁵ in British India, a penal code was introduced. Two Appeal courts were set up in Jammu and Srinagar. Subordinate courts were established in state and these were nearly thirty. The stamp fee required was only half a rupee for case which was heard by Maharaja himself. The Maharaja examined the witnesses and cross examines them and sometime refers the cases to magistrates for investigation. The punishments were very terrible at the time of Gulab Singh. In case of undetected crime the responsibility was fixed upon local officials¹⁶. The punishment of murder was *azhab* (amputation of limb before hanging to death). In several cases whipping was also awarded¹⁷. A high court (*Adalat-i-Alia*) was established by Ranbir Singh in 1877, but it was working in the *darbar* of the ruler and presided by law member of the *darbar*. It was just a highest court working under the ruler without any defined powers. There were twenty five courts of law, in which fourteen were *wazarat* courts at the beginning of Partap Singh's reign¹⁸.

Administration of justice in Kashmir state was influenced by Maharaja and his employees and decisions were made on favoritism and bribery. Mr. Bhag Ram, judicial member of the council in the reign of Partap Singh recorded a note at that time about administration of justice. According to him, the judicial officers presiding the courts and their clerks were mostly illiterate and corrupt. In many cases in criminal trials even a single line on judgment was not recorded. Courts neglect the principles of equity and jurisprudence. There was penal code but not any criminal procedure code; there was not any law of

⁸ Fredrick Drew, *Northern Barrier of India, Jammu and Kashmir Territories* (London: Edward Stanford, 1877), 45.

⁹ Ibid, 44.

¹⁰ Station head of police.

¹¹ Head of city police station

¹² G.L.Kaul, *Kashmir through the ages* (Srinagar: Chronicle Publishing House, 1963), 103.

¹³ A.S.Anand, *The Development of the Constitution of Jammu & Kashmir* (Mirpur: Verinag Publishers, 1991), 19.

¹⁴ J.C. Bose, *The Maharaja of Cashmere: A Vindication and an appeal* (Calcutta: ELM Press,

¹⁵ In 1860, the Indian Penal Code was introduced into India, the brainchild of Thomas Babington Macaulay who had drafted the code during his time in Bengal in the 1830s.

¹⁶ P.N.K.Bamzai, *Cultural and Political History of Kashmir* (Srinagar: Gulshan Books, 2007), 681

¹⁷ G.M.D. Sufi, *Kashir: Being a History of Kashmir from earlier time to our own* Vol.II (Lahore: The University of the Punjab, 1948), 797.

¹⁸ G.L. Kaul, *Kashmir through the Ages*, 103.

limitation, nor registration and stamp laws. The punishment of killing cow and yoke a cow to plough was very savvier¹⁹. The State Civil Procedure Code was not complete; Partap Singh was interested to improve it. Through judicial circular No.201 dated January 11, 1896 he added many important British India Acts in the procedure code. He also increased the number of courts up to ninety²⁰. On November 05, 1899 Supplementary Rules of Business of State Council was issued in which departments were distributed among the members of State Council. Judicial member of the council had to control judicial, jail, press, medical, forests, municipalities and council secretariat²¹.

During this period the court structure was established from towns to capital the Court of Maharaja was the highest court and after that there was state council or judicial board of Maharaja. Then a high court and district and session court in Jammu and chief court or sadar court at Srinagar. The district court and chief court has same type of jurisdiction. Subordinate to these courts were two courts of judicial assistant one in Srinagar and other was in Jammu. There were courts of city judge in Srinagar and Jammu and subordinate to them were courts of sub judges. The courts of sub judge first grade was in Srinagar, Jammu and Mirpur, Sub judges second grade were in Udhampur and Muzaffarabad, whereas Sub judges third grade were in Kathua and Kotli. The lowest courts were courts of munsiff. The courts of munsiff first grade were established in Srinagar, Jammu and Mirpur, courts of munsiff second grade were in Kathua, Reasi and Shopian whereas courts of munsiff third grade were in Samba, Ram Nagar, Sopore, Ranbir Singhpora, Rajuri, Jammu, Mirpur, Bhimber, Kishtwar, Anantnag and Baramulla²².

In 1921, Jammu and Kashmir State Civil Courts Regulation were issued. Law department consisting of judicial secretary, government advocates, public prosecutors and other law officers was established²³. Rules for the High Court and subordinate courts were framed. The High Court was the highest court of appeal and revision in civil cases, subject to the control of and judicial matters exercised by the Maharaja. The court of small causes was established and following classes of civil courts were established:-

- i) The District Court
- ii) The Court of Additional Judge
- iii) The Court of Subordinate Judge
- iv) The Court of *Munsif*²⁴

During the reign of first three Dogra rulers Gulab Singh, Ranbir Singh and Partap Singh the judicial system was not organized. Ranbir Singh played a vital role in the codification of laws. In 1925, Hari Singh became the ruler of Kashmir and he had developed legal institutions. He was the first Dogra ruler who had received education in a Public School²⁵.

Hari Singh had issued the definition of term *Mulki* (State Subject), and issued state subject rules in 1927. According to these rules only a state subject could purchase the land in state, get employment in Govt. Services and Govt. scholarship²⁶. In 1927 a new constitution was sanctioned by the Maharaja and a Ministry in the judicial department was established. These all courts including High Court had limited powers and jurisdiction. High court had jurisdiction on only civil matters.

The High Court of Judicature was established on 26th March 1928²⁷. This was an important development in the judicial history of Kashmir. The High Court was consisting of one chief justice and two or more judges, one judge should have experience in revenue matters. They shall hold office during the pleasure of Maharaja. They have to solemnly declare

¹⁹ Kashmir: Legal and Historical Documents, www.kashmir.net/historicaldocuments accessed on 19-06-2018.

²⁰ A.S.Anand, *The Development of the Constitution of Jammu & Kashmir*, 22.

²¹ Ibid, 34.

²² The Judicial System, http://shodhganga.inflibnet.ac.in/bitstream/10603/33261/14/14_chapter%25208. accessed on April 05, 2018.

²³ Hari, Om, *Administration of Justice in Jammu and Kashmir*, (Delhi, Light and Life Publishers, 1979) 24.

²⁴ Ibid. 38-39.

²⁵ A.S.Anand, *The Development of the Constitution of Jammu & Kashmir*, 30.

²⁶ The State Subject Definition Notification No I-L/84 dated April 20, 1927.

²⁷ Hari, Om, *Administration of Justice in Jammu and Kashmir*, 113.

that they shall administer justice according to law and usage of the state. This high court has writ jurisdiction and had original jurisdiction on civil matters. It was highest court of criminal appeal. The court had superintending and controlling powers of lower courts. The appointments of Munsif, subordinate and district judges were made by Maharaja on the recommendations of the High Court. The court has powers to admit, enroll or approve attorneys at law, *vakils*²⁸ and advocates within the limit specified by the Maharaja. Courts were not allowed to interfere in the royal prerogative of the Maharaja. Confirmation of life imprisonment or death sentence was submitted to Maharaja.

The Muslims of state was feeling insecurity and facing religious discrimination from the ruler. The incident of *Resham Khana* (silk factory), *Khutaba*²⁹ Intervention in Jammu, Desecration of the Holy Quran by Hindu police officer, Killing of twenty two peaceful Muslims by Dogra police and some other incidents revolted the Muslims against communal discriminations³⁰. Initially the Maharaja had tried to suppress this movement through administrative measures but he failed. He set up a commission under the chairmanship of Mr. B.J. Glancy to enquire into the grievances and for necessary recommendations³¹. The commission submitted his report in March 1932. This report was on religious, educational and administrative measures. In May 1932 a Franchise Committee under the chairmanship of Sir Barjor Dalal was appointed. This committee had recommended that a Legislative Assembly should be established. On April 22, 1934 the Maharaja issued a constitutional Act³². This act provided the establishment of legislative assembly and laid down the judicial, legislative and executive powers of Maharaja.

A new constitution of State of Jammu and Kashmir was approved by Maharaja in 1939³³. This constitution had provided the distribution of power among legislature, executive and judiciary. This constitution provided that a person to be qualified to be appointed judge of high court could be appointed as advocate general. The legislature was consisting of the Maharaja and *Praja Sabha*³⁴. Some amendments were made in the order of establishment of High Court. The age limit for holding the post of judge was fixed 55 years. Qualification for the judge of high court was fixed and he should be barrister of England or Ireland or member of faculty of advocates in Scotland for at least ten years or at least three years' experience in judicial services of state but not less than district judge or practicing as advocate in British India for at least ten years.³⁵ The High Court had powers to award punishment for contempt of high court or subordinate court was simple imprisonment not exceeding six month or fine not exceeding one thousand rupees or both. In this Act a highest appellant court, "His Highness Board of Judicial Advisers" was established³⁶. This was like the Privy Council of England. This board had to advise Maharaja for the disposal of appeals on civil and criminal matters from the decisions of the high court or any matter referred by Maharaja to board. The Maharaja had powers to appoint members of the board on such terms and conditions as he think proper. The board with the sanction of Maharaja could amend, alter or repeal rules of its procedure. The Maharaja could sanction the special leave to appeal to any person³⁷. The era from 1931 to 1947 was the period of political awakening and struggle for rights. Elections of *Paraja Sabha* were held in 1934, 1938 and 1947³⁸.

Discrimination against Muslims: An Analysis

²⁸ Lawyer

²⁹ Sermon at a congregational religious service of Muslims

³⁰ Raja Sajjad Latif Khan, *An overview of Kashmir History: 1827 to September 30, 2014* (Muzaffarabad: Kashmir Development Organization), 3-7.

³¹ Prem Nath Bazaz, *Inside Kashmir* (Mirpur: Verinag Publishers, 1987), 171-176.

³² A.S. Anand, *The Development of the Constitution of Jammu & Kashmir*, 37-40.

³³ Justice Syed Manzoor Hussain Gillani, *The Constitution of Azad Jammu & Kashmir: In the Historical Backdrop with Corresponding Pakistan, India & Occupied Jammu and Kashmir Constitutions* (Islamabad: National Book Foundation, 2008), 591.

³⁴ The Jammu and Kashmir Constitution Act, 1939, Section 13.

³⁵ Ibid, section 49(a).

³⁶ Ibid, section 71(2).

³⁷ Justice Syed Manzoor Hussain Gillani, *The Constitution of Azad Jammu & Kashmir: In the Historical Backdrop with Corresponding Pakistan, India & Occupied Jammu and Kashmir Constitutions*, 591-618.

³⁸ Raja Muhammad Sajjad Latif Khan, *Mutla-e-Kashmir* 189-190.

In State of Jammu and Kashmir there were almost eighty percent Muslims, but the ruler Dogra family was Hindu. The Dogra rule in Kashmir was black era for Muslims of Jammu & Kashmir. Beside political and social issues they also showed religious discrimination against Muslims in laws and administration of justice. There was forced and free labor and instead of horses and donkeys Muslims have to carry the commodities in far flung areas³⁹. A law was promulgated by Maharaja to stop the spread of Islam. If a Hindu embraces Islam he had to be deprived from the inheritance but if a Muslim changed his religion he was not deprived off from his inheritance⁴⁰. There was ban on slaughter of cow, ox etc. Initially the punishment of cow killing was death sentence then it was changed to life imprisonment and after Glancy Commission report it was seven year imprisonment⁴¹. According to Biscoe, “In the second decade of twentieth century, there were 117 prisoners in Kashmir, out of which 99 were Muslims, being punished for killing cows”⁴². The law of inheritance was not according to Islamic fiqh⁴³. A daughter had no right in inheritance of his father. Kashmiri Muslims have no right to possess arms. Death penalty was only for Muslims and was not awarded to Dogras. In the department of justice there were thirty six employees including judges out of them only three were Muslims⁴⁴. According to Robert Thorp, “Of justice, there is, in fact, little or none. Offences against the Government or against the Hindoos are punished with undue severity. While offences perpetrated by Hindoos or Government officials are either passed over, or adjudicated with partiality and injustice”⁴⁵.

Conclusion

The prime objective of the Dogra ruler was to earn money. The judicial system of the state was defective and complicated. There was inordinate delay in decisions of cases. Even a minor case was decided in five to six years. The judges and court staff was not trained and even some were illiterate. Initially there were a few courts and the courts were very far from litigants. People have no knowledge of rules and laws. Rulers and their associates were influential on the courts. Court and legal system was complicated and difficult for common men. The Dogra rulers had imposed heavy taxes on subjects. Laws and punishment were different for Muslims and Hindus. Some good steps were also taken by the Dogra rulers. The Code of Civil Procedure, Code of Criminal Procedure, laws of Limitation and laws of evidence were codified. The system of administration of justice was not based on equality, fairness and law; it was just for the pleasure and discretion of Maharaja. This oppression and subjugation had motivated the Muslims for struggle of independence from Maharaja. Political parties were established in the state and initially they had started the peaceful movements. In 1947 people of the state started the armed struggle against Dogra regime and liberated Azad Jammu and Kashmir and Gilgit Baltistan.

³⁹ Tajamul Ahmad “Martyrs Day: the Origin of Kashmiris’ Struggle for Justice” *Kashmir Reader*, July 13, 2017, <https://kashmirreader.com/2017/07/13/martyrs-day-origin-kashmiris-struggle-justice/>

⁴⁰ Jyoti Bhusan Das Gupta, *Jammu and Kashmir* (The Hague: Martinus Nijhoff, 1968), 53.

⁴¹ Tyndale Biscoe, *Kashmir In Sunlight and Shade* (London: Seeley, Service and Co. Limited, 1922), 119.

⁴² Ibid, 188

⁴³ Islamic Law

⁴⁴ Muhammad Yusuf Saraf, *Kashmir Fights for Freedom, Vol-1(1819-1946)*, 327.

⁴⁵ Thorp, *Misgovernment*, 103.

ASSAULT ON CPEC

Zamir Akram

American hostility towards the China-Pakistan Economic Corridor (CPEC) has now come into the open. Indirect criticism such as by Defence Secretary Mattis that CPEC would pass through “disputed territory” was replaced by a frontal assault last month by Secretary of State Pompeo stating, in the context of Pakistan

Chinese Navy to “maintain a permanent presence in the Indian Ocean”. It concludes by alleging that China's Belt and Road Initiative (BRI), of which CPEC is an integral part, is designed to create “an economic world order ultimately dominated by China”.

These American pronouncements, widely supported by the



possibly seeking an IMF bailout, that “there is no rationale for IMF tax dollars to bail out Chinese bond holders or China itself.”

Even more direct was the letter of August 3rd signed by 16 US senators to the Secretaries of State and Treasury which claims that Pakistan will seek an IMF bailout to pay off “debt obligations caused by CPEC”, which not only “illustrates the dangers of China's debt trap diplomacy but also poses a “national security threat to the United States”. The letter goes on to elaborate this “threat” as China's alleged control of Gwadar Port that could be “converted into a naval base” to enable the

American media, clearly demonstrate a coordinated assault on CPEC, which has become a flash point in the evolving strategic competition between the US and China. Not surprisingly, India, as America's strategic partner and keen aspirant to becoming a counter-weight to China, has fully supported the American approach, alleging that CPEC will pass through Indian territory “occupied” by Pakistan. These developments pose serious challenges for Pakistan, both from the economic perspective and broadly at the strategic level.

For Pakistan, CPEC has been correctly described as a “game changer” as it will jumpstart a flagging economy with infusion

of more than \$65 billion. It will improve and expand the country's infrastructure, bring in much-needed FDI from China and other countries, create greater employment opportunities, increase productivity and enlarge exports. Therefore, CPEC would ensure integrated and sustained development in Pakistan with connectivity to the entire South and Central Asian region, leading to economic and social development throughout the country, bringing millions of our people out of poverty while enhancing Pakistan's geo-strategic significance globally.

Admittedly there is a need to remove the obstacles to implementing such a huge project, including increase in the debt burden over the short to medium term, as well as keeping the process transparent in various agreements, the overall long-term gain is bound to be positive for Pakistan. Therefore, we need to avoid falling into the American trap, which is raising doubts, even within Pakistan. As we have experienced from the debt trap created by American aid and IMF bailouts, for which there are few tangible gains, their real objective is to ensure that Pakistan consistently remains in the circle of poverty, and, therefore, dependent on them.

The strategic dimension of the Indo-US opposition to CPEC is even more ominous. With the rise of China as a strategic competitor, a declining US, instead of acknowledging the emerging multi-polar world, is trying desperately to cling on to its erstwhile position of being the sole 'superpower'. To contain China, the US, "Pivot to Asia", has strengthened existing alliances with Japan, Australia and South Korea while developing strategic alliances with new partners India and Vietnam, which have their own differences with China. In particular they have developed the "Quadrilateral Alliance" involving the US, Japan, Australia and India, to control the Indian and Pacific Oceans, through the newly- termed US "Indo-Pacific Command". The ostensible purpose is to ensure freedom of navigation in this region.

But the real objective is to contain China especially by holding

hostage its vital shipping links on which 80 per cent of Chinese trade depends. The US has also instigated the littoral states of the South China Sea to abandon their bilateral negotiations with China to settle territorial differences, while promoting itself as the final arbiter in these disputes. These efforts are backed up by American naval and air operations in the South China Sea.

The pushback by China to protect its strategic interests is totally justified. But its military build-up is still a fraction of the US, whose defence budget is larger than the next 10 countries put together. If the Chinese are seeking naval bases to protect their shipping in the region, the US has over seven known bases in the "Indo-Pacific" apart from the naval facilities of the "Quad" countries. Whereas China seeks a negotiated solution to territorial claims in the South China Sea, as demonstrated by its agreement on a code of conduct with Asean countries, the US is pushing for military confrontation in the region. It is also in this context that China is developing the BRI as an alternative to the sea lanes threatened by the US in order to outreach to Asia, Africa and Europe. Therefore, it is in order to "contain" China that the US is opposing BRI and CPEC.

In this strategic confrontation, Pakistan has come to play a pivotal role. CPEC will be a virtual lifeline for China in the future while the US and India will exert multiple means of pressure to prevent its realisation. At stake is not only Pakistan's strategic partnership with China but its own economic development that can ensure our genuine sovereignty. The government and people of Pakistan must recognise this reality and not fall prey to American machinations to sow mistrust between Pakistan and China to derail CPEC. Those deficiencies that exist in CPEC need to be corrected but the overall project must continue to be implemented. Together with China, Pakistan needs to defeat this assault on CPEC.

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BELT AND ROAD TO BRING WIN-WIN BENEFITS TO TURKEY AND CHINA

During Development Economics lectures at Bogazici University Economics Department in 2007, one of our professors who used to work at the World Bank emphasized the Chinese economy would be the biggest economy in the world, and as individuals we need to understand more about China, as well.

By following the professor's advice, I flew to China just two days after my graduation. To understand the culture and learn the Chinese language, for two months I traveled from north to south, from Beijing to Hainan, and experienced the most unforgettable moments in my life. After this travel, studying Chinese language in Changsha was a chance to understand Chinese culture more and changed my entire life. In the marble and textile industry I worked as a business development specialist and sales executive and flew back and forth to China for about 10 years. Every month I spent at least one week in China.

During these years, as an economics graduate, day by day observing the growth and development momentum of the world's fastest-growing major economy transition from export-led growth to a more sustainable domestic consumption-led growth model. I saw the increasing level of China's outbound foreign direct investment (ODI) with the implementation of the on-going global strategy and economic development as a unique experience.

The Belt and Road Initiative put forward by Chinese President Xi Jinping in 2013 has received positive responses from Turkey. Both China and Turkey have their own strategies about the creation of the modern Silk Road, in which they share mutual benefits.

Turkey, in line with her geographical location between continents and regions, supports the development of regional transportation projects. With the completion of the Baku (Azerbaijan) Tbilisi (Georgia) Kars (Turkey) railway (BTK) railway link, Turkey has achieved connecting its national railways to the Trans-Caspian International Transport Route (TITR). The Edirne-Kars High Speed railway project is among the most prominent works underway, which is a natural

continuation of the BTK railway. It is composed of about 4,750 km and is critical for both Europe and Asia, as it will constitute an integral part of reviving the historic Silk Road.

Turkey has developed various transport corridor projects. These include the "Marmaray" underwater subterranean rail passage connecting Asia and Europe, the Eurasia Tunnel Project (inaugurated Dec 20, 2016), the "Third Istanbul Airport" and the construction of the Filyos (Zonguldak), Çandarlı (Izmir) and Mersin ports.

"Going abroad" is the inevitable process for Chinese investors. These investments help the transformation and upgrade of not only China's real economy, which will continue to be supported by the Government, but also the pace of the bilateral trade and globalization. In recent years, economic cooperation between China and Turkey resulted in about a \$27-billion bilateral trade volume and the cumulative amount of Chinese FDIs to Turkey has overtaken \$2 billion, as of 2017. With relatively lower labor cost and geographical position, doing business in Turkey is getting more attractive for Chinese investors. Chinese FDIs are focused mainly on logistics, telecommunications and manufacturing. Through Turkey's ideal geographical position and economic strength, Chinese investors can reach markets in the Mediterranean, Central Asia and the Middle East.

I strongly believe deepening cooperation through The Belt and Road Initiative platform would bring prosperity and better living standards to people. Launching major projects with win-win cooperation deliver benefits to all. I hope more and more Chinese investors will find this process of China Go Abroad insightful and inspiring. As professionals who understand China better, we will always be here to assist you and seize opportunities in Turkey investments.

Onur Inci, from Bursa city, Turkey, studied in China under the Chinese Language and Culture program at Hunan Normal University in Changsha from 2007 to 2009.

The opinions expressed here are those of the writer and do not represent the views of China Daily and China Daily website.

Xi Jinping's cultural vision & Pakistan



Naveed
Aman
Khan

Chinese President Xi Jinping discussed the role of the arts in China at a meeting in Beijing with leading artistes, propaganda officials, lobbyists and representatives of the armed forces. In the days that followed, drawing parallels to a landmark talk on culture that Mao Zedong delivered in 1942. Zhao Benshan, a popular actor, was so moved by President Xi's words that he couldn't sleep. Since he assumed power, President Xi Jinping widely considered China's most powerful leader in decades, has overseen a crackdown on civil society and dissent. His views on art and literature offer a window into his vision for Chinese society under his rule and how much space he is willing to grant artistes and writers. President Xi reiterated the Communist Party's long time dogma that the arts must serve a social purpose, which for him appears to be moral education. Pakistan needs to follow President Xi's political, diplomatic, economic and cultural revolutionary and visionary policies. Culture makes or shakes societies. Cultures and arts represent the lives, tastes, aesthetic sense, mood and temperament of the societies. President Xi believes that art should be objective and purposeful. It should entertain inform, guide and educate the people.

In decent presentation of art and culture mislead and derail the tastes of the societies eventually effecting thoughtful brains. Creatively and positivity in theatre drama provide opportunities of learning in amusement. Objective and message oriented drama and theatre plays effectively reform and educate societies in lighter mood. In Pakistan objective message oriented stage plays with philosophical touch are being introduced on a limited scale which reflect changing mood of the writers, producers, sponsors, actors, directors and the audience. Cultural troupe from Xi'an, Shaanxi arrived Islamabad in August on the eve of 71st Independence Day of Pakistan. Scholars like Professor Dr. Ma Dong, High level Chinese government officials like Mr. Bai Zhijun, Mr. Zhao and others visited Pakistan along with cultural troupe. This was practical implementation of President Xi

Jinping's vision of the promotion of Chinese culture in the entire world especially Pakistan. Chinese scholars like Professor Dr Ma Dong are being sent all around to portray positive picture of Chinese nation.

This is new age of cultural prosperity. Our nation's writers and artistes should become the savants, the pioneers, the early advocates of their era. Through more substantial, moral, warm-hearted artistic work, they should write about and document the people's great path, the era's requirements for progress, highlight the beauty of convictions and integrity, carry forward the Chinese spirit, bring together China's might and inspire the nation's every ethnicity to vigorously march towards the future. People should not be provided cultural garbage. In some of their work, some artistes ridicule what is noble, distort the classics. They subvert history and smear the masses and heroes. Some don't tell right from wrong, don't distinguish between good and evil, present ugliness as beauty, exaggerate society's dark side. Some are salacious, indulge in kitsch, are of low taste and have gradually turned their work into cash cows, or into ecstasy pills for sensual stimulation. Some invent things and write without basis. Their work is shoddy and strained, they have created cultural garbage.

Factually art is a public service. Art and culture will emit the greatest positive energy when the Marxist view of art and culture is firmly established and the people are their focus. To focus on the people is to make meeting the people's spiritual and cultural needs the starting and ending point of art and culture and the work in art and culture, to make the people the subject in artistic representations, to turn the people into the critics and judges of artistic aesthetics, and to make serving the people the bounded duty of artistes. Art is a cure for all ills. Our society is at a moment of great intellectual activity. It is an era of big collisions of ideas and blending of culture, which has generated quite a few problems. One of the most prominent is that some people lack values. There is no good and evil in their views,

there is no bottom line to their actions, they dare to do everything that violates party discipline and the nation's laws. They dare to do everything that is unethical. There is no sense of nation, sense of community, sense of family. There is no right or wrong, there is nothing that isn't questioned, no knowledge of beauty and ugliness, no distinction between fragrant and odorous, there is ignorance and extravagance. This is the root cause for all kinds of problems in society. If these are not effectively solved, it will be difficult to move forward in the reform and opening and the socialist modernization drive.

Through art acceptable criticism should be made. What art criticism needs to be is just criticism. It cannot be all praise or even cheap flattery or adulation. It cannot indiscriminately apply Western theories to reshape Chinese aesthetics or use commercial standards in place of artistic ones, completely

equating art works with ordinary merchandise and embracing the belief that the positiveness of a commentary is equal to the thickness of red envelopes' used to hold gifts of money. China-Pakistan Economic Corridor has provided new opportunities of the interaction of cultures and arts of the two countries. Chinese art and culture are positive and productive based on morality which helps in making the nation more reformed and civilised. Chinese cultural theatre drama is presentable and dignified. Chinese theatre drama is presented on stage in a dignified way which seldom finds beneath dignity action and dialogues. This reflects sophisticated and descent behaviour and demand of the society. Because of frequent interaction of Pakistani theatre with different nations it will learn a lot. This is the age of the refinement of Pakistani culture.

OHCHR: INDIA, PAKISTAN DIPLOMATS RESUME KASHMIR BATTLE AT GENEVA

Srinagar: Every September and India and Pakistan take the Kashmir battle to the United Nations and its various affiliate organizations. The 'battle', usually the verbal one, has actually started and this season, it took from the OHCHR (Office of the United Nations High Commissioner for Human Rights) that has its 39th session in progress (September 10-28) at Geneva.

Incidentally, the debate on Kashmir between the two countries was started by none other than the new High Commissioner, Michele Bachelet, who, in her inaugural speech talked about the tight spots across the globe on the human rights front. Kashmir figured prominently. This led the two countries going against and in favour of what she said.



Michele Bachelet, the OHCHR Chief since late 2018

“In Kashmir, our recent report on the human rights situation has not been followed up with meaningful improvements, or even

open and serious discussions on how the grave issues raised could be addressed,” Michele Bachelet said in her long inaugural speech on September 10, 2018, when she formally took over as the successor of Zeid Ra'ad Al Hussein, who led OHCHR till 2018. The report was released in June 2018 and had a set of recommendations for India and Pakistan on state of human rights in Jammu and Kashmir, on both sides of the Line of Control (LoC). “The people of Kashmir have exactly the same rights to justice and dignity as people all over the world, and we urge the authorities to respect them. The Office continues to request permission to visit both sides of the Line of Control, and in the meantime, will continue its monitoring and reporting.”



Zeid Ra'ad Al Hussein, the OHCHR chief till 2018

These sentences sent the ball rolling. The two countries have their Geneva ambassadors as the Permanent Representatives to UN mission at Geneva. The two countries see the two parts of Kashmir as 'occupied'. India sees Pakistan administrated Kashmir (PaK) as Pakistan Occupied Kashmir (POK) and Islamabad terms Jammu and Kashmir (J&K) as India Occupied Kashmir (IoK). *(In this news report, we have changed the terminology to J&K and PaK to help readers understand the geography better.)*

On September 11, 2018, Ambassador Rajiv K Chander, India's Permanent Representative gave the following statement at the OHCHR:

"We extend a warm welcome to the new High Commissioner who assumes office as we celebrate the 70th anniversary of the adoption of the Universal Declaration of Human Rights. Madam High Commissioner, with your vast experience in public life including the UN System, we are confident that there would be constructive cooperation between the Office of the High Commissioner and the States towards strengthening further the promotion and protection of all human rights, including the Right to Development.

Madam High Commissioner, we not only believe that all human rights are universal and inalienable but also follow the ancient wisdom of *Vasudhaiva Kutumbhakam* which sees the world as one family with ethos of openness and respect for diversity, co-existence and cooperation. As is evident from the recent developments, our institutions are capable and responsive to the needs and aspirations of the vast and thriving milieu of people



Ambassador Rajiv K Chander, India's man in Geneva

Madam High Commissioner, there is no denying that these are challenging times including for this body. It is important, therefore, that human rights issues are addressed constructively with respect for national sovereignty and territorial integrity in a transparent and credible manner.

We regret that reference has been made to the Indian State of Jammu and Kashmir. Our views on this matter have been made abundantly clear in the Council.

Madam High Commissioner, terrorism is the biggest scourge and the greatest violator of human rights and we hope you would address this issue more emphatically in the coming years.

Mr President,

India has served the Council with the conviction that the promotion and protection of human rights are best pursued through dialogue and cooperation. We are committed to contributing further to the Council in a spirit of collaborative engagement and count on the support of all our colleagues as we persist on this path.

Madam High Commissioner, we congratulate you and wish you a successful tenure. Please be assured that India will do its utmost to serve the interests of the Council and we look forward to working with you."

It was Pakistan's turn, the same day. Permanent Representative of Pakistan, Ambassador Farukh Amil, made this statement at the OHCHR:

"We thank High Commissioner Michele Bachelet for her report and the oral update. We welcome her leadership of the OHCHR. She has rightly drawn our attention to the continuing conflicts and crises across the global and the need to work towards permanent solution of such conflicts, thereby easing human rights and humanitarian challenges.

The High Commissioner rightly stated yesterday that the people of Jammu and Kashmir have exactly the same rights to justice and dignity as people all over the world. Pakistan also shares the High Commissioner's anguish that OHCHR's Kashmir Report (quote) "has not been followed up with meaningful improvements or even open and serious discussions on how the grave issues raised could be addressed" (Unquote).

Pakistan has acknowledged the importance of OHCHR Report in documenting excessive use of force, arbitrary arrests,

detentions and disappearances, cases of mass graves and continued sexual violence, as part of overall impunity enjoyed by Indian security forces in Kashmir. Since this June when the Report was published, plight of Kashmiri civilians in J&K has only worsened. Around 60 civilians have been killed with scores of them injured or rendered missing by India forces since this Council last met. The use of pellet guns continues to blind and deface civilian protestors.



Ambassador Farukh Amil, Pakistan's man in Geneva

Pakistan endorses High Commissioner Bachelet's call for urgent implementation of the recommendations of the OHCHR report. In this regard, Pakistan welcomes the Report's proposal to establish a 'Commission of Inquiry' for international investigation into human rights violations in J&K. Pakistan is willing to allow any UN team to visit Azad Kashmir as long as it is able to visit the J&K. In that sense, Pakistan's stance on the question of "access" by the UN is unconditional as long as India offers similar access to the Territory it occupies. We have nothing to hide as people of Kashmir always wanted to join Pakistan. Pakistan, therefore, has never shied away from implementing numerous Security Council Resolutions that call for a free and impartial plebiscite in Kashmir under the UN auspices to determine the region's future. India constantly blocks implementation of these resolutions as it knows it would lose in any free and democratic vote in Kashmir.

The United Nations has a key role to play in the resolution of the Jammu and Kashmir dispute. The UN Security Council is seized of its numerous resolutions as the dispute remains on its agenda. The OHCHR report is a reminder to the Human Rights Council of this internationally recognized dispute and the urgency of its settlement both to protect human lives and promote peace."

India invoked its right of reply. Ms Mini Devi Kumam, First Secretary in the Indian Mission, gave the following statement on September 11, 2018:

"India exercises its right of reply to the statement made by Pakistan under Agenda Item 2.

We reject Pakistan's futile efforts to rake up the issue of Jammu and Kashmir, including through repeated references to the motivated and fallacious report which we have outrightly rejected. The entire State of Jammu and Kashmir is an integral and inalienable part of India. There can be no doubt on this fact. The people of J&K, as citizens of India, have repeatedly reposed their faith in Indian democracy by actively participating in free and fair elections held at all levels. We have robust and effective mechanisms to address all challenges in the Indian state of Jammu and Kashmir and protect their legitimate interests. The main challenge in Jammu and Kashmir is cross border terrorism emanating from Pakistan. In 2017 alone, unrelenting cross-border terrorism from Pakistan was responsible for 342 terrorist attacks in Jammu and Kashmir resulting in the death of 120 civilian and security personnel.

Mr. President,

Is it not an irony that a State, which protected Osama Bin Laden and sheltered Mullah Omar is raising human rights concerns? Even as we approach 10 years of Mumbai terrorist attacks, their perpetrators continue to roam freely in Pakistan. The fact that UN proscribed terrorist entities and individuals actively campaigned and contested in the recently held elections reflects the deplorable state of affairs in Pakistan. Terrorism originating from Pakistan remains the biggest threat to regional and global peace and security.

No amount of hyperbole can hide the dismal human rights record of Pakistan, which has been systematically violating the rights and freedoms of people of PAK including exploitation of



Pellet injured in the SMHS hospital during 2016 unrest. KL image: Bilal Bahadu



their natural resources. Extrajudicial killings and disappearances in Sindh, Balochistan and Khyber Pakhtunkhwa continue to be the order of the day. Minorities are harassed through blasphemy laws. Forced conversions and marriages of minority women are routinely carried out with impunity. Even Muslim minorities such as Shias, Ahmadiyas, Ismailia and Hazaras are victims to sectarian violence and systemic persecution.

Pakistan with its amnesic tendency chooses to conveniently recall parts of the UN resolutions on Jammu and Kashmir. We would like to remind the Council that it was Pakistan that wrecked the UNSC resolutions by not meeting its primary obligation to first vacate the illegal occupation of PAK. Pakistan should put a stop to its continued aggression against the people of Jammu and Kashmir and fulfill its commitments under the 1972 Simla Agreement and Lahore Declaration of 1999.

Mr President,

We also reject the reference to Jammu and Kashmir made by Pakistan on behalf of OIC. The OIC has no *locus standi* to comment on the internal affairs of India. The OIC would be well advised to not allow itself to be misused by an errant member whose greatest and only contribution to the region and the world has been the malice of terrorism.”

Now it was Pakistan's turn again. It also invoked its right to reply which was delivered by Ms Tehreem Bano, an Assistant

Director in Pakistan's Ministry of Foreign Affairs. Here is the text of the reply:

“We are making this right of reply in response to India's statement. We regret that instead of introspection of its atrocities against the Kashmiri people, India has again resorted to baseless polemic and provocative rhetoric against Pakistan. We do not intend to engage in an altercation on domestic issues of India though, rest assured, we have plenty to speak on that topic.

Statements by Pakistan and numerous other delegations, including the High Commissioner was about Jammu and Kashmir. The United Nations recognizes Jammu and Kashmir as an international dispute. There are numerous Security Council resolutions on Kashmir. UNMOGIP, the oldest peacekeeping mission of the UN, operates in the territory. Since the disposition of Jammu and Kashmir is to be decided by its people through a UN supervised plebiscite, India's forcible occupation of the territory since 1947 has no legal basis. Jammu and Kashmir is not part of India and neither it has ever been. Commenting on Kashmir is therefore not interference in India's internal affairs. India's objection to statements by a number of international organizations, states and civil society representatives on Kashmir is untenable. As an international dispute that has sparked wars and as a situation of India's crimes against humanity, Kashmir has both peace and security as well as human rights dimensions

While overarching political and legal denominations of Jammu

and Kashmir remain inextricably linked with any deliberation on the issue, the focus of this Council and indeed the OHCHR report is about human rights violations in the J&K. The OHCHR report only corroborates and compiles the series of gross human rights violations committed by India in Kashmir. Pakistan has welcomed the OHCHR's recommendation of establishing a Commission of Inquiry. If India has committed no crime in Kashmir and if sources of instability in Kashmir are external, India should also welcome the Commission. India's abject rejection of the Commission is a testament that it fears an independent investigation, which will inevitably expose its crimes against the Kashmiri people.

India cannot subsume the political uprising in Kashmir under the banner of terrorism. Hundreds of Kashmiri civilians blinded by pellet guns were not terrorists. Thousands of protestors who throng the streets of Srinagar, Kupwara, Shopian, Bandipura and other towns and villages in J&K are not terrorists. 8 years old girl Asifa, raped to death by priests and extremists in a Hindu temple in Jammu, was not a terrorist. Sources of instability in J&K are indigenous, led by impunity of its 700,000 strong military force there. India therefore does not allow any international verifiable mechanism like the OHCHR to work in J&K.

The Representative of India is maligning Pakistan as knee jerk reaction. However, we will restrict ourselves with discussion at hand and urge India to implement the recommendations of the OHCHR report including the Commission of Inquiry on Human Rights Violations. If it has nothing to hide, it must not reject the Commission and other recommendations of the OHCHR Report.

I thank you Mr President.”

With the news created for their respective media across the Redcliff divide, the diplomats had their rest, only to pick up the “battle” again. They had a brief exchange of contrarian views on enforced disappearances report when the discussions took place on September 12. While Pakistan raked up Kashmir, India talked about Pakistan's underbelly.

“We reject all references made by Pakistan to the motivated and fallacious report on Kashmir,” First Secretary, Mini Devi Kumam, said during the session on *Interactive Dialogue of the*

Working Group on Enforced or Involuntary Disappearances and the *Working Group on Arbitrary Detention in Agenda*. “Our views on this matter have been made abundantly clear in the Council. Various international organizations have repeatedly reported on how enforced disappearances and extrajudicial killings continue with impunity in Pakistan, particularly in PaK, Khyber Pakhtunkhwa, Balochistan and Sindh. The Working Group in its latest report has also expressed specific concern on the increasing number of cases of enforced disappearances in Pakistan. Pakistan is, therefore, well advised to seriously introspect on its own human rights record and stop wasting the valuable time of the Council to mislead the global community.”

The statements and counter-statements resumed on September 14. That day, the OHCHR discussed *Protection and Promotion of all Human Rights, civil political, economic, social and cultural rights, including the right to development*. Pakistan's Permanent Representative Ambassador Farukh Amil, gave this statement to the session:

“All human rights are equal and indivisible, to be treated with similar attention and emphasis. The Right to self-determination, enshrined in the UN Charter and other International Covenants, is at the root of the realization of all these rights. In the last seven decades, Right to self-determination galvanized the drive of decolonization and inspired newly independent states to adopt policies of national choice in protection and promotion of all human rights.

The people of Jammu and Kashmir still wait to exercise their Right to Self Determination promised to them not just by the first Indian Prime Minister and one of its founding fathers but also by the United Nations. Instead of living up to its promises, India illegally occupied the territory through use of force, fraudulent instrument of accession and illegal decisions of subsequent puppet regimes. The fraudulent instrument of accession, as a document, does not exist. The decision of the puppet regime flouts UN Security Council Resolution 122 which clearly stipulates that no local elections or decision on Kashmir's future disposition can substitute the UN supervised plebiscite to determine the will of Kashmiri people.

Over a dozen Security Council Resolutions on Kashmir provide a framework for the Kashmiri people to exercise their Right to

Self Determination. India cannot mislead this Council by blaming Pakistan for not demilitarizing the territory to enable holding of plebiscite. Security Council Resolution no. 98 clearly laid down specific the number of troops both India and Pakistan can maintain on respective sides of the Line of Control at (quote) “at the end of the period of demilitarization” (unquote). Absolute demilitarization was never a precondition for holding of the plebiscite. India also endeavours to subsume the Kashmiri struggle for the Right to determination as terrorism. India should not hide behind the global concerns on terrorism to justify its own atrocities and human rights abuse. The Commission of Inquiry called for by the OHCHR report, gives India a platform to prove its point. Pakistan has welcomed the Commission of Inquiry. India should also accept the Commission for the truth to prevail. India, do not fear the truth. India should also implement OHCHR's recommendation to uphold the Right to self-determination of the Kashmiri people. The fulfilment of this right is essential to safeguard all human rights of the Kashmiri people and to promote regional and international peace and security.

To this India's response was ready. This time it was Dr Vishnuvardhan Reddy, Deputy Secretary, who read out the India's response. He said:

“India exercises its right of reply in response to the statement made by Pakistan under Agenda item 3.

Mr President,

No amount of rhetoric from Pakistan can deny the fact that Jammu and Kashmir is an integral and inalienable part of India. The State of Jammu and Kashmir chose to join India through the signing of a totally legal and irrevocable Instrument of Accession. It is Pakistan that is in illegal and forcible occupation of a part of the Indian State of Jammu and Kashmir.

Mr President,

The principles of self-determination espoused by Pakistan pose severe dangers to several countries in the world where multi-ethnic and multi-religious societies coexist. In contravention of the UN Charter, the concept cannot become an instrument to promote subversion and erode the political cohesion or territorial integrity and sovereignty of the Member states.

What is portrayed by Pakistani as self-determination is actually State-sponsored cross-border terrorism and the support actually means extending military, financial, logistical support to terrorism against India. Cross-border terrorism till date has

killed more than 14,000 civilians and 5000 security personnel in Jammu & Kashmir alone. Despite this continued aggression against the people of J&K and the proxy war waged by Pakistan, the people of J&K have repeatedly reposed their faith in the Indian democracy. In contrast, the deep state in Pakistan has denied the right to its own people for more than half of its independent history. Political dissidents and legitimate criticism in Sindh, Balochistan and Khyber Pakhtunkhwa face violent suppressions. Pakistan has no regret to even air-bomb its own civil population. Unabated persecution of religious minorities including Shia, Ahmadiya and Ismaili muslims, forced marriages and draconian blasphemy laws expose Pakistan's utter disrespect for international laws and norms. This is the human rights record of Pakistan!

Mr. President,

Pakistan keeps harping about UNSC resolutions on Kashmir conveniently forgetting that it is Pakistan's intransigence and territorial ambition that have made the resolutions redundant. If Pakistan has any respect for truth, it should first meet its obligations and vacate the illegal occupied territories. Pakistan is also reminded of its international obligations under other UN resolutions. In blatant disregard to UNSCR 1267, Pakistan continues to mainstream a large number of UN proscribed terrorist entities and individuals and despite international outrage, it has allowed them to campaign and actively participate in the recently held elections. It not without reason that the Financial Action Task Force (FATF) has put Pakistan under grey list!

Mr President,

We once again ask Pakistan not to waste the time of this Council by indulging in futile political propaganda, focus on its own dismal human rights record and work constructively for a safe, stable, secure and developed South Asian Region which is free from terror and violence.”

The session is going on and the two countries will have to issue many more statements in the coming days.

But the real news will come from the general assembly, where heads of the state's or their foreign ministers make speeches. The two countries have been flying plane-loads of diplomats and the activists to score diplomats points over each other.

It is too early to say who goes from Delhi and if Imran Khan will take off for a quick 'hour' in the global pitch. But one is clear and safe to say is the show goes on.

NEWS SECTION

Australian politician pledges support for Kashmiris' right to self-determination



Former Australian senator Lee Rhiannon addressing a gathering in Islamabad on Monday. Lee Rhiannon, the former Australian senator and human rights activist, has reiterated her support for Kashmiris' right of self-determination. The senior Australian Greens leader is currently visiting Pakistan and Azad Jammu and Kashmir (AJK). Speaking to reporters following a meeting with Speaker AJK Legislative Assembly Shah Ghulam Qadir, she said that a recently issued report by the Office of the United Nations High Commissioner for Human Rights United Nations (OHCHR) on Indian-held Kashmir carries a lot of weightage.

The report provides vital information to common people and non-governmental organisations (NGOs) working for human rights, Rhiannon added. He urged political parties and governments in the west to come forward and support the Kashmiri people in accordance with the recommendations of the OHCHR report. "We need plebiscite for Kashmiris. We need to end the human rights abuses and end the violence in the occupied valley," she added. The former senator regretted silence of the Australian government on the issue in the past. "But people like me are committed to the right of self-determination of Kashmiris and we will put pressure on the Australian government to support Kashmiris on international fora including at the human rights council," she added.

e don't intend to give it a Pakistan-India or Hindu-Muslim colour ... it is the issue of Kashmiri people and their right of self-determination and we are here to support them."

AJKLA Speaker Ghulam Qadir thanked the Australian leader

for visiting the area and pledging full support to the oppressed people of Indian-occupied Kashmir. Later, he presented a shield to the visiting dignitary.

HRW South Asia director urges India to accept blatant rights abuses in Kashmir

Meenakshi Ganguly, the South Asia director at Human Rights Watch (HRW), has urged the Indian leadership to admit that human rights violations are taking place on their side of the Line of Control (LoC), and they must work with Pakistan to find a solution that puts the interests of Kashmiris first.

Speaking to Vaqas Asghar, host of the Tribune 24/7 programme "Media Watch", the rights activist said it is about time leaders in both India and Pakistan realised that Kashmiris are living in a conflict zone and suffering human rights violations.

"They must understand and acknowledge this and ensure that human rights of these people are not violated anymore. It needs to happen right now ... this should be about Kashmiris who are suffering." anguly regretted the fact that human rights issues are often ignored in Pakistan-India peace and not given the importance it deserves. "Whenever we start talking about Kashmiris' rights the topic turns to militancy which leads to demands from one side and demands from the other and the whataboutery of the two parties as they try and justify their actions because of the actions of the other, which does not help," she said. Commenting on the current situation in the occupied valley, she said the Indian government has rejected reports by Amnesty International and OHCHR (Office of the United Nations High Commissioner for Human Rights) recently issued on atrocities being committed by the Indian security forces.

"Once again we find out that Kashmiris are the ones having to pay the price for the political battle that goes between India and Pakistan," she added, stressing that the focus should be diverted to protect the human rights of the Kashmiris.

When asked to comment on misuse of special powers given to the Indian military, Ganguly said that not only the international organisations like the United Nations (UN) but groups and commissions, formed under the Indian government and mandated to try and find solution to the Kashmir issue, have also



Indian security personnel detain a Kashmiri man during protests by students in Srinagar

when Modi government is targeting almost all ethnicities in the country, the HRW official said the voice of dissent should not become the political tool. “Unfortunately this is what happens way too often not necessarily in India only but in other parts of the world including Pakistan that every time you speak about human rights it sounds like you're trying to justify one party's views against the other,” she said. “Yes, it is true that Kashmiri pundits have had their rights violated which should've been protected, but this does not mean that what is going on in Kashmir valley should be ignored. And that's what we are finding in India that this has become the discourse. “Any kind of dissent and criticism is treated as anti-national, there are crackdowns on people who speak out and this is really really unfortunate because unless the government is responding to these calls for justice, there will continue to be a cycle of

violence against innocent women and children protesting on the streets of Kashmir.”

Commenting on increasing communal violence by pro-BJP vigilantes against religious minorities in the country, Ganguly said the environment of an extreme form of nationalism violates religious freedom, adding that the situation was concerning and she was “very very worried”.

When asked if Kashmir was also a victim to such more violence promoting Hindu supremacy and ultra-nationalism recently, she said: “For a very long time Kashmir was not looked through the religious prism but unfortunately more recently the fact that Kashmiris are Muslims is used to criticise them and to deny them their rights.”

The HRW official stressed the need to protect rights of Kashmiris at all costs like everyone else's in the world. “Human rights are universal.”

Pakistan condemns unprovoked ceasefire violations by India

Ceasefire violations has resulted in the martyrdom of an innocent civilian 65-year old Zulfiqar while injuring a boy.

ISLAMABAD: Director General (SA & SAARC) Dr Mohammad Faisal on Saturday summoned the Indian Deputy High Commissioner J P Singh and condemned the unprovoked ceasefire violations by the Indian forces along the Line of



Control (LoC) in Dana Sector.

The Indian firing resulted in the martyrdom of an innocent civilian, 65-year-old Zulfiqar son of Mehboob from Mouji village and injured a six-year-old boy Ajaz son of Safeer,

according to a Foreign Office statement.

Dr Faisal urged the Indian side to respect the 2003 ceasefire arrangement, investigate this and other incidents of ceasefire violations, and instruct the Indian forces to respect the ceasefire, in letter and spirit in a bid to maintain peace on the LoC and the Working Boundary.

He said the Indian side should permit UNMOGIP (United Nations Military Observer Group in India and Pakistan) to play its mandated role as per the UN Security Council resolutions.

The press release further said the deliberate targeting of civilian populated areas was indeed deplorable and contrary to human dignity, international human rights and humanitarian laws.

“The ceasefire violations by India are a threat to regional peace and security and may lead to a strategic miscalculation,” it added.

The Indian forces along the LoC and the Working Boundary were continuously targeting civilian populated areas with heavy weapons. In 2018, the Indian forces have carried out more than 1,900 ceasefire violations, resulting in the martyrdom of 31 innocent civilians while injuring 122 others.

This unprecedented escalation in ceasefire violations by India continued from the year 2017 when the Indian forces committed 1,970 ceasefire violations.

Civilian killed in unprovoked Indian shelling

Rawalpindi: A civilian was martyred on Monday in unprovoked Indian Army shelling across the Line of Control (LoC) in Khanjar Sector, the Inter-Services Press Relations (ISPR) said.

Pakistan Army personnel mounted a befitting response by returning fire. Indian troops routinely attack civilians across the LoC in flagrant violation of a 2003 ceasefire.

On September 5, the Indian Deputy High Commissioner JP Singh was summoned by Foreign Office (FO) Spokesperson Mohammad Faisal to protest unprovoked ceasefire violations by the Indian Army along the LoC. “Indian forces have carried out over 2,000 ceasefire violations along the Line of Control and Working Boundary.” The FO added 32 civilians had been martyred and another 122 injured in the incidents.

Azaadi Slogans Outside World Hindu Congress Conference in Chicago: Reports

Srinagar: This weekend, the World Hindu Foundation's second World Hindu Congress (WHC) Conference in Chicago turned into a major political event as various “other” people assembled outside and resorted to sloganeering, reports said.



People protests outside the World Hindu Congress (WHC)

Conference in Chicago. Pic source: internet

WHC is “a global platform for Hindus to connect, share ideas, inspire one another, and impact the common good”. RSS Chief, Mohan Bhagwat was part of the Conference.

Non-Resident Indians' found it an opportunity to urge the leaders attending it to oppose the current actions of their

government against minorities in India. Various organizations and individuals came together and held a sit-in outside the venue. They also held a rally to protest the ongoing human rights violations committed against minorities. Those behind the protest programme included Sikhs, Indian Muslims, Dalits, Indian Christians, and Kashmiris. Most of the protesters had travelled from different parts of the country to take part in the weekend protests. Peaceful protests against the event speakers and organizers took place outside the venue. As RSS Chief, Mohan Bhagwat took the stage, protesters were heard raising slogans: “Stop Hindu Fascism” and “RSS turn around, we do not want you in town.” Protesters focused mainly on crimes against religious minorities in India and human rights violations in Kashmir. Several protesters had signs and banners, highlighting the atrocities committed against civilians in Kashmir. Slogans like *Hum Kya Chahtay? Azadi* were also heard, reports added.

APHC-AJK remembers Abdul Aala, Mushtaq Wani

Islamabad: The All Parties Hurriyet Conference Azad Kashmir (APHC-AJK) chapter organized a condolence reference in Islamabad to pay homage to the deceased Hurriyet leaders, Dr Abdul Aala and Mushtaq Ahmed Wani. According to Kashmir Media Service, the condolence

reference was chaired by the APHC-AJK Convener, Ghulam Muhammad Safi, while Jamaat-e-Islami AJK senior leader, Abdul Rasheed Turabi, was the chief guest. Speakers on the occasion eulogized the services of the two leaders, who had started their political journey with Al-Fateh organization. They said that the two leaders were of great repute in Kashmir for their commitment and sacrifices for the Kashmir cause. They said that the two leaders since their youth were part of Kashmir freedom movement and left no stone unturned to highlight the Kashmir cause and Indian brutalities at the international level. The leaders expressed concern over the increasing Indian atrocities in occupied Kashmir and urged the international community to help stop human rights violations in the territory. They said that permanent peace could not be established in South Asia without resolving the Kashmir dispute and the Kashmiris would continue their struggle till they achieved their right to self-determination. Dr Abdul Aala was an MBBS doctor who was suspended five times during his service by the then occupied Kashmir administration and finally was terminated in 1989. Mushtaq Wani being a student of Jammu University stood firm by Dr Aala for the freedom of Kashmir from Indian occupation, got detained and later migrated from occupied Kashmir to Azad Kashmir.

Kathua rape victim's counsel invited to HR session at Geneva

The counsel of Kathua rape and murder victim, Deepika Singh Rajawat has been invited to attend the 39th Session of the Human Rights Council at the Palais des Nations in Geneva, Switzerland on September 19. The invitation to Rajawat was extended by the International Human Rights Association of American Minorities (IHRAAM)-an ECOSOC affiliated Organization which is underway at Geneva till September 28. Rajawat, who hails from a Kashmiri Pandit family, is scheduled to attend, research and participate in the 39th session of the Human Rights Council on September 19. Rajawat is representing the rape and murder case of eight year old girl of

village Rasana in Kathua. She has been conferred with Women of the Year Award by Indian Merchants Chamber of Commerce and Industry Ladies Wing, Mumbai in June 2018 at Mumbai for her contribution in women welfare initiatives. She has also been



awarded Humanitarian Award 2008 by Trinjan at festival of Mothers and Daughters at Vancouver BC Canada on June 24 this year. Rajawat was also awarded Women of the Centaury Award at Salute Success 2018 Thalilulam Block Panchayath Kazhimbram, Kerala on 17th June 2018 at Kochi for being a courageous woman. She has been working for Human Rights specially Child Rights and Women Rights since 2008 and was awarded with Rippen Kapoor Fellowship in 2008 by Child Rights and You (CRY) for working on the Child Rights Violations in the militancy infested J&K. She was also awarded with Sonjoy Gosh Media Fellowship by Charkha Foundation in 2008 for conducting study on the Child Rights Violations in the militancy infested areas of Jammu province. Deepika has also been Member Juvenile Welfare Board created under Jammu and Kashmir Juvenile Justice Act, 1997 for Jammu district from 2010 till 2013 She has also served as Member Juvenile Welfare Board created under Jammu and Kashmir Juvenile Act, 1997 for Rajouri district from 2011 till 2013.

Kashmir shuts on JRL call against civilian, militant killings



Kashmir shuts on JRL call against civilian, militant killings

(File pic-Mubashir Khan/GK)

Normal life was affected in Kashmir on Monday due to a shutdown called by the Joint Resistance Leadership (JRL) against the recent civilian and militant killings in south Kashmir's Kulgam district.

Witnesses said that all shops and other commercial establishments remained closed in city centre and other parts of summer capital Srinagar.

They said skeletal movement of public transport was witnessed

in the city. However, private vehicles were seen plying on the roads in the city.

Reports said thin attendance was recorded in government offices.

Shutdown called by JRL comprising Syed Ali Geelani, Mirwaiz Umar Farooq and Yasin Malik was observed in other parts of the valley.

Sultani's youngest daughter didn't know difference between illness and death

Family of Hurriyat activist refute militants killed him Shattered by the assassination of her husband, 35-year old Nazia Akhtar appears unable to deal with the tragedy that struck her family on Saturday. Hurriyat(G) activist Rehman Sultani, 42, was killed by unknown gunmen near his home in Bomai. "Did the assailant not know he was going to orphan five daughters besides widowing a mother," Akhtar said, wailing and mourning at her home on Sunday. She gazed at her youngest daughter Duha Hakim, just four years of age, who couldn't understand the difference between being ill and being dead. "When she (Duha) saw the body of her father, she cried mama, don't we have sufficient money to treat Abuji. We will approach nearby darasgah, they keep money in a collection box," said the mother of five girls aged between 15 and 4 years. Hugging each of her daughters, Akhtar screamed uncontrollably in pain. The youngest was born while her deceased husband, Sultani was in jail and saw her first when she was three months old. The grieving widow said that early Saturday morning Sultani received a call from police asking him to accompany them to court for a challan was to be produced in one of the cases against him.

He feared arrest, Akhtar said, but instead got a bullet in his head on his return from the court as he was approaching his home in a vehicle. "None of us heard any sound of bullet. The unknown gunmen fired from a silencer fitted pistol as evident from the empty cartilage," said her father, Muhammad Yahya.

Family members say Sultani got associated with Tehreek-e-Hurriyat soon after he spearheaded a successful agitation for the removal of an army post in Bomai, which was known as



Rajinder post, after soldiers from the camp were accused of killing two youths in the area in 2009. Sultani actively participated in the 2016 agitation, however, he never advocated stone pelting and believed in peaceful agitation, his family says.

“He (Sultani) used to participate in protests but was never involved in any type of violence,” said Abdul Rashid, his relative, adding that the deceased was arrested that year under PSA and jailed for two years. Sultani was released from prison a few months earlier and had started leading Friday prayers in

a local mosque. “He was leading a normal life. On Friday he used to lead prayers at a nearby mosque and thereafter he would remain busy at his field besides taking care of his children,” said his father-in-law.

Sultani's family refute militants killed him, saying his past association with different agitations was the most likely cause. “He was not in the good books of different security agencies. Even during 2010 agitation he was hit with a bullet in leg allegedly by government forces and remained bedridden for around seven months,” Sultani's uncle said.



(From Jan 1989 till Sep 30, 2018)

Total Killings *	95,147
Custodial Killings	7,115
Civilian arrested	144,957
Structures Arsoned/Destroyed	109,073
Women Widowed	22,887
Children Orphaned	107,735
Women gang-raped / Molested	11,096



A KASHMIRI MOTHER WATCHING HER SON AFTER HE WAS SHOT BY INDIAN FORCES



16 year old Andleeb's open eyes appear to be staring at brutality. Andleeb was amongst the three youth killed today at Kulgam, Kashmir by armed forces.

Russia prepares for biggest war games in its history

Russia on Tuesday will launch the biggest military drills in its history involving 300,000 troops as well as Chinese soldiers, in a move NATO denounced as “exercising large-scale conflict”. The week-long deployment alongside Chinese and Mongolian

situation as possible,” Shoigu said. The Russian army will roll out all of its latest additions for the event: Iskander missiles that can carry nuclear warheads, T-80 and T-90 tanks and its recent Su-34 and Su-35 fighter planes.

At sea, the Russian fleet will deploy several frigates equipped with Kalibr missiles that have been used in Syria. Russia's



armies dubbed “Vostok-2018” (East-2018) will start in eastern Siberia on September 11. It comes at a time of escalating tensions between Moscow and the West over accusations of Russian interference in western affairs and the ongoing conflicts in Ukraine and Syria.

The Russian army has compared the show of force to the USSR's 1981 war games that saw between 100,000 and 150,000 Warsaw Pact soldiers take part in “Zapad-81” (West-81) the largest military exercises of the Soviet era. But defence minister Sergei Shoigu said this time would be even larger, with 300,000 soldiers, 36,000 military vehicles, 1,000 planes and 80 warships taking part in the drills.

“Imagine 36,000 military vehicles moving at the same time: tanks, armoured personnel carriers, infantry fighting vehicles and all of this, of course, in conditions as close to a combat

previous military exercise in the region, Vostok-2014, was almost half the size, with 155,000 soldiers participating.

The country's war games in Eastern Europe last year, Zapad-2017, saw 12,700 troops take part according to Moscow. Ukraine and the Baltic states claim the true number was far bigger. President Vladimir Putin is expected to attend Vostok-2018 after hosting an economic forum in Russia's far eastern city Vladivostok where his Chinese counterpart Xi Jinping is one of the star guests.

Russian military analyst Pavel Felgenhauer said the games were a “preparation for a future world war”. “The army's General Staff believes this will take place after 2020 in the form of either a global war or a series of conflicts with magnitude,” he said. “The enemy is the United States and its allies.”

According to Felgenhauer, China's participation although

modest with only 3,200 men will be a key factor at the drills. "It's not just about a sign or a message, but about a preparation for a real-life war of great magnitude," he said. This opinion was shared by NATO, which said that Vostok-2018 "demonstrates Russia's focus on exercising large-scale conflict".

"It fits into a pattern we have seen over some time a more assertive Russia, significantly increasing its defence budget and its military presence," said the alliance's spokesman Dylan White. Russia has denied the drills are a cause for worry.

"Vostok-2018 is far from NATO's area of responsibility and does not affect the security of its member states," the Russian foreign ministry's spokeswoman Maria Zakharova said. Relations between Russia and the West declined sharply in 2014 with Moscow's annexation of Crimea and the subsequent conflict in eastern Ukraine.

Since then Moscow has increased the number of its large-scale military exercises in the Caucasus, the Baltic and the Arctic. At the same time, the Kremlin has accused NATO of expanding westwards and threatening Russian national security. This week, Russia held military exercises in the Mediterranean.

More than 25 warships and around 30 planes took part in the drills, as Russia increased its military presence in Syria where it intervened to help the Bashar al-Assad regime in 2015. Around 2,200 Ukrainian, American and other NATO soldiers took part in military exercises in western Ukraine in early September.

Last month, the Kremlin's spokesman said Russia's "ability to defend itself in the current international situation which is often aggressive and unfriendly to our country is justified, essential and without alternative".

Two women from KIU successfully summit Minglik

GILGIT: Nadeema Sahar and Samana Rahim have become the first students of Karakoram International University (KIU) in Gilgit-Baltistan (G-B) to summit 6,050 metre Minglik Peak in Shimshal valley, Hunza.

Sahar and Rahim are students of 'Tourism and Hospitality Management' department, which was established in KIU keeping in view the potential of tourism especially in Hunza and rest of this mountainous region.

"We are so happy and proud to be the first students of KIU to

climb the peak," Sahar told *The Express Tribune* on Sunday about the expedition that took place in the second week of June. The expedition was sponsored by Karakoram Club Pakistan. They said, "We have set a precedent for rest of the students to follow." Sahar and Rahim belong to Shimshal valley, the highest settlement in Hunza district with a population of 2,000 people. The valley is situated in one of the remotest parts of the Karakoram Range. Vice-chancellor Dr Attaullah Shah awarded certificates to the students in recognition for the accomplishment. The girls were part of an eight-member expedition that reached the top of Minglik Peak. "There is a message in our successful summit," said Sahar adding, "The girls are talented, but opportunities are lacking. I request all parents to encourage their daughters so that they are successful in real life."

The successful summit was celebrated by students of KIU. "Great moment for us as our colleagues hoist the flag of KIU on the top, promoting adventure tourism and our department," said Sohail Azhar, a classmate of the climbers.

Minglik Peak is located in the Shimshal Valley in Hunza neighbouring Kun Lun, the southernmost Chinese mountain range. Shimshal Lake sits at the base of the mountain near the Shimshal Pass (4735m).

The trek to Minglik Peak starts from Shimshal Valley to Wuch Furzeen, which is a seven-to-nine-hour walk. It takes another six-to-eight-hours to reach Shuijherav (4350m) and another three hours to reach Shimshal Pass.



Representational image. PHOTO: REUTERS

Kashmiris along with Pakistanis celebrated Defense Day

Muzaffarabad (PID, AJK) Kashmiris along with Pakistanis celebrated Defense Day on Thursday to mark the 53rd anniversary of the 1965 war with traditional fervor and a renewed pledge to defend the motherland against all threats. Special prayers were offered after fajr in mosques for progress and prosperity of the country. Fateha and Quran Khawani were also held for the martyrs. It was on this day in 1965 when Indian forces crossed the international border in the darkness of night to attack Pakistan but the nation foiled the nefarious designs of the enemy. A number of events are being held across the country to mark the day. In State capital, the main function was held at Neelum Stadium which was also attended by AJK President Sardar Muhammad Masood Khan and Prime Minister Raja Farooq Haider Khan. Meanwhile, AJK Prime Minister Raja Muhammad Farooq Haider Khan has termed Pakistan Defense Day as a day of Victory. Talking to media persons at prime minister's House here on Thursday the Prime Minister said that Nation is celebrating the Defense Day with joy and zest and resolves that more sacrifices' would be offered if needed for the defense of the homeland. He paid homage to martyrs of 1965 war. He said Pakistan Army has shown the reality that Kashmiris and Pakistan were same by observing the Defense and Martyrs of Kashmir Day collectively. "Kashmir and Pakistan were same and will remain, No power of the world can separate them from each other", he said. The Prime Minister Paid tribute to all martyrs who defended the country from the battlefield to streets. He said there are some sorts of sacrifices which cannot be measured, like that sacrifices, Kashmiris in occupied Kashmir, in the Love of green flag are continuously offering their lives. Salute to martyrs who gave birth to such a brave son for the homeland who sacrificed their lives, he said. The prime minister said the nation is stronger today than it was in 1965 and stressed that enemies can only be defeated through strict adherence to the cardinal principles of unity, faith, and discipline laid down by the Father of the Nation. Pakistan is on the path of accelerated development and the country is being viewed as an emerging economy by the global economic community, he said. In the evening, prime minister Raja Farooq Haider paid to visit Hickey Ground and examined the stalls placed on the occasion of Defense of Pakistan Day by Jammu and Kashmir Liberation Cell. Pakistan emerges strong country of world because of its valiant forces Muzaffarabad: Azad Jammu and Kashmir President Sardar Masood Khan has said Pakistan is emerging as powerful country in the region because of its impregnable defence, valiant and professional armed forces and determined nation He expressed these views while addressing as chief guest at Defence and Martyrs Day function held at Neelum Stadium here on Thursday to commemorate the supreme sacrifices rendered by our valiant soldiers and officers in the war of 1965. The impressive ceremony was also addressed by General Officer Commanding Murree, Major General Ahar Abbas and attended by AJK Prime Minister Raja

Farooq Haider Khan, former Prime Minister Sardar Attique Ahmed Khan, members of AJK cabinet, Chief Secretary, Inspector General Police of Azad Kashmir and other high ranking Civil and Military officials. Earlier President Masood and Prime Minister Raja Farooq Haider Khan laid floral wreath at Yadgar-e Shuhada where a contingent of the army presented salute to pay respect to the martyrs. “We salute our martyrs who laid down their lives in defending frontiers of the country and also express our solidarity with the families of martyrs who lost their near and dear,” the President said. Terming Pak Army as strongest force of the world, President said that strategic and conventional strength with thorough professionalism made

armed forces of the country as soul guarantors of country's security. Describing September 6th as an important milestone and symbol in the history of the country, President said that the day reminds us of the bravery, unity and commitment that define the nation in the face of cowardice attack by India in 1965. “September 6 is the day when entire nation and its armed forces stood together to fight back the enemy and defeat its nefarious designs,” Khan said. He added that people of Azad Kashmir feel proud they are not only offered sacrifices for the defence of motherland along with other fellow countrymen but also got their territory liberated by fighting war of liberation in 1947.

Activities of sports department Govt. AJ&K

The department of Sports, Youth & Culture GoAJ&K is exclusively putting its massive share to keep engage the youth in healthy activities to make youth physically and mentally strong enough to compete the challenges of modern age. This is very delectable that the declaration of AJ&K as a separate cricket region has blown a magic spirit into players who are now taking cricket game as their profession. Recently, with the collaboration of PSL Franchise Lahore Qalandars, department has conducted cricket trials on 9th August, 2018 at Muzaffarabad and on 11th August, 2018 at Mirpur to unearth hidden talent and for selection of player to make AJ&K team. It is very rejoicing to add more that due to untiring efforts of the Secretary Sports and Director General Sports, Youth & Culture GoAJ&K,

Qalandars are back again in Muzaffarabad and from 31st August to 02nd September 2018, with the collaboration of Lahore Qalandars, department of Sports, Youth & Culture GoAJ&K is going to organize T-20 Cricket Tournament which will be live telecasted on Geo Supper. This will definitely project the soft image of AJ&K in general & of Pakistan as a whole to the World. Moreover, to warmly celebrate the 71st independence day of Pakistan, department of Sports, Youth & Culture GoAJ&K organized different Sports Competitions and cultural events from 1st August to 14th August, 2018 in all districts of AJ&K to deliver a message to the World that AJ&K is a part and parcel of Pakistan and AJ&K will stand with Pakistan through thick and thin. We have strong hope that the day is not far when occupied Kashmir will also be a part of Pakistan.



