

*Monthly*

# **KASHMIR TOADY**



*August 2020*

# C o n t e n t s

---

01 |



**CONSTITUTIONAL COUP IN INDIAN  
OCCUPIED JAMMU AND KASHMIR**  
RAJA MUHAMMAD SAJJAD KHAN

10 |

**KASHMIRI PEOPLE DESERVE  
TO LIVE IN PEACE**  
DR. ALI AWADH ASSERI

11 |

**Understanding the role of  
Water in India's occupation  
of Kashmir**

13 |

**News Section**

*Patron*  
Ataullah Ata

*Chief Editor*  
Raja Muhammad Sajjad Khan

*Editor*  
Muhammad Sarfraz Khan

*Assistant Editor*  
Matloob Hussain

*Circulation*  
Naqeebullah Gardezi

## DISCLAIMER

The articles and columns are published in this magazine in good faith. However the contents of these writings do not necessary reflect views of the magazine.

## Published by:

Chief Editor Kashmir Today K-Block, New District  
Complex, Muzaffarabad.

Website: [www.jklc.org](http://www.jklc.org)

E-mail: [kashmirtodaymzd@gmail.com](mailto:kashmirtodaymzd@gmail.com)

Ph: 05822-920072, 05822-920074

**Month: August 2020**

**Volume: 09**

**Issue: 05**

**Quantity: 1000**

**Price Rs. 150/-**

**Yearly Subscription: Rs. 1000/-**

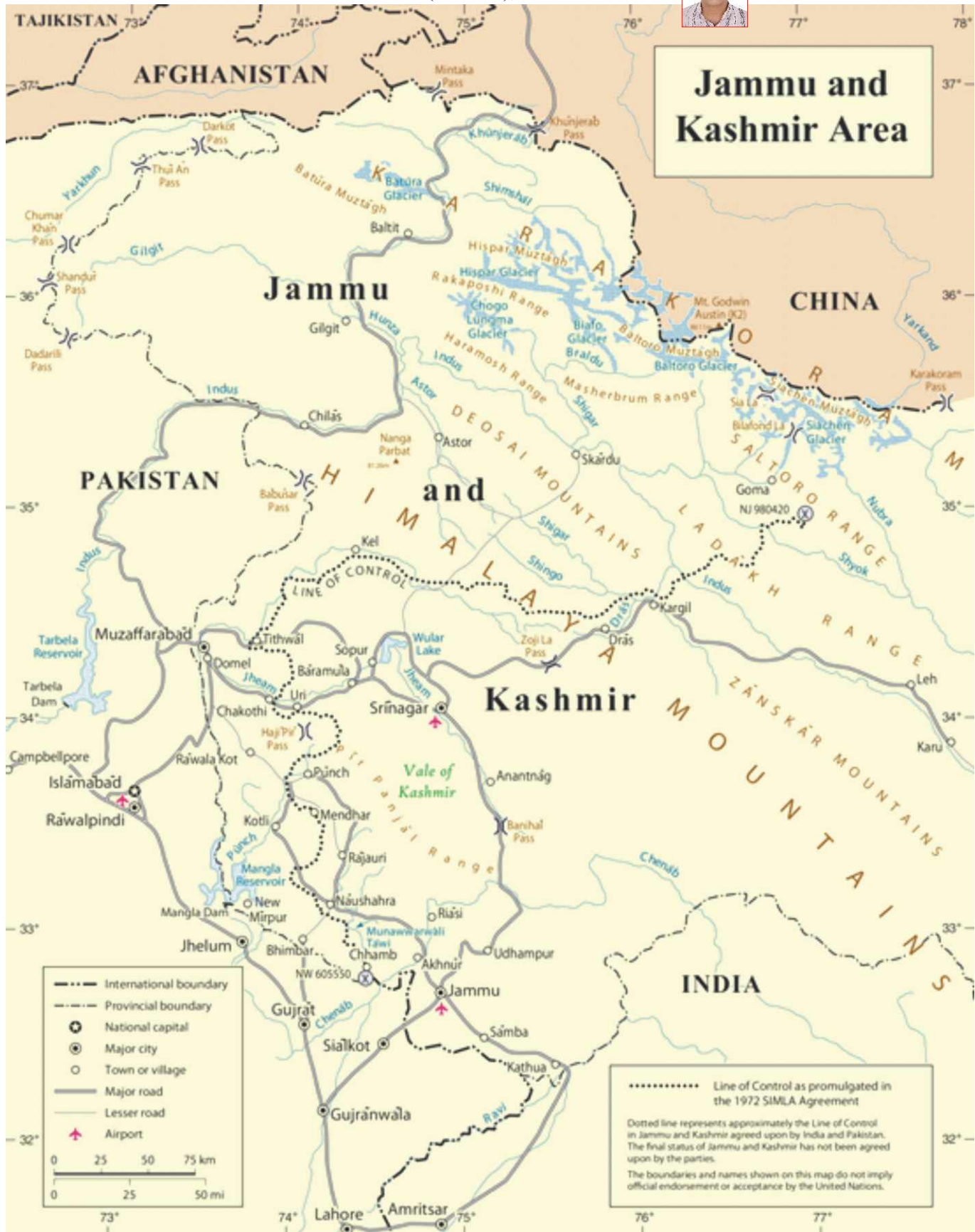
Registration No.MZD-31

Printed by Dharti Art Press

# CONSTITUTIONAL COUP IN INDIAN OCCUPIED JAMMU AND KASHMIR

RAJA MUHAMMAD SAJJAD KHAN

Ph.D. Law (Scholar), Director JKLC



## INTRODUCTION

India had landed her forces in Kashmir on 27<sup>th</sup> October 1947 and occupied a major portion of the state against the will and wishes of the people of Kashmir and in blatant violation of the partition plan. India claimed that the ruler of Kashmir Maharaja Hari Singh had signed an instrument of accession on 26<sup>th</sup> October 1947. Article 07 of Instrument of Accession states, *“Nothing in this Instrument should be deemed to be a commitment in any way as to acceptance of any future Constitution of India, or to fetter my discretion to enter into arrangements with the government of India under any such future constitution.”*

This instrument of accession was incorporated in the Indian Constitution as article 370 and 35A.

## ARTICLE 370

Article 370 of the Indian constitution provides,

*370. Temporary provisions with respect to the State of Jammu and Kashmir*

*(1) Notwithstanding anything in this Constitution,*

*(a) the provisions of Article 238 shall not apply in relation to the State of Jammu and Kashmir;*

*(b) the power of Parliament to make laws for the said State shall be limited to*

*(i) those matters in the Union List and the Concurrent List which, in consultation with the Government of the State, are declared by the President to correspond to matters specified in the Instrument of Accession governing the accession of the State to the Dominion of India as the matters with respect to which the Dominion Legislature may make laws for that State; and*

*(ii) such other matters in the said Lists as, with the concurrence of the Government of the State, the President may by order specify* Explanation For the purposes of this article, the Government of the State means the person for the time being recognised by the President as the Maharaja of Jammu and Kashmir acting on the advice of the Council of Ministers for the time being in office under the Maharajas Proclamation dated the fifth day of March, 1948;

*(c) the provisions of Article 1 and of this article shall apply in relation to that State;*

*(d) such of the other provisions of this Constitution shall apply in relation to that State subject to such exceptions and modifications as the President may by order specify: Provided that no such order which relates to the matters specified in the Instrument of Accession of the State referred to in paragraph (i) of sub clause (b) shall be issued except in consultation with the Government of the State: Provided further that no such order which relates to matters other than those referred to in the last preceding proviso shall be issued except with the concurrence of that Government*

*(2) If the concurrence of the Government of the State referred to in paragraph (ii) of sub clause (b) of clause (1) or in the second proviso to sub clause (d) of that clause be given before the Constituent Assembly for the purpose of framing the Constitution of the State is convened, it shall be placed before such Assembly for such decision as it may take thereon*

*(3) Notwithstanding anything in the foregoing provisions of this article, the President may, by public notification, declare that this article shall cease to be operative or shall be operative only with such exceptions and modifications and from such date as he may specify: Provided that the recommendation of the Constituent Assembly of the State referred to in clause (2) shall be necessary before the President issues such a notification*

Article 370(3) of the Constitution empowers the President to abrogate Article 370 on the recommendation of the Constituent Assembly of Jammu and Kashmir. This article allows J&K to have a separate flag and a Constitution.

## ARTICLE 35-A

Article 35-A was added in the constitution through a Presidential Order “The Constitution (Application to Jammu and Kashmir) Order, 1954”. Which provides,

“35-A. Saving of laws with respect to permanent residents and their rights. Notwithstanding anything contained in this Constitution, no existing law in force in the State of Jammu and Kashmir, and no law hereafter enacted by the legislature of the State,

*(a) defining the classes of persons who are, or shall be, permanent residents of the State of Jammu and Kashmir; or*

*(b) conferring on such permanent residents any special*



*rights and privileges or imposing upon other persons any restrictions as respects*

- (i) *employment under the State Government;*
- (ii) *acquisition of immovable property in the State;*
- (iii) *settlement in the State; or*

*(iv) right to scholarships and such other forms of aid as the State Government may provide, shall be void on the ground that it is inconsistent with or takes away or abridges any rights conferred on the other citizens of India by any provision of this Part.”*

This article allows Jammu and Kashmir to define the permanent residents which were later on defined in article 06 of the Constitution of Jammu and Kashmir, 1957.

#### **ARTICLE 06 OF THE CONSTITUTION OF J&K, 1957**

*“6. Permanent residents. (1) Every person who is, or is deemed to be a citizen of India under the provisions of the Constitution of India shall be permanent resident of the State, if on the fourteenth day of May, 1954*

*(a) he was a State subject of Class I or Class II; or*

*(b) having lawfully acquired immovable property in the State, he has been ordinarily resident in the State for not less than ten years prior to that date;*

*(2) Any person who before the fourteenth day of May, 1954 was a State subject of Class I or of Class II and who having migrated after the first day of March, 1947 to the territory now included in Pakistan, returns to the State under a permit for resettlement in the State or for permanent return issued by or under the authority of any law made by the State Legislature shall on such return be a permanent resident of the State.*

*(3) In this section, the expression 'State subject of Class I or of Class II' shall have the same meaning as in State Notification No. 1-L/84 dated twentieth April 1927, read with State Notification No. 13/L dated twenty seventh June 1932.*

*This article was the extension or reproduction of State Subject Notification No. 1-L/84 dated 20<sup>th</sup> April 1927 and notification No. 13/L dated 27<sup>th</sup> June 1932.*

It will be expedient to notice that the first statutory measure to define hereditary State subject was taken by the order of Maharaja Hari Singh vide Circular No. PS-2354 dated January 31, 1927, and the definition of the expression “hereditary State

subject” as contained in the second part of the aforesaid circular order dated January 31, 1927, was as under:

#### **HEREDITARY STATE SUBJECT**

“For the purpose of this order, the term 'hereditary State subject' will be held to mean and include all persons born and residing within the State before the commencement of the reign of His Highness the late Maharaja Gulab Singh Sahib Bahadur and also persons who settled therein before the commencement of samvat 1942 and have since been permanently residing therein.”

The State subjects were by these orders divided into three classes. State subject of Class I being the same as the hereditary State subject defined in the earlier circular order and those of Class II being the persons who settled within the State before the close of samvat year 1968 and have since permanently resided and acquired immovable property in the State.

Notification dated 20-4-1927 was followed by Notification No. 13-L dated 27-6-1932 with a view to determine the status of J&K State subjects in foreign State as to the position of their nationals in the State of Jammu and Kashmir. For ready reference both these notifications of Maharaja Hari Singh are reproduced here:

#### **STATE SUBJECT DEFINITION**

*Notification dated 20th April, 1927 No. 1-L/84. The following definition of the term “State subject” has been sanctioned by His Highness the Maharaja Bahadur (vide Private Secretary's Letter No. 2354 dated 31st January, 1927 to the Revenue Member of the Council) and is hereby promulgated for general information.*

The term “State subject” means and includes

*Class I.* All persons born and residing within the State before the commencement of the reign of His Highness the late Maharaja Gulab Singh Sahib Bahadur, and also person who settled therein before the commencement of samvat year 1942 and have since been permanently residing therein.

*Class II.* All persons other than those belonging to Class I who settled within the State before the close of samvat year 1968 and have since permanently resided and acquired immovable property therein.

*Class III.* All persons other than those belonging to Class I

and Class II permanently residing within the State, who have acquired under “*rayatnama*” any immovable property therein or who may hereafter acquire such property under an “*ijazatnama*” and may execute “*rayatnama*” after ten years' continuous residence therein.

*Class IV.* Companies which have been registered as such within the State and which being companies in which the Government are financially interested or as to economic benefit to the State or to the financial stability of which the Government are satisfied, have by a special order of His Highness been declared to be State subjects.

*Note I.* In matters of grant of State scholarship, State lands, for agricultural and house building purposes and recruitment to State service, State subject of Class I should receive preference over other classes and those of Class II, over Class III, subject, however, to the order dated 31st January 1927 of His Highness the Maharaja Bahadur regarding employment of hereditary State subjects in government service.

*Note II.* The descendants of the persons who have secured the status of any class of the State subject will be entitled to become the State subjects of the same class. For example, if A is declared a State subject of Class II, his sons and grandsons will ipso facto acquire the status of the same Class II and not of Class I.

*Note III.* The wife or a widow of the State subject of any class shall acquire the status of the husband as State subject of the same class as her Husband, so long as she resides in the State and does not leave the State for permanent residence outside the State.

*Note IV.* For the purpose of the interpretation of the term “State subject” either with reference to any law for the time being in force or otherwise, the definition given in this notification as amended up to date shall be read as if such amended definition existed in this notification as originally issued.

#### **NOTIFICATION DATED 27TH JUNE, 1932**

(Issued by order of His Highness the Maharaja Bahadur dated Srinagar, the 27th June 1932, 14th March 1939, published in the Government Gazette dated 24th March 1939.)

No. 13-L/1939 Whereas it is necessary to determine the

status of J&K State subjects in foreign State as to the position of their nationals in the State, it is hereby commanded and notified for the public information as follows:

1. That all emigrants from J&K State to foreign territories shall be considered State subjects and also the descendants of these emigrants born abroad for two generations:

Provided that, these nationals of Jammu and Kashmir State shall not be entitled to claim the internal rights granted to subjects of this State by laws unless they fulfill the conditions laid down by those laws and rules for the specific purposes mentioned therein.

2. The foreign nationals residing in the State of Jammu and Kashmir shall not acquire the nationality of Jammu and Kashmir State until after the age of 18 on purchasing immovable property under permission of an '*ijazatnama*' after ten years' continuous residence in J&K State as laid down in Notification No. 1-L of 1934 dated 20th April 1927.

3. Certificates of nationality of J&K State may, on application, be granted by Minister-in-charge of the Political Department in accordance with the provisions of Section 1 of this notification.”

#### **CONSTITUTIONAL SCRAP**

On August 5, 2019, the president of India issued the [Constitution \(Application to Jammu and Kashmir\) Order, 2019, C.O. 272](#), which provides

*11. the provisions of the Constitution, as amended from time to time, shall apply in relation to the State of Jammu and Kashmir and the exceptions and modifications subject to which they shall so apply shall be as follows:*

*To article 367, there shall be added the following clause, namely:*

*“(4) For the purposes of this Constitution as it applies in relation to the State of Jammu and Kashmir*

*(a) references to this Constitution or to the provisions thereof shall be construed as references to the Constitution or the provisions thereof as applied in relation to the said State;*

*(b) references to the person for the time being recognized by the President on the recommendation of the Legislative Assembly of the State as the Sadr-i-Riyasat of Jammu and Kashmir, acting on the advice of the Council of Ministers of the State for*

*the time being in office, shall be construed as references to the Governor of Jammu and Kashmir;*

*(c) references to the Government of the said State shall be construed as including references to the Governor of Jammu and Kashmir acting on the advice of his Council of Ministers; and*

*(d) in proviso to clause (3) of Article 370 of this Constitution, the expression "Constituent Assembly of the State referred to in clause (2) shall read Legislative Assembly of the State".*

on August 6, the president implemented the resolution and revoked Jammu and Kashmir's special status through [Presidential Order C.O. 273](#), which stated that, as of August 6, 2019, “all clauses of the said article 370 shall cease to be operative,” and that “[a]ll provisions of this Constitution, as amended from time to time, without any modifications or exceptions, shall apply to the State of Jammu and Kashmir.”

On 6<sup>th</sup> August 2019 Indian Parliament had passed the Jammu and Kashmir Reorganization Bill, 2019. Article 370 was amended as,

*370. All provisions of this Constitution, as amended from time to time, without any modifications or exceptions, shall apply to the State of Jammu and Kashmir notwithstanding anything contrary contained in article 152 or article 308 or any other article of this Constitution or any other provision of the Constitution of Jammu and Kashmir or any law, document, judgement, ordinance, order, by-law, rule, regulation, notification, custom or usage having the force of law in the territory of India, or any other instrument, treaty or agreement as envisaged under article 363 or otherwise.*

### **EFFECTS OF THIS CONSTITUTIONAL COUP**

Through this act, India had divided Kashmir into two union territories Jammu and Kashmir and Ladakh. Jammu and Kashmir will have legislative assembly but Ladakh will be without legislature. The status of the state has been reduced to two municipalities. The identity of the state has been snatched and by the revocation of Article 35A the permanent residence law which was enforced from 1927 had been abrogated to

change the demography of Kashmir.

### **VIOLATION OF INDIAN CONSTITUTION**

The constitution assembly of IOJK was dissolved in 1957, in June 2018 the legislative assembly was dissolved, and Governor's rule was imposed and in December 2018 the Presidential rule was imposed in IOJK. According to Article 370, the consent and approval from the Govt. of IOJK was required but at that time there was President's rule and the nominee of the president was sitting as governor which does not represent the will of the people. This Act was violative of Article 3, which provides the procedure for a change in the areas of the state. [Article 3](#) says that before parliament can consider a Bill that diminishes the area of a state or changes its name, the Bill must be “referred by the president to the legislature of that state for expressing its views thereon”. The Indian parliament is not empowered to bifurcate the state and for this purpose consultation and approval of the state legislature is necessary. This amendment was approved in haste violating the parliamentary procedure of legislation.

### **POST CONSTITUTIONAL SCRAPS STEPS BY INDIAN GOVT.**

The prime objective of this unconstitutional move is to change the demography of Kashmir. The ruling BJP is the political wing of terrorist Hindu militant organization Rashtriya Swayam Sevak Sangh (RSS) is working under Hindutva ideology. The steps were taken by Indian Govt. in the last one year proves that they are trying to convert Muslim majority state Kashmir into a Hindu majority state through demographic engineering. In May 2020 the Indian Govt. issued the Jammu and Kashmir Grant of Domicile Certificate (Procedure) Rules 2020 to give permanent Kashmiri citizenship status to non-Kashmiris. These rules state that the Indian citizens who have resided for 15 years or who have studied for 7 years in J&K, children whose parents have served the Indian government in J&K for 10 years, refugees from West Pakistan in J&K, members of the Valmiki community, and women residents who married a non-resident of J&K are

eligible for domicile. To date more than 25000 domiciles have been issued to Indians. The new rules provide a very easy and expedited process for the acquisition of domicile for non-Kashmiris and very lengthy and difficult processes for the permanent residents of Kashmir. For the non-Kashmiris a district officer issues a domicile certificate within a strict 15-day time limit. Officers that fail to comply with this timeline face a fine of 50,000 IRP. This process can also be completed online. On the other hand, existing permanent resident certificates (PRC) of indigenous Kashmiris exist only as evidentiary proof of their residence and must be submitted to their district office to obtain a new domicile certificate.

On July 17, 2020, the administrative council of IOJK had approved an amendment to the Control of Building Operations Act, 1988 and the J&K Development Act, 1970 to allow notifying any areas in the territory as “strategic areas”. This means that the land on which existing camps/ cantonments of the Indian armed forces located in various areas or where new camps/ cantonments they think is important would be acquired. This construction will be permanent and having residential blocks for families of occupational forces.

On 25<sup>th</sup> July 2020, the administrative council of IOJK has approved the creation of 37 new industrial areas and transfer of 9,654 kanals of land to the commerce department.

## **VIOLATION OF INTERNATIONAL LAW AND AGREEMENTS**

These Indian actions are blatant violations of UNSC Res. No 91(1951) and 122(1957), which clearly states that the future status of state shall be determined through the plebiscite as it was agreed in many UNSC resolutions. Resolution No 91 states,

***....that the final disposition of the State of Jammu and Kashmir will be made in accordance with the will of the people expressed through the democratic method of a free and impartial plebiscite conducted under the auspices of the United Nations.***

*Affirming that the convening of a Constituent*

*Assembly as recommended by the General Council of the "All Jammu and Kashmir National Conference" and any action that Assembly might attempt to take to determine the future shape and affiliation of the entire State or any part thereof would not constitute a disposition of the State in accordance with the above principle.....*

Resolution No 122 states,

***.....any action that Assembly may have taken or might attempt to take to determine the future shape and affiliation of the entire State or any part thereof, or action by the parties concerned in support of any such action by the Assembly, would not constitute a disposition of the State in accordance with the above principle; Decides to continue its consideration of the dispute.***

The shifting of non-Kashmiris in IOJK is also a violation of article 49 of 4<sup>th</sup> Geneva Convention of 1949, which provides, “*The Occupying Power shall not deport or transfer parts of its own civilian population into the territory it occupies.*” This action is also a violation of Article 85(4)(a) of 1<sup>st</sup> Additional Protocol of Geneva Convention which states, “*the transfer by the Occupying Power of parts of its own civilian population into the territory it occupies*” is a grave breach of the Protocol. According to article 8(2)(b)(viii) of ICC statute India is committing war crimes.

*“[t]he transfer, directly or indirectly, by the Occupying Power of parts of its own civilian population into the territory it occupies” constitutes a war crime in international armed conflicts.*

The unilateral change of the status of Jammu and Kashmir is also a violation of the Simla agreement. According to A.G. Noorani, *After Art 370 scrapping, the Shimla pact is virtually 'dead'*. Pakistan has legal right to terminate this treaty. Article 60 of the Vienna Convention on the Law of Treaties, 1969 (VCLT) provides that the “*material breach of a bilateral treaty by either party entitles the other to invoke the breach as a ground for terminating the treaty or suspending its operation in whole or in part*”.



## GROSS HUMAN RIGHTS VIOLATIONS POST 5<sup>TH</sup> AUGUST 2019

Kashmir is an internationally recognized disputed area and conflict is an international armed conflict. The constitutional coup on 5<sup>th</sup> August 2019 is not only a piece of legislation that was introduced and implemented but it had increased the sufferings of the people of IOJK. Before introducing this bill in the Indian parliament on 4<sup>th</sup> August 2019 all telephone networks and internet services were shut down. There were almost 800,000 Indian forces stationed in IOJK, besides these forces, additional forces were deployed. Political leadership and activists were put behind the bars or under house arrest. From 5<sup>th</sup> August curfew was imposed, communication was blocked and businesses were forcefully closed by forces. From the last one year, IOJK is under strict lockdown and after COVID-19 the people are facing double lockdown. The people of IOJK are not only facing the torture, arrests, killings and humiliation in Kashmir but they are facing all these brutal acts in India by BJP, RSS and Indian forces. On 5<sup>th</sup> August 2019 estimated 8.8 million mobiles were blocked and over 6,600 people including 144 children were arrested. Pro-freedom leadership including Muhammad Yasin Malik, Shabbir Ahmad Shah, Masarrat Aalam Butt, Syeda Aasiya Andrabi, Nahida Nasreen, Fahmida Sofi, Mian Abdul Qayoom, Nayeem Ahmad Khan, Mohammad Aiyaz Akbar, Altaf Ahmad Shah, Peer Saifullah, Mehrajudin Kalwal, Farooq Ahmad Dar, Dr Abdul Hameed Fayaz, Maulana Mushtaq Veeri, Abdul Samad Inqilabi, Abdul Ahad Parra, Muhammad Yosuf Mir, Muhammad Rafiq Gania, Feroz Ahmad Khan, Dr Qasim Fakhtoo, Muhammad Ahsan Untoo, Zahoor Watali, Syed Shahid Yousuf Shah, Syed Shakeel Yousuf Shah, Maulana Sarjan Barkati, Bashir Ahmad Querishi, Hayat Ahmad and Asif Sultan were arrested. Syed Ali Gillani and Mirwaiz Umer Farooq are under house arrest. Even the pro-Indian political leadership and former chief ministers were put behind bars. The Kashmiri prisoners were shifted in different jails of India. In January 2020 internet service was restored but was limited to

2G. During the last one year, the Kashmiri industry suffered a loss of 5.3 billion US dollars. The fruit industry suffered a lot, 1.35 lakh metric tons of fruits spoiled due to restrictions on transport. Almost 1.5 people earning through transport are jobless. Almost a half million people had lost their jobs. The educational institutions are closed and 1.5 million students are without education. According to a report published by KMS, the Indian troops had martyred 192 Kashmiris including 4 women during last 11 months, at least 1326 people were critically injured due to the use of brute force including the firing of bullets, pellets and teargas shells by the Indian military, paramilitary and police personnel on peaceful demonstrators and mourners in the territory. The report revealed that these killings rendered 9 women widowed and 22 children orphaned. The troops damaged over 935 houses and structures and molested or disgraced 77 women during the cordon and search operations across the occupied territory in the period. Indian forces are continuously targeting civilian population on the ceasefire line areas of Azad Kashmir. In the last 6 months, 13 civilians (6 male and 7 female) were martyred, 125 injured and 228 houses were damaged by unprovoked shelling of Indian forces. According to reports of JKCCS during this period at least 302 Cordon and Search Operations (CASOs) and Cordon and Destroy Operations (CADO's) were conducted. The Indian forces are using COVID lockdown to suppress the people of Kashmir. FIRs against 2303 people defying the lockdown rules were registered in one month, of these, 1691 were arrested in Kashmir. Apart from arresting people, 1295 shops and vehicles were also seized for defying lockdown. 396 police officers and personnel were awarded commendation certificates and monetary rewards for their handling of COVID-19. No such rewards have been given to any doctors or paramedical staff. After the lockdown due outbreak of COVID-19 was announced, the medical staff in IOJK increasingly came under attack of the Indian army while visiting localities for conducting tests. India is using different tactics to suppress the struggle of people

of IOJK for the right to self-determination. This constitutional coup is the replication of Israel's model and it is a blatant violation of international human rights and humanitarian law. The new domicile law could permanently alter the demography of the disputed region and 17.4 lakh non- Kashmiris can certainly acquire domicile rights. The Indian government had decided to begin the delimitation (redrawing of boundaries) of electoral constituencies based on area and not population, which is likely to give Hindu-majority Jammu more seats, will reshape the local political dynamics. BJP is also proposing to fill 24 seats reserved for AJK, GB and Ladakh by fielding Hindu and Sikh refugees from AJK settled in Jammu.

Indian Govt. is using COVID-19 as an opportunity to fulfill its desires to change the demography of Kashmir, the decisions of enforcement of new domicile law, new construction policy and delimitation of constituencies were taken during COVID.

## **OPINIONS OF CONSTITUTIONAL EXPERTS ON THIS CONSTITUTIONAL COUP**

### **Indian Constitutionals Expert AG Noorani**

“Once the Constituent Assembly [of the State] met, the State government could not give its own 'concurrence'; still less, after the Assembly met and dispersed. Moreover, the President cannot exercise his power to extend the Indian Constitution to Jammu and Kashmir indefinitely. The power has to stop at the point the State's Constituent Assembly drafted the State's Constitution and decided finally what additional subjects to confer on the Union, and what other provisions of the Constitution of India it should get extended to the State, rather than having their counterparts embodied in the State Constitution itself. Once the State's Constituent Assembly had finalised the scheme and dispersed, the President's extending powers ended completely.”

### **Justice Rohinton Nariman(India)**

“Despite the fact that it is ... stated to be temporary in nature, sub- clause (3) of Article 370 makes it clear that this Article shall cease to be operative only from such date as the President may by public notification declare. And this cannot be done under the proviso to Article 370 (3) unless there is a recommendation of the Constituent Assembly of the State so to do.”

Human Rights activist Arundhati Roy, writing for the *New York Times* on August 15, 2019, describes the key historical stakes undergirding the current situation, “What happened in the Indian Parliament last week was tantamount to cremating the Instrument of Accession...In the 72 years since then, successive Indian governments have undermined terms of the Instrument of Accession until all that was left of it was the skeletal structure.”

## **CONCLUSION**

The constitutional coup in IOJK is a clear violation of the Indian constitution, bilateral agreements, UN resolutions on Kashmir and international law. This article 370 was providing a linkage between India and Kashmir. After this constitutional scrap, the instrument of accession became invalid and repealed. Legally the state of Jammu and Kashmir is in the position of 25<sup>th</sup> October 1947 and India is constitutionally and militarily occupier. The Simla and other bilateral agreements were violated by India unilaterally and Pakistan has legal right to revoke all these agreements. Indian actions can change the constitutional position for India but for people of Kashmir, the erstwhile state of Jammu and Kashmir is a disputed area and its future could be determined through a fair, free and impartial plebiscite under UN auspices. India is changing the demography of IOJK and involved in crimes against humanity and war crimes.



.....Noting with satisfaction that both India and Pakistan desire

# KASHMIRI PEOPLE DESERVE TO LIVE IN PEACE

**DR. ALI AWADH ASSERI**

In the past year, the Kashmir dispute has once again emerged as a regional flashpoint, renewing tensions between India and Pakistan and pushing South Asia into yet another round of risky instability. The driver this time was India's controversial move to radically change the political status of the disputed territory and enforce a lockdown on Aug. 5, 2019 ironically, well ahead of the global lockdowns due to the coronavirus pandemic. One year on, it is worth stating what the real issue in Kashmir is, how the Saudis look at it, and what needs to happen there.

In my opinion, the real issue in Kashmir is about the Kashmiri people and their aspiration to live their lives in accordance with their Islamic beliefs and cultural traditions, which are rooted in Kashmiri history. These rights are enshrined in the provisions of the UN Charter pertaining to universal fundamental rights. Therefore, the Kashmiri demand for self-determination is not only morally right but also legally justified under international law. However, the international community has done nothing in the last three-quarters of a century to help the Kashmiri people secure their just right to self-determination, which was guaranteed in UN Security Council resolutions passed back in the 1940s and 50s.

Kashmir is not only one of the oldest disputes of the Muslim world, it is also part of a pattern we observe throughout the Middle East and other Muslim regions of Asia, Africa and other parts of the world, where Muslim communities are suffering the unbearable costs of conflict and being denied their basic freedoms. From the people of Palestine to the Rohingya community in Myanmar and the suffering in Syria, Libya and Afghanistan the list goes on. But the question is why only the Muslim people suffer, sometimes due to conflict among themselves because of manipulation by outside forces that deliberately perpetuate these conflicts or by brutal state authorities known for repressing their own populations? Even the Muslim people living in the West are often subjected to Islamophobia.

Hence, we have to see the Kashmir dispute as part of this broader global picture and then work together as one Ummah to

safeguard the rights and freedoms of our suffering Muslim brothers and sisters across the world, including in Kashmir.

We have to work together as one Ummah to safeguard the rights and freedoms of our suffering Muslim brothers and sisters

How does Saudi Arabia look at the Kashmir dispute? First of all, the Kingdom and Pakistan enjoy a unique relationship. Without bothering with any political or economic interests, both nations have always supported each other through thick and thin. Today as well, the Saudi people stand in complete solidarity with the Muslim people of Kashmir and the aspirations of Pakistan in this regard.

Secondly, being the center of the Islamic world, we in Saudi Arabia feel especially obliged to show solidarity for Muslim brothers and sisters whenever and wherever they are in pain. There is not a single instance where Saudi Arabia has not come to the rescue of our Muslim brothers when they fight among themselves or are facing any other difficulty. We brought about peace in Lebanon, brought together the Afghan Mujahideen, and have worked for peace and reconciliation across the length and breadth of the Islamic world.

At the international level, whether on our own or through the good work of the Organization of Islamic Cooperation (OIC), the Saudi leadership has espoused Islamic causes and projected peace to oppose any use of violence or terrorism in the name of our great faith. The OIC Contact Group on Jammu and Kashmir has worked proactively to champion the Kashmiri right to self-determination at the UN and all international forums. Under the dynamic leadership of Crown Prince Mohammed bin Salman, Saudi Arabia is even more prepared and willing to shoulder its global responsibility, especially when it comes to the plight of Muslim people.

What should happen in Kashmir? In my opinion, all conflicts have both real and opportunity costs for the countries involved, but especially for the population directly suffering as a result of a perpetual conflict. Kashmir is no different, although, in this particular case, as I stated at the outset, by far the most important thing is the human cost of the conflict for innocent Kashmiris, which has undoubtedly worsened since the Aug. 5



lockdown of last year. Even before that, the conflict had claimed tens of thousands of Kashmiri lives, besides numerous instances of missing persons, mass graves, the gang rape of Kashmiri women in a reign of terror denoted by an unprecedented military presence, the application of barbaric laws, and other instruments of repression and torture.

Therefore, first and foremost, it is the responsibility of the UN to implement its resolutions on Kashmir that call for the holding of a free and fair plebiscite to determine the political aspirations of the Kashmiri people. Until then, any attempt to change the demographic reality of the disputed territory will be illegal. Secondly, even though relations between India and Pakistan have deteriorated in recent years, I still think it is in the pragmatic interests of both nations to resolve the Kashmir dispute bilaterally under the Simla Agreement.

Peace in Kashmir will be achieved when India, along with Pakistan, takes initiatives that go a long way toward contributing to the overall development and prosperity of South Asia. Peace is the first casualty when any attempt to demolish the political status of a disputed territory is made. Let us hope that sanity will soon prevail. As and when the UN is ready to meet its pledge in Kashmir and the two nations, especially India, are willing to resolve this lingering issue, Saudi Arabia will be the first country to offer the diplomatic support required to achieve lasting peace in South Asia.

*\*Dr. Ali Awadh Asseri is a former senior Saudi diplomat, who served as ambassador of the Kingdom of Saudi Arabia to Pakistan from 2001 to 2009. He holds a Ph.D. in economics from Beirut Arab University and has written a book titled "Combating Terrorism: Saudi Arabia's Role in the War on Terror."*

## Understanding the role of Water in India's occupation of Kashmir

**Kashmir's lakes and rivers, especially the waters of the Indus River system, make up part of the stunning backdrop to the diverse indigenous peoples and wildlife who call Kashmir home. For Kashmir's settler colonial occupiers, however, wielding control over Kashmir's rivers is yet another way to cement their control over the region, to steer water flows against rival Pakistan, and to displace indigenous people and their systems of knowledge. We must center the needs of Kashmiris to utilize water over Indian attempts to extract water and use water for geopolitical gains.**



Jhelum River. Image: WIONews.

India's desire to control water and waterways in Kashmir contributes to the suppression of Kashmiri self-determination. For decades, India and Pakistan have considered Kashmir and water in Kashmir as a vital resource. In 1960, **India and**

**Pakistan signed the Indus Waters Treaty (IWT)**, which provided that the waters of the westernmost rivers of the Indus system would be apportioned to Pakistan, while those of the easternmost rivers would in turn be utilized by India. The IWT also, however, allowed states whose territory the rivers passed through to utilize the water for certain non-consumptive purposes, such as hydropower, regardless of whether they had rights to the rivers' water. Political control over Kashmir thus includes control over the source of two Indus tributaries, the Jhelum and the Chenab.

Attempts to exert control over Kashmir are simultaneously attempts to utilize Kashmir's water resources for political control. India has manipulated the nonconsumptive use provisions in the IWT to exert power over flows of the western rivers into Pakistan. Thus, Kashmir represents an important region for India to gain political dominance in South Asia through control of waterways into Pakistan. Pakistan claimed that India's building of the Kishanganga Dam in the early 2010s was an affront to Pakistan's sovereignty that placed extortionate control of Pakistan's water flow in the hands of India, while India argued that the dam presented an opportunity for capitalist economic development. These tensions continued into India's August 2019 decision to release significant

discharges on the Sulej River into Pakistan just as India removed Kashmir's constitutional protections. Noticeably absent are the people of Kashmir, who in many cases have contributed their labor to infrastructure projects.

Kashmir's water in lakes and glaciers also presents a potential source for India to maintain its integration into global economic systems and sustain rapid population growth. Increased pressures on India's water supply and extreme weather events in India such as larger monsoons mean that India must find a new water supply to survive. **That supply has been identified as Kashmir.** As extreme weather events, shifting weather patterns, and new stresses on land use result from global climate change, India will continue to look to Kashmir to



provide for India's growing population and changing ways of life.

The Threat to Kashmir's glaciers. Image: Reuters

*Militarization in Kashmir's fragile landscape coupled with the effects of climate change threaten Kashmir's glaciers in particular.*

Kashmiris today must grapple with the outcomes of extractive ideologies as their ways of life are disrupted by climate change and the settler colonial project. Kashmir is the home to ample water supplies in glaciers and rivers, but the occupation has cut most Kashmiris off from water resources and their indigenous lifestyles which sustainably utilized water.

Over the past few years, cities and villages in Kashmir have experienced shortages of drinking water and rice farmers in Kashmir have been asked to temporarily stop cultivating rice paddies. These actions have been met by outcry from Kashmiris who demand suitable infrastructure and irrigation systems. Indian control of Kashmir's water also threatens the indigenous lifestyles and cosmologies of Kashmiris. According to anthropologist Mona Bhan, Indian hydropower corporations have paternalistically claimed that the indigenous Gurezis of Kashmir are “lazy” for expressing uncertainty and anxieties about building infrastructure for the occupying power and losing their ways of life. Meanwhile,

Kashmiris have lost their lives working for hydropower companies and while repairing wells. While huge infrastructure projects consolidate India's power in Kashmir and in South Asia, Kashmiris suffer from a lack of investment and the loss of water resources.

**Make no mistake:** *the water issues that Kashmiris face are an issue both of environmental justice and of the settler colonial project. India has wielded control of water in Kashmir for its own political gain at the expense of indigenous people and their lifestyles, and subjected them to health hazards and paternalistic discourses to suppress their resistance.*

## References

Majed Akhter, “Adjudicating infrastructure: Treaties, territories, hydropolitics,” *Environment and Planning E: Nature and Space* 2 no. 4 (Dec. 2019): 831849.

Mona Bhan, “Morality and Martyrdom: Dams, Dharma, and the Cultural Politics of Work in Indian-Occupied Kashmir,” *Biography* 37 no. 1 (Winter 2014): 191224.

Bisma Bhat, “Water crisis hits Kashmir, authorities in slumber,” *The Kashmir Monitor*, July 8, 2020,

<https://www.thekashmirmonitor.net/water-crisis-hits-kashmir-authorities-in-slumber/>

M. R. Elahi, “Handwara villagers decry lack of drinking water,” *Kashmir News Service*, July 11, 2020,

<http://www.knskashmir.com/news.aspx?news=Handwara-villagers-decry-lack-of-drinking-water-48450>

Daniel Haines, *Rivers Divided: Indus Basin Waters in the Making of India and Pakistan* (New York/Oxford: Oxford University Press, 2017).

Harjot Kaur, “Weaponizing Water in Kashmir,” *Legal Planet*, September 10, 2019, <https://legal-planet.org/2019/09/10/weaponizing-water-in-kashmir/>

Mehr Nadeem et al., “Pakistan, India Spar Over Using Water As A Weapon in Kashmir,” August 19, 2019, *The Wire*, <https://thewire.in/diplomacy/pakistan-india-spar-over-using-water-as-a-weapon-in-kashmir-dispute>

Athar Parvaiz, “Kashmir water crisis hits at its staple: rice,” *The Third Pole*, April 17, 2018

<https://www.thethirdpole.net/2018/04/17/kashmir-water-crisis-hits-at-its-staple-rice/>

Nawal Watali, “Dwindling water supply, 'smelly' drinking water is making people sick in Kashmir,” *Free Press Kashmir*, July 14, 2020, <https://freepresskashmir.news/2020/07/14/dwindling-water-supply-smelly-drinking-water-is-making-people-sick-in-kashmir/>

## **President underscores need for making SAARC a more vibrant organization for regional stability**

Islamabad: President Dr. Arif Alvi has said that regional situation is currently posing challenges to security of the region due to the troubling relations of India with its neighbours and the atrocities being committed by it against the Muslims of Indian Illegal Occupied Jammu and Kashmir (IIOJK) and other minority groups of India.

Talking to the outgoing Ambassador of Nepal Ms. Sewa Lamsal Adhikari in Islamabad, he underscored the need for making SAARC as a vibrant organization that can help promote regional cooperation and improve lives of the people of South Asia. The President said Pakistan and Nepal have identical views on regional and international issues hence relations between the two friendly countries need to be further strengthened in the areas of defence, trade and culture. The High Commissioner-designate of Pakistan to the United Kingdom, Mr. Moazzam Ahmad Khan, also called on the President in Islamabad on Thursday. The President asked the High Commissioner-designate to work for further strengthening bilateral relations between the two countries and encourage British Companies to benefit from Pakistan's investment friendly environment.

## **Modi is trapped, Kashmir will be free soon: Imran Says India is stuck in a blind alley Pays tribute to Kashmiris for their high morale Inaugurates Wall of Resistance**

Muzaffarabad (Mubashar Naqvi) Prime Minister Imran Khan slammed Indian Prime Minister Narendra Modi Wednesday, saying that he is 'trapped' and that Kashmiris will be free soon from India's reign of terror. "It looks as if all of you, from the inside, are a bit feeling like you have lost," he told parliamentarians at the Azad Kashmir assembly after they made speeches before the prime minister. "I, on the other hand, believe that Kashmiris are going through an era [of suffering] which, God willing, will end in victory for them," he added. PM Imran said that Modi had made a huge mistake on August 5 last year. He said that the Indian prime minister was afraid of

revoking Article 370 of the Indian constitution earlier but after winning the elections by appeasing his extremist Hindutva base, Modi took the disastrous step. "His assumed that Pakistan would stay silent as we were trying for friendship [with India]," he said. "When India was using pellet guns in Kashmir, before our government, no one was talking about it. Neither was Pakistan doing anything and neither did the UN," he added, stating that New Delhi thought Islamabad would remain silent again. PM Imran said that the main reason behind India's August 5 move was pride. He said that Modi thought the world would back India and stay silent as he assumed that the west wanted to use India as a counterforce to China. Highlighting another wrong assumption of the Modi government, the prime minister said that India thought after it would unleash its RSS thugs in the occupied territory and resort to state terrorism, the Kashmiris would surrender. "Let me tell you, nations have made huge blunders in the past based on proud decisions," he said. The prime minister said that many world leaders and countries around the world didn't even know what was going on in occupied Kashmir. "At first, the New York Times wouldn't let me write on the issue for them," he said. "I went there and told the NYT board over there [to make them understand]," he added. He said that the western media had criticized India on such a large scale for the first time, in the past year ever since it undertook the August 5 move. "Previously, after Bangladesh was created, the world started viewing India in a positive light and not us," he said, adding that the situation had now changed. Criticizing Modi for the massacre in Gujarat, Imran said that Modi could not go to western countries such as the UK and US as he was banned due to his extremist actions. "No one can become a leader like this, after committing the massacre of thousands of Muslims," he said, adding that Modi's actions in occupied Kashmir had attracted the world's attention towards it. "Today, Narendra Modi has been exposed in the world," he said. "And now, the world is watching Kashmir. They are committing injustices there, no doubt but not according to the extent they had planned," he added. The prime minister credited his government for raising the voice for Kashmir in





front of the world. He said that it was due to his government's efforts that the Kashmir issue was highlighted and now, the world was taking notice of it. The premier said that he had met Kashmiri leader Farooq Abdullah 10-15 years ago during a conference and he had always spoken about talks with India. "Now, I see even he is saying that Quaid-e-Azam was right [about partition with India]," he said. "As far as my analysis is concerned, India is entering a 'blind alley'," he said. "I assure you, we will highlight this issue at every forum," he added. PM Imran said that his government could not properly implement his plan as there was a 'march' (referring to the JUI-F's Azadi dharna) and the coronavirus problem which had caused distractions. Speaking about Pakistan's first political map, Imran said Pakistan needed to react and tell the world that this was a disputed territory, more so after India claimed Gilgit-Baltistan and other territories were part of its federation. He announced that Pakistan will honour Syed Ali Geelani with the Nishan-e-Pakistan award. The premier described him as a "big leader" of not only Kashmir but also of the region.

### **PM warns world of serious implications of breakout of conflict between Pakistan, India over Kashmir**

Islamabad: Prime Minister Imran Khan has warned the world of serious implications of breakout of any conflict between Pakistan and India over the disputed region of Kashmir.

In an exclusive interview with Al-Jazeera, he said Pakistan has raised the lingering dispute at all the forums and it will continue

doing so. He said the world is not responding on the issue as unfortunately they are willing to ignore the huge travesty of justice for their commercial interests with India. He said it does not mean we sit down quietly and accept the injustice. He expressed the strong commitment to continue to draw the world attention towards the dispute.

Imran Khan said eight million people in Indian Illegally Occupied Jammu and Kashmir (IIOJK) are in an open prison and eight hundred thousand troops are oppressing them.

Responding to a question, the Prime Minister said Saudi Arabia will always remain friend of Pakistan. However, Pakistan wants the OIC to play a bigger role on Kashmir dispute.

Imran Khan said he never believes in any military solutions. He said this is the reason he extended a hand of friendship to India after assuming the power. He said the tragedy of India is that it is being ruled by an extremist government inspired by the ideology of Nazis. When asked about the Afghan peace process, the Prime Minister warned against the spoilers. He said there is one country India which does not want to see peace in Afghanistan.

When asked about multi billion dollars China Pakistan Economic Corridor project, Imran Khan said we have excellent relations with China. He said our economic future is linked to China. He said Pakistan can really benefit from the way china has lifted people out of poverty.

He said Pakistan also has a very good relationship with the United States as both the countries are partner in the Afghan



peace process.

The Prime Minister said both the civilian government and the military have the most harmonious relationship. He said we are working in complete coordination and cooperation. He said the military is standing together with the government's policies related to India or Afghanistan.

### **Masood warns India against 'foolish act' of attacking AJK, G-B**

**Rawalakot:** Azad Jammu and Kashmir (AJK) President Sardar Masood Khan has warned India of dire consequences if it commits the “foolish act” of attacking AJK or Gilgit-Baltistan because the inhabitants of these lands are the descendants of those who had defeated not only the army of



Maharaja but also the Hindu terrorist groups and liberated these regions in 1947. "If repeated the mistake of attack, the descendants of Captain Hussain Khan and other martyrs and the valiant people of Poonch region will turn the whole area into a graveyard of Indian Army and the RSS," he warned while addressing as the chief guest a function held at the headquarters of the freedom war of 1947 Miral Gala near Banjosa on Wednesday. The AJK president said that If India under a conspiracy had not landed its military in Kashmir in 1947, the whole Jammu and Kashmir state would have been liberated and made part of Pakistan. He warned India to stop repression in Indian Illegally Occupied Jammu and Kashmir (IIOJK) and refrain from hurling threats of war to Pakistan and Azad Kashmir, “otherwise, the youth of AJK particularly the people of Poonch who are imbibed with the spirit of 1947, would repeat history”.

He maintained that the people of Jammu and Kashmir have been fighting the war of freedom for the last 200 years, and their war would continue till complete freedom from the

slavery of the aliens India. The AJK president said that despite the difference of opinion among our elders and some youth, the whole Kashmiri nation is unanimous to play its role for the liberation of Kashmir. In addition, he continued, 220 million Pakistani people also stand by us while the AJK youth are ready to join Pakistan Army to take the Kashmir liberation movement to its logical conclusion. Sardar Masood Khan said that Pakistan had fought six wars on Kashmir during the last seven decades, and today too, Pakistan is suffering because of Kashmir issue and is not ready to give up supporting the Kashmiri people. Masood said that the courageous people of IIOJK are fighting for their right to self-determination against a far bigger country for the last many decades but have refused to step back from their fundamental rights. Indian forces are unable to suppress the determination of Kashmiris despite the use of all kind of brutal force. United Nations, he maintained must fulfill its obligation by implementing its resolution on Kashmir and preventing India from changing the demography of the territory. Addressing the function, former AJK president Sardar Mohammad Yaqub Khan urged the people of Azad Kashmir to rise above all kinds of differences and prejudices for the liberation of Indian Illegally Occupied Jammu and Kashmir and to frustrate the nefarious designs of India against Pakistan and Azad Kashmir.

He particularly thanked the incumbent AJK president for gracing the occasion, and expressed the determination that such functions pay homage to the martyrs of 1947 would be organised in future also.

The function was addressed among others by Captain Hussain Khan, Freedom Movement chief Sardar Jannat Hussain, Jamaat Islami leader Sardar Zahid Rafiq Advocate, Chairperson Capt Hussain Khan Freedom Movement (Women's wing) Khula Khan, Capt Hussain Shaheed's grandson Sardar Ayub Khan, and Nabila Irshad advocate.

### **OIC chief pledges unstinted support to Kashmir cause**

Jeddah, September 03 (KMS): The Secretary General of the Organisation of Islamic Cooperation (OIC), Yousef bin Ahmad Al-Othaimeen has pledged unstinted support to the Kashmir cause.

Yousef bin Ahmad Al-Othaimeen backed the Kashmiris towards realization of their inalienable right to self-determination in accordance with the relevant United Nations resolutions, an official statement said.

During a meeting, Pakistan's Permanent Representative to OIC, Rizwan Saeed Sheikh briefed the OIC Secretary General about the worsening human rights and humanitarian situation in the Indian illegally occupied Jammu and Kashmir. In the meeting held in Jeddah, both the dignitaries discussed issues including the forthcoming session of Council of Foreign Ministers, second OIC Summit on Science and Technology, Islamophobia and Palestine.

### **214 martyred, 1390 injured by Indian troops during one year siege**

Srinagar,: In occupied Kashmir, unrelenting military siege and crippling lockdown imposed by the fascist Modi government of India on August 5, last year, have almost completed a whole year. A report released by the Research Section of Kashmir Media Service, today, revealed that Indian troops had martyred 214 Kashmiris including 4 women and 10 young boys during the period. It said that at least 1390 people were critically injured due to the use of brute force by Indian troops on peaceful demonstrators and mourners in the territory. The killings since August 5, 2019 have been higher than those in 2011, 2012, 2013, 2014, 2015 and 2019. The report said, most of the victims were killed in fake encounters during cordon and search operations in the length and breadth of the territory. It said, youth are picked up from houses and then eliminated after falsely labeled as mujahideen or overground workers. The report said that these killings rendered 9 women widowed and 22 children orphaned. "The troops damaged over 946 houses and structures and molested or disgraced 84 women and arrested 13,680 including aged woman and half a dozen girls during cordon and search operations across the occupied territory in the period.

After the custodial killing of prominent young Kashmiri resistance leader, Burhan Wani on July 8, 2016, the troops injured 10,240 by pellets and blinded over five dozen while eyesight of 385 was damaged. Indian troops killed 95,647 kashmiris from 1990 to till date. The life of Kashmiris has been

particularly made miserable since New Delhi illegally abrogated Article 370 of its constitution on August 5, 2019. The move, the report added, was aimed at snatching away the identity of the Kashmiris through changing the Muslim-majority status of the occupied territory into a minority.

As the entire occupied Kashmir has been turned into an open-air prison, thousands of Hurriyat leaders, political and human rights activists, religious heads, journalists, businessmen, lawyers and civil society members, youth and activists were arrested after or before 5 August 2019, and still continue to remain in Tihar and other jails of India and Kashmir. Prominent among them are: Muhammad Yasin Malik, Shabbir Ahmad Shah, Muhammad Ashraf Sehria, Masarrat Aalam Butt, Syeda Aasiya Andrabi, Nahida Nasreen, Fahmida Sofi, Nayeem Ahmad Khan, Mohammad Aiyaz Akbar, Altaf Ahmad Shah, Peer Saifullah, Mehrajudin Kalwal, Farooq Ahmad Dar, Dr Abdul Hameed Fayaz, Maulana Mushtaq Veeri, Farooq Ahmad Tawheedi, Muhammad Yasin Attai, Ameer-e-Hamza, Abdul Samad Inqilabi, Abdul Ahad Parra, Muhammad Yosuf Mir, Muhammad Rafiq Gania, Feroz Ahmad Khan, Dr Qasim Fakhtoo, Muhammad Ahsan Untoo, Zahoor Watali, Syed Shahid Yousuf Shah, Syed Shakeel Yousuf Shah, Maulana Sarjan Barkati, Bashir Ahmad Querishi, Hayat Ahmad, Asif Sultan and Qazi Shibli. Senior Hurriyat leaders Syed Ali Gilani and Mirwaiz Umar Farooq continue to remain under house detention in Srinagar. The continued ban on high-speed internet has deprived Kashmiris of useful local and world information regarding education, business, and coronavirus, the report said. India had suspended the internet 4G services in occupied Kashmir on August 05, 2019.

"Modi regime is engaged in changing the Muslim majority status of occupied Kashmir. For this purpose, it has granted domicile certificates to thousands of Indians," it added. The report deplored that press freedom is under a constant threat in occupied Kashmir where journalists are detained and harassed. "Cruel military lockdown has pushed occupied Kashmir into the stone age. Communications blockade has made the Kashmiris' lives miserable," it added.

The report, however, maintained that the worst siege of the last 12 months had failed to subdue the freedom sentiment of the

Kashmiri people and they are determined to keep fighting for their rights, including the right to self-determination. It said that New Delhi must realize the fact that it would not be able to silence the Kashmiris and must listen to voices seeking lifting of siege in occupied Kashmir.

The report urged the world community to take cognizance of India's brutal actions in the occupied territory and force it to resolve the Kashmir dispute in accordance with the Kashmiris' aspirations and the relevant UN resolutions.

### **UN urged to stop India from changing IIOJK's demography**

United Nations: Pakistan has urged the international



community to prevent New Delhi from implementing the so-called 'final solution' in Indian illegally occupied Kashmir (IIOJK) by turning its Muslim majority into a minority. During an informal meeting on the UN Security Council's plenary annual report, Pakistan's permanent representative Munir Akram complained that the council had done little to rein in Hindutva extremist groups which were terrorizing Muslims across India, particularly in IIOJK. "The BJP-RSS government is putting in place what they have themselves called the 'Final Solution' in occupied Kashmir," he said. "Demographic flooding by settler communities is meant to disempower and disenfranchise the Kashmiri people and to obliterate their Muslim identity." The Pakistani envoy reminded the world body that its own resolutions on Kashmir have remained unimplemented for more than 70 years now.

"The international community cannot succeed in its efforts to strengthen conflict prevention and promote the peaceful settlement of disputes if its own resolutions are willfully held in abeyance by some," he said.

Ambassador Akram noted that the UN General Assembly's annual report on the Security Council failed to illuminate the council's decision making and measures taken on UN's behalf. "The GA can't act on information withheld." He underlined the need for refocusing the council's efforts to combat terrorism, fascism and colonialism. "The council has focused on combating Al Qaeda and ISIS [militant Islamic State group] while ignoring terrorism by extremist and fascist Hindutva groups terrorising Muslims."

The Pakistani envoy informed the participants that the council had last year held three meetings on the Jammu and Kashmir issue and the meetings confirmed the illegality of Indian action of Aug 5, 2019. The meetings also reaffirmed the disputed status of the territory and underscored the imperative for a peaceful settlement of the dispute in accordance with the UNSC resolutions, he said. "But the council has been found wanting in the implementation of its own resolutions and decisions, including on IIOJK while sanctions committees require greater transparency," he added. Ambassador Akram insisted that the council should resolve the Kashmir dispute to make a larger point of how its own credibility was compromised when its resolutions were not enforced. "For over 70 years, India has perpetrated a reign of terror in the IIOJK with 900,000 troops while eight million Kashmiris have been placed under a complete siege," he said.

### **UN urged to take notice of Kashmiris' genocide by India in IIOJK**

Srinagar (KMS): In Indian illegally occupied Jammu and Kashmir, the Chairman of Jammu and Kashmir Muslim Conference, Shabbir Ahmed Dar has appealed to the United Nations to take notice of the Kashmiris' genocide by Modi-led fascist Indian government and play role in peaceful resolution of the Kashmir dispute. Shabbir Ahmed Dar in a statement issued in Srinagar said that India, which claims to be the largest democracy in the world, had continued indiscriminate killing of innocent Kashmiri youth.

Paying rich tributes to the youth recently martyred by Indian troops in Pulwama district, he said that Kashmiris would one day definitely get rid of Indian illegal occupation. He added that Kashmiri youth were sacrificing their lives for a great cause and would continue their struggle till the completion of their mission. Shabbir Dar also condemned the authorities for refusing parole to Jamaat-e- Islami Ameer, Abdul Hamid Fayaz on the occasion of his daughter's marriage. Meanwhile, the President of Mahaz-e-Azadi, Muhammad Iqbal Mir in his statement in Srinagar said that India wanted to prevent Kashmiris from the struggle for securing right to self-determination through oppression but it will never succeed in its nefarious designs. He said that the struggle of Kashmiris was based on the truth which they would continue till the goal is achieved. Iqbal Mir appealed to the United Nations to play its role in stopping the genocide of Kashmiris by the sectarian Bharatiya Janata Party-led Indian government. He also paid tributes to the youth martyred by the Indian troops in Pulwama and said that the invaluable sacrifices of the youth would one day bring positive res

**'In 2019, 8664 persons lodged in IIOJK**

**jails'**

New Delhi: An official report released by the Indian government has revealed that 8664 persons were lodged in jails of Indian illegally occupied Jammu and Kashmir during 2019. The report Prison Statistics of India, 2019 unveiled by the Indian National Crime Record Bureau (NCRB) lays bare that 8664 persons were admitted in jails of Kashmir Valley and Jammu region during last year. The NCRB comes under administrative control of the Indian Ministry of Home Affairs. According to the data, as on 31 December 2019, 3689 inmates were lodged in IIOJK jails against the overall capacity of 2910. This means overall occupancy rate in jails of IIOJK was 126.8 percent, which shows overcrowding in the prisons. As per the report, 12.5 percent inmates in IIOJK jails were detainees at the end of 2019. In India, the Tamil Nadu has (38.5 percent) and Gujarat (12.5 %) detainees. Post abrogation of Article 370, the BJP-led Modi government had detained thousands of Hurriyat, political, social and civil society members and youth under the black law, Public Safety Act, which allows detention for a up to two years without trial. Some were detained in various jails of IIOJK while thousands others were lodged in the prisons across India.

## HUMAN RIGHTS VIOLATIONS IN IOK

(From Jan 1989 till Aug 31, 2020)	
Total Killings *	95,667
Custodial Killings	7,146
Civilian arrested	160,949
Structures Arsoned/Destroyed	110,353
Women Widowed	22,918
Children Orphaned	107,798
Women gang-raped / Molested	11,219





Prime Minister of Pakistan Imran Khan, President of AJ&K Masood Khan, Prime Minister of AJ&K Raja Muhammad Frooq Haider Khan, Federal ministers and others leading "One mile walk" on Youm-e-Istehsal at Muzaffarabad.



APHC delegation meeting with Chairman Kashmir Committee Shehryar Kahn Afridi President of AJ&K Masood Khan and Prime Minister of AJ&K Raja Muhammad Frooq Haider Khan are all so present.



President of AJ&K Masood Khan, Prime Minister of AJ&K Raja Muhammad Frooq Haider Khan, Shah Mahmood Qureshi Federal minister foreign affairs and others attended the All Parliamentary Parties of Azad Kashmir's meeting.



Ladies parliamentarian members' delegation headed by Sobia Kamal Khan Member National Assembly, Federal Parliamentary Secretary Ministry of Kashmir Affairs & Gilgit Baltistan meeting with the Prime minister of AJ&K Raja Muhammad Frooq Haider Khan,



The Prime Minister of AJ&K Raja Muhammad Frooq Haider Kahn inaugurating constriction Lal Chowk at Muzaffarabad



# STOP THE INDIAN BRUTALITY IN KASHMIR



Indian Occupied  
Jammu and Kashmir



#IOJKisStillUnderSiege