

Monthly

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C o n t e n t s

01



THE UNITED NATIONS AND THE NEGLECTED CONFLICT OF KASHMIR

Dr. Ghulam Nabi Fai

03



SETTING THE STAGE FOR AFGHANISTAN NEGOTIATIONS

Shahid Javed Burki

04

FIGHT FOR LIBERATION

Mark Muhannad Ayyash

05

INDIA'S PRETENSIONS

Mir Adnan Aziz

07

OCTOBER 27, A BLACK DAY FOR KASHMIRIS

Waqar Ahmed

09

OCTOBER 27 WHY BLACK DAY IS OBSERVED!

12

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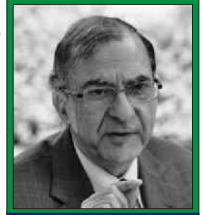
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THE UNITED NATIONS AND THE NEGLECTED CONFLICT OF KASHMIR



Dr. Ghulam Nabi Fai

The principle of 'right of self-determination' and its applicability to the 72-year-old Kashmir conflict needs to be considered during the 75th session of the Fourth Committee of the United Nations General Assembly that is taking place between October 8 to November 10, 2020 at its headquarters in New York. The Committee will discuss and deliberate the issues related to international conflicts and decolonization. What I do hope to offer is an unstarry-eyed view of the fate of self-determination in Kashmir; and, the indispensability of convincing the United Nations that international peace and security would be strengthened, not weakened, by resolving the Kashmir conflict to the satisfaction of all parties concerned..

The self-determination of peoples is a basic principle of the United Nation Charter, which has been reaffirmed in the Universal Declaration of Human Rights, and applied countless times to the settlement of international disputes.

The concept seems to be as old as Government itself and was the basis of French and American revolutions. In 1916, President Wilson stated that self-determination is not a mere phrase. He said that it is an imperative principle of action and included it in the famous 14-point charter. This gave a prominence to the principle. Self-determination as conceived by Wilson was an imprecise amalgamation of several strands of thought, some long associated in his mind with the notion of "self-determination," others hatched as a result or wartime developments, but all imbued with a general spirit of democracy.

Self-determination is a principle that has been developed in philosophic thought and practice for the last several hundred years. It is an idea that has caused people throughout the world to rise up and shed the chains of oppressive governments at great risk.

Finally, in 1945 the establishment of the UN gave a new

dimension to the principle of self-determination. It was made one of the objectives, which the UN would seek to achieve, along with equal rights of all nations. Article 1.2 of the Charter of the

United Nations reads: "To develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples."

From 1952 onwards, the General Assembly of the UN adopted a series of resolutions proclaiming the right to self-determination. The two most important of these are resolution 1514 (XV) of 14 December 1960 and resolution 2625 (XXV) of 24 October 1970. Resolution 1514 was seen almost exclusively as part of process of decolonization. 1514 is entitled: Declaration on the Granting of Independence to Colonial Countries and Peoples."

International Court of Justice considered the several resolutions on decolonization process and noted: "The subsequent development of International Law in regard to non-self governing territories as enshrined in the Charter of the UN made the principle of self-determination applicable to all of them." This opinion establishes the self-determination as the basic principle for the process of de-colonization.

The principle of self-determination in modern times can be defined as the right of peoples to determine their own political status and pursue their own economic, social and cultural policies. Self-determination in its literal meaning or at a terminological level also implies the right [of a people] to express itself to organize in whatever way it wants. A people must be free to express their will without interference or threat of interference from a controlling authority. This includes alien domination, foreign occupation and colonial rule.

Although, the applicability of the principle of the self-determination to the specific case of Jammu and Kashmir

has been explicitly recognized by the United Nations. It was upheld equally by India and Pakistan when the Kashmir dispute was brought before the Security Council. Since, on the establishment of India and Pakistan as sovereign states, Jammu and Kashmir was not part of the territory of either, the two countries entered into an agreement to allow its people to exercise their right of self-determination under impartial auspices and in conditions free from coercion from either side. The agreement is embodied in the resolutions of the United Nations Security Council, explicitly accepted by both Governments. It is binding on both Governments and no allegation of non-performance of any of its provisions by either side can render it inoperative.

It is apparent from the record of the Security Council that India articulated the principle, accepted the practical shape the Security Council gave to it and freely participated in negotiations regarding the modalities involved. However, when developments inside Jammu & Kashmir made her doubt her chances of winning the plebiscite, she changed her stand and pleaded that she was no longer bound by the agreement. Of course, she deployed ample arguments to justify the somersault. But even though the arguments were of a legal or quasi-legal nature, she rejected a reference to the World Court to pronounce on their merits. This is how the dispute became frozen with calamitous consequences for Kashmir most of all, with heavy cost for Pakistan and with none too happy results for India itself.

By all customary moral and legal yardsticks, 23 million Kashmiris from both sides of the Ceasefire Line (CFL) enjoy a right to self-determination. Kashmir's legal history entitles it to self-determination from Indian domination every bit as much as Eritrea's historical independence entitled it to self-determination from Ethiopian domination. India's gruesome human rights violations in Kashmir also militate in favor of self-determination every bit as much as Yugoslavia's human rights violations and ethnic cleansing created a right to self-determination in Bosnia and Kosovo. Kashmir's history of social and religious tranquility further bolsters its claim to self-determination every bit as much as East Timor's history of domestic peace before Indonesia's annexation in 1975 entitled it to self-determination in 1999.

If law and morality are overwhelmingly on the side of

Kashmiri self-determination, then why has that quest been thwarted for 72 years? The answer is self-evident: the military might of India. India is too militarily powerful, including a nuclear arsenal, and too economically mesmerizing to expect the United States, the United Nations, NATO, or the European Union to intervene. The United States is reluctant to exert moral suasion or pressure to prod India because it covets more India's alluring economic markets and collaboration in fighting global terrorism. Further, the size and wealth of the Indian lobby in the United States dwarfs the corresponding lobbies supporting Kashmir.

The world powers need to understand that there is no way the dispute can be settled once and for all except in harmony with the people's will, and there is no way the people's will can be ascertained except through an impartial vote. Secondly, there are no insuperable obstacles to the setting up of a plebiscite administration in Kashmir under the aegis of the United Nations. The world organization has proved its ability, even in the most forbidding circumstances, to institute an electoral process under its supervision and control and with the help of a neutral peace-keeping force. The striking example of this is Namibia, which was peacefully brought to independence after seven decades of occupation and control by South Africa; East Timor and Southern Sudan, which got independence only through the intervention of the United Nations. Thirdly, as Sir Owen Dixon, the United Nations Representative, envisaged seven decades ago, the plebiscite can be so regionalized that none of the different zones of the state will be forced to accept an outcome contrary to its wishes.

In conclusion, a sincere and serious effort towards a just settlement of the Kashmir dispute must squarely deal with the realities of the situation and fully respond to the people's rights involved in it. Indeed, any process that ignores the wishes of the people of Kashmir and is designed to sidetrack the United Nations will not only prove to be an exercise in futility but can also cause incalculable human and political damage.

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SETTING THE STAGE FOR AFGHANISTAN NEGOTIATIONS

Getting the warring people of Afghanistan to sit face to face at a negotiating table was one very difficult act; the other, much more difficult, will be to have the country's very diverse people agree on one system of governance. The Taliban agreed to talk to the government in Kabul they had repeatedly called a lackey of the West of the United States in particular only after Washington agreed to two demands. The first was to pull out its troops from the country in which its presence had lasted for 19 years. The Americans agreed to follow a withdrawal timetable that would have all their troops out by May 2021. The US has implemented its part of the bargain. It has drawn down its troops from 12,000 to 8,600 by the end of summer 2020 and President Trump is interested in bringing the count down to 4,500 by the time of the November 2020 elections.

The insurgents' other condition was to have the Kabul government release 5,000 prisoners the government had taken over the years. Washington could do little to implement this demand; it could pressure the Kabul government to satisfy the Taliban wish, who had clearly indicated that they would sit down with the government only after all those who were in prison would be let go. Some of those incarcerated had committed serious crimes. It took Kabul 10 months before this demand was met to the satisfaction of the Taliban.

In return, the insurgents agreed not to target US and other international troops and break ties with Al Qaeda. While the growing presence of the Islamic State was of concern to both the government in Kabul and the US, the Taliban said they did not have control over this particular group. The Taliban also did not promise to spare government security personnel. According to independent observers, continued attacks on government forces had killed or wounded more than 10,000 security personnel since the accord with the US was signed on February 29, 2020.

Whether the symbolism was intended or accidental, the delayed peace negotiations between the Government of Afghanistan and the Taliban started in Doha, Qatar, on September 11, 2020.



Shahid Javed Burki

This was the 19th anniversary of the terrorist attack on two of the three intended targets in the US. Of the four planes hijacked by a group of Muslim radicals, two flew into the twin towers of the World Trade Center in lower Manhattan and one was crashed into the Pentagon building near Washington. A fourth plane was brought down by its passengers in a field in Pennsylvania. It might have been heading towards the Capitol, the building that houses United States Congress, or the White House.

The administration headed by President George W Bush that had come to office eight months before this incident concluded that the militant group Al Qaeda was behind the attack. Headed by the Saudi billionaire Osama bin Laden, the group had been given a sanctuary by the Taliban government that had governed Afghanistan for almost five years. Washington concluded that the Taliban had to be punished for giving space to Al Qaeda. It ordered the invasion of Kabul and the removal of the Taliban from the Afghan capital. This was done in late December with the help of the Tajiks who live in the northeast of Afghanistan and were the main component in a coalition of forces that had operated under the name of the Northern Alliance. Ahmad Shah Massoud, a Tajik who led the Northern Alliance, was killed in a suicide attack a couple of days before the terrorist attack on the US.

In coming to an agreement with the Taliban, the US had one overriding concern. The country should never allow a group of extremists to operate from its soil. The Taliban had two interests: to get the Americans and their allies to leave their country and to have the Kabul government release 5,000 of its people who were languishing in the country's jails. It took the two parties one year to thrash

Out an agreement that would reconcile these three interests. Ultimately in the February 2020 Doha Agreement, the Taliban leadership promised that their soil would never be used for operations by extremist organisations; that the Taliban would begin talking to the Kabul government after the latter had released all prisoners, and that a timetable would be drawn up for taking out all foreign troops from Afghanistan.

The agreement left a number of important issues to be settled by the Afghans themselves. These included the accommodation of many ethnic groups into a political system that allows the sharing of power. While religion will be used to define the main elements of governance, the system to be adopted would grant full human rights to the country's women. The government structure would also fully accommodate all religious minorities, in particular the Shiites who made up an eighth of the country's population. Whenever differences cropped up between various groups of the Afghan population, they would be resolved within the context of the new Constitution that would be the product of these deliberations. The Constitution that was written by the Americans and agreed to by a segment of the Afghan population in an international gathering in Bonn, Germany, in late 2001, would be repealed. It will be replaced by a system that is more in tune with Islam.

For the Afghans, the creation of a nation out of diversity

has been a long struggle. It has lasted for centuries. There are other differences that have made nation-building difficult. Although Islam is the predominant religion in the country, two of its prominent sects the Sunnis and the Shiites have often been at war. This has especially been the case following the rise of the Taliban who follows the extremist Sunni sect of Islam. The Sunni-Shiite divide affects external relations. While the Taliban looks to Saudi Arabia for inspiration and also for financial assistance, the Shiite community of Hazaras has the support of Iran. However, ethnic differences make it really difficult to build a nation out of diversity. In the multi-ethnic Afghanistan, the Taliban drew their strength from the Pakhtun (or Pashtun) community that makes up 45% of the country's population of 34 million people. This means that of the 62 million Pakhtuns in the world, 15.3 million live in Afghanistan. The Tajiks are the second-largest ethnic group in the country with 27% of the total population. The 9.2 million Afghan-Tajiks are located in the country's northeast. There are more Tajiks who are citizens of Afghanistan than of Tajikistan. The Tajik population of Tajikistan is 7.6 million out of 9.5 million. The Uzbeks and the Hazaras make up the same proportion of the population 9% or 3 million people each. Settling these diverse ethnic groups in one political system will be one of the more difficult tasks before the parties involved in the Doha negotiations.

FIGHT FOR LIBERATION

[Mark Muhannad Ayyash](#)

In the last few years, Israel has further cemented its grip on Palestine. The list of Palestinian losses is depressing: the marked movement towards international recognition of Jerusalem as the undivided capital of Israel, official annexation of Palestinian land, an increase in the number of settlers and the development of settlements on Palestinian lands, the horrific besiegement of Gaza and the world's participation in the siege, the 'de-development' of the Palestinian economy, uninhibited killing and maiming of Palestinians, suffocating

restrictions on movement, gender-based violence in prisons and at checkpoints, continued demolitions of Palestinian homes, the stifling of Palestinian activism and speech for Palestinian rights in Western Europe and North America, and the rising tide of diplomatic normalcy between Israel and Arab states.

Add to the mix common social issues like patriarchal oppression, interpersonal conflict, crime, socioeconomic inequality, family feuds, and political corruption, combined with a lacklustre and largely handcuffed leadership, and you begin to get a picture of how

remarkable Palestinian resistance really is.

That Palestinians do not give up is precisely what is so historic and inspiring about their resistance. For more than 100 years, the Palestinian people have been resisting and fighting for Palestine, holding on to what they have left of it, clinging on to the hope of one day reclaiming what they have lost.

Attention is often given to the armed resistance, but far more numerous, diverse, and long-standing is the unarmed Palestinian resistance. Labour strikes, boycotts, legal actions, political and community organising, demonstrations, marches, hunger strikes, passing the keys of demolished homes from one generation to the next, the formation of Palestinian societies and cultural groups in exile and refugee camps, lobbying politicians across the world, building creative local and sustainable economies, and everyday acts of resistance are all peppered throughout the history of the struggle. Resistance also comes in the form of cultural productions that narrate and communicate the suffering

of Palestinians; intellectual and academic studies that illuminate the history and lived realities of Palestinians; the development of political manifestoes and ideologies that pave a path forward towards freedom and liberation.

It is impossible to count the number of people who have given, and continue to give, their time, efforts, livelihood, and their lives in the fight for Palestine. The problem is not that these lives are never reported or (re)presented in the international discourse. The problem is that the core and underlying essence of Palestinian actions remains unregistered and unaccounted for, it is buried and prevented from being released into the mainstream discourse.

The Emirati and Bahraini political elites, for example, never register these lives when they proclaim their so-called peace deals with Israel. Many Palestinians, as well as common Bahrainis and Emiratis, have rightly labelled these agreements a betrayal of the Palestinian people.

Excerpted from: 'Fighting for Palestine'

Aljazeera.com

INDIA'S PRETENSIONS

[Mir Adnan Aziz](#)

The British Empire had a penchant to view everything, including colonization and the mechanizations involved, as a game. It was Captain Arthur Conolly, a British intelligence officer, who coined the Great Game phrase.

A 19th century saga of power politics between Czarist Russia and Victorian Britain, the Great Game was enacted in what is Gilgit-Baltistan in Pakistan, and Afghanistan and Central Asia. Rudyard Kipling borrowed the phrase and fictionalized it in 'Kim', his novel.

During one of these 'gamely' cloak and dagger missions to enable British control over Bukhara (Uzbekistan), Conolly was caught. He was executed, along with Colonel Charles Stoddart, again a British spy.

In those times, Gilgit was deemed the roof of the world. Base of the world's greatest mountain ranges, Karakoram, Himalaya, Hindukush and the Pamir, it was also at the confluence of the Chinese, British and

Russian empires. Having been involved in the 1891 British campaign against Hunza and Nagar, Edward Frederick Knight's 'Where three Empires meet' encapsulates the sights and sounds of Kashmir, Gilgit and Tibet of those times.

After the 1905 defeat of Russia at the hands of Japan, the Great Game met an ignominious end with Afghanistan recognized as a buffer by Russia and Britain. British historian Peter Hopkirk's epitaph to the Great Game reads: "It was quickly entombed in unread memoirs, the occasional name in the yellowing intelligence reports of that long-forgotten adventure".

It was with the dissolution of the once feared Soviet Empire that the yellowing intelligence reports were dusted and phoenix like rose what has been dubbed the New Great Game. The Afghanistan invasion, as relevant to terrorism as was the criminally lied about arsenal of WMDs possessed by Iraq, was the initiation of this New

Great Game. It is a far more brutal and complex version of the 19th century one.

Today, Central Asia, a region brimming with vast natural resources in an otherwise energy starved world, is the epicenter of the New Great Game again. The Pak-China Karakoram Highway, tracing Marco Polo's fabled Silk Route; passing through Gilgit-Baltistan has been functional for over forty years. A Pakistan-phobic India has suddenly woken up to the fact that by renaming it CPEC, India has some claim on Gilgit-Baltistan, the gateway to CPEC.

CPEC is the initial phase of China's huge and ambitious 'One Belt One Road' (OBOR) initiative. The Gwadar Port is the lynchpin of CPEC. Presently, 80 percent of Chinese oil is transported through the Strait of Malacca, a mammoth 16000 kilometer trek.

CPEC shall constrict this distance to about 3000 kilometers, saving China billions of dollars and the specter of a blocked Strait of Malacca in case of war in this region. Pakistan too shall reap the economic benefits given the planned projects. CPEC shall also give China direct access to the Indian Ocean; an Indian nightmare.

It was this mindset that forced India to invest in Iran's Chabahar port as a counter to Gwadar, a mere 175 kilometers away. Given its litany of setbacks in the last couple of years, India has now been struck off from the Chabahar-Zahedan railway line project, which would have later been extended to Zaranj in Afghanistan. India, now a US surrogate, is wary of cooperating with Iran. Moreover, India's intent was to covertly use Chabahar as a Pakistan-centric terrorist launching pad. Kulbhushan's confessions are a living testament.

This reversal comes on the heels of a Chinese 25-year, 400 billion dollar strategic pact with Iran. The details have not been shared by either Iran or China but there are reports that the pact shall entail a military, intelligence and weapon development aspect too. China shall get oil at discounted prices for 25 years from an arbitrarily US sanctioned Iran.

The initiation of CPEC saw a frenzied India release a map

showing Azad Kashmir and Gilgit-Baltistan as part of India. It also showed Nepalese territories as its integral part. Pakistan, to the chagrin of India, released its own map showing Occupied Kashmir, Ladakh and Junagadh as part of Pakistan. At the recent Russia hosted SCO meeting, a flustered Ajit Doval walked out after his objection to this displayed map was rejected by Russia and member countries.

Nepal too retaliated by rightfully showing Kalapani, Limpiyadurah and Lipulekh pass as Nepalese territory. India's overtly shrill bellicosity epitomizes raised hackles in private. It views Nepal's Lipulekh Pass as a Chinese saunter down path to India.

The Indian army chief, General Naravane, a Bipin Rawat clone, burst out publicly that "Nepal might have raised this problem at the behest of someone else (read China)". A little introspection would have educated the general about India perpetually bullying all its neighbors to the extent of its blockading Nepal, a small landlocked neighbor. He should also imagine the capability of his force if Nepal withdraws its 32000 Nepalese Gurkhas from the Indian army.

Modi and his cronies have repeatedly threatened to abrogate the Indus Waters Treaty. Nothing could be more vile and repugnant than using water as a weapon. In 2016, Modi warned Pakistan that "blood and water can't flow together". The same year, in his Independence Day speech, the mahatma of Occupied Kashmir and Gujarat gushed at the gratitude of the people of Gilgit-Baltistan on voicing their 'human-rights violations'.

Raj Mohan, an Indian academic and analyst, elucidated India's hegemonic designs in a Foreign Affairs article titled 'India and the Balance of Power'. He quoted the Chanakayan mandala as India's matrix of hegemony. He wrote: "India's grand strategy divides the world into three concentric circles".

"The first encompasses the immediate neighborhood. Here, India has sought primacy and a veto over actions of outside powers. The second encompasses the extended neighborhood, stretching across Asia and Indian Ocean

littoral. India has sought to balance other powers and prevent them from undercutting its interests. In the third, which includes the entire global stage, India has tried to take its place as one of the great powers, a key player in international peace and security”.

Today, India's hegemonic designs lie bare; its Chanakyan mandala is in shambles. Primacy in its immediate neighborhood is being thwarted even by Nepal and Bangladesh, its erstwhile allies, let alone Pakistan. The second neighborhood is no less a debacle for India as using Afghanistan as a Pakistan-specific terror launch pad is fast diminishing, despite billions in investments and terror-financing slush funds. China, despite their ingrained patience, has had enough evident by the Indian casualties in their latest standoff.

That leaves us with the Indian dream of attaining what Modi deems their entitlement: a permanent seat at the Security Council. Addressing the recent 75th UNGA session, Modi's sense of misplaced entitlement was evident when he frustratingly questioned as to how long “India with its unique contribution to the UN will be kept out of the decision making structures of the United Nations”?

Acting a sage he said: “This is a country, which has hundreds of languages, hundreds of dialects, many

sects, and many ideologies”. A voice echoed: “yet under my stewardship Hindutva prevails ruthlessly at the cost of all of them”. He went on to say, “One could say that we have successfully avoided a third World War”; the same voice whispered; “yet I threaten my neighbour with the mother of all bombs, something I desperately want to do because now I cannot cow it down”.

The dichotomous farce continued as he gushed, “India will not hesitate in raising its voice against the enemies of humanity, human race and human values, these include terrorism.....”; the persistent voice wailed, “who shall avenge the innocent children, women and men of Kashmir, Gujarat and the nameless, countless Indian minorities whose blood fails to quench your insatiable thirst; Kulbhashan a living yet abandoned testament to your duplicity. How can you even dream of sermonizing about peace, human values and terrorism”?

There is a rhythm to history. It is a keeper that records the cycle of seemingly impregnable empires fading and vanishing; reduced to the dusty annals of historical manuscripts. The props in the New Great Game bring about a sense of eerie déjà vu. The only aberration is that, despite India's obnoxious pretensions, it is neither Russia nor the British Empire.

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OCTOBER 27, A BLACK DAY FOR KASHMIRIS

[Waqar Ahmed](#)

The people of Jammu and Kashmir have been resisting the Indian occupation for the last 70 years. They are involved in a fierce freedom struggle, facing the worst kind of Indian state terrorism. They have braved the Indian subjugation and atrocities with great courage and New Delhi has failed to intimidate them into submission. On October 27, 1947, the sufferings of Kashmiri people started with the landing of Indian Army in Jammu and Kashmir. The day is therefore observed as a black day throughout the world wherever Kashmiris reside.

It is a fact that India disregarding the Indian Independence Act and Partition Plan in 1947, which

stated that the Indian British Colony would be divided into two sovereign states, sent its troops in Jammu and Kashmir.

India forcibly occupied the princely states of Hyderabad, Junagarh and Jammu and Kashmir, the first two being Hindu majority states with Muslim rulers while the Valley had majority Muslim population but was run by a Hindu ruler. The Indian government and the Maharaja Hari Singh claimed to have an Instrument of Accession but many world historians reject the existence of any such document with the argument that if it had existed, the Indian government would have made it public, either officially or at any international forum. This never

happened.

Unfortunately, the Boundary Commission, headed by British Barrister Cyril Radcliff, also helped India in occupying the Kashmir Valley. He split Gurdaspur, a Muslim majority area, and handed it over to India, thus making a demarcation that allowed a land route to Jammu and Kashmir.

Following the arrival of Indian forces, massacre of Muslims ensued so as to change the demographic status of the Valley. The people of Kashmir never accepted the illegal occupation and started a freedom struggle, supported by a public uprising in 1947. Meanwhile, the Indian government approached the UN Security Council on January 1, 1948, seeking its help to settle the dispute over Kashmir. The Security Council passed two resolutions approving a ceasefire, demarcation of the ceasefire line, demilitarization of the state and a free and impartial plebiscite to be conducted under the supervision of the United Nations. These resolutions were passed on August 13, 1948, and January 5, 1949, which were accepted both by Pakistan and India. Only one phase of these resolutions (ceasefire and demarcation of ceasefire line) was implemented while demilitarization of the occupied territory and holding of a plebiscite still remain unimplemented.

The festering problem has led to the barbaric killings of

thousands of people in the valley, including women and children, by the Indian armed forces. The legal protection to the Indian troops in the guise of the Armed Forces Special Powers Act (AFSPA) is very much there. This brutal law has allowed the Indian forces to deal with the people of the valley as they please with little fear of prosecution. As global players continue to ignore the resolution of the dispute, it has become a humanitarian issue in the region. The issue remains an international dispute. However, because of its very weak case on the disputed valley, India terms it a bilateral dispute and avoids internationalizing the issue. The UN High Commissioner for Human Rights Zeid Ra'ad Al Hussein recently said in a report on held Kashmir:

"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," said "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." All in all, India has exhausted all its resources but has failed to suppress the liberation sentiments of the Kashmiri people.



OCTOBER 27 WHY BLACK DAY IS OBSERVED!

Background

Kashmiris on both sides of the Line of Control and across the globe observe October 27 as Black Day. It is the darkest day in the history of Kashmir as on this day in 1947 India had forcibly occupied Jammu and Kashmir by landing its army in Srinagar against the will of the Kashmiri people and in total disregard to the Indian Independence Act and Partition Plan. Under the Partition Plan, Indian British Colony was divided into two sovereign states, India (comprising Hindu majority areas) and Pakistan (consisting of Muslim-majority areas of Western provinces and east Bengal). Every year, 27th October is marked by complete strike in Indian illegally occupied Jammu and Kashmir (IIOJK) and rallies, seminars and demonstrations in the illegally occupied territory, Azad Kashmir and world capitals.

As per the understanding behind the Partition Plan, the than Princely States were given the choice to accede either to Pakistan or India on the basis of their geography and demography. Being a Muslim-majority state, with 87% Muslim population, Kashmir was a natural part of Pakistan as both shared strong bonds in respect of religion, geography and culture. But, unfortunately, the then Hindu ruler of Jammu and Kashmir, Maharaja Hari Singh, destroyed the future of Kashmiri people by announcing its accession to India under a controversial document, Instrument of Accession, thus laying the foundation of the Kashmir dispute. Many observers including prominent British historian, Alastair Lamb, and noted Kashmiri researchers, Abdul Majid Zargar and Basharat Hussain Qazilbash, deny the existence of such a document with the argument that had it been there, the Indian government must have made it public either officially or at any international forum. Even Indian Archives Department has now declared that the document is lost and the announcement has put question

marks on the very existence of the document.

Kashmir in the United Nations

The people of Jammu and Kashmir strongly resisted India's illegal occupation of their soil and they launched a movement to liberate it from the Indian yoke. Their resilience forced India to seek the help of the world community to settle the Kashmir dispute. Sensing a humiliating defeat to its armed forces, India approached the United Nations Security Council (UNSC) on January 01, 1948. The World Body in its successive resolutions nullified the Indian invasion and called for holding of an impartial plebiscite under its supervision to allow the Kashmiri people decide their fate by themselves. Unfortunately, these UN resolutions and the pledges made by Indian leaders remain unfulfilled even after the passage of several decades, resulting in the continued suffering of the Kashmiri people.

Kashmiris' revolt and mass uprisings

Disappointed over the failure of all the efforts aimed at resolving the Kashmir dispute through peaceful means for decades, the people of IIOJK intensified their freedom struggle in 1989 to secure their right to self-determination. This movement gave sleepless nights to the Indian rulers. They responded this popular movement with the brute military might.

The people of IIOJK added a new dimension to their freedom movement in 2008. They hit the streets in thousands during mass uprisings in 2008, 2009, 2010 and 2016. However, most of the time, Indian troops and police personnel used brute force against these peaceful demonstrators, killing hundreds of them. Since the mass uprising triggered by the extrajudicial killing of popular youth leader, Burhan Wani, on 8th July in 2016, besides killing over 1280, the troops have caused injuries to more than 29,200 people by firing pellets, bullets and teargas shells on protesters. During this period, more than

10,280 people have suffered pellet injuries and over 395 of them have lost their eyesight in one or both eyes.

Indian state terrorism

India is using every brutal tactic to continue its illegal hold on Jammu and Kashmir for the past over seven decades. Since 1989 till 1st September 2020 alone, Indian troops had martyred 95,667 Kashmiris, widowed 22,918 women, orphaned 107,798 children and molested or gang-raped 11,219 Kashmiri women. While the whereabouts of thousands of innocent youth subjected to disappearance in custody remain untraced, the discovery of thousands of mass graves across the territory has raised concerns about their safety. However, despite exhausting all its resources and resorting to the worst kind of state terrorism during the past over seven decades, New Delhi has miserably failed to intimidate the people of IIOJK into submission.

Modi's 5th August onslaught

Narendra Modi-led fascist Indian government has put the peace of the entire world in perils by abrogating Article 370 of the Indian Constitution that granted special status to Jammu and Kashmir and annexing it with India on August 05, 2019. It also divided IIOJK into two federally administered union territories - Jammu and Kashmir and Ladakh. After repealing the Article 370, New Delhi put the illegally occupied territory under strict military siege, confining millions of Kashmiris to their homes and arresting thousands. Continued curfew, restrictions and communications blackout led to humanitarian crisis in IIOJK. At the same time, Indian troops intensified violent cordon and search operations across the territory.

The Modi government imposed several federal laws and introduced new domicile rules in IIOJK. In gross violation of the UN resolutions and the international law, it has granted domicile status to thousands of non-Kashmiri Hindus including some IAS officers. The local people fear that more than 800,000 Indian soldiers and over 600,000 migrant labourers present in the territory might also be

granted the domicile status in the coming days.

The BJP regime, as part of its anti-Muslim policies, is also replacing the Muslim names of important places and departments with Hindu names in IIOJK. The birth anniversary of former Chief Minister, Sheikh Abdullah, and Kashmir Martyrs' Day on July 13 have been dropped from the list of public holidays. The Modi govt has initiated the process of delimitation of Lok Sabha and assembly constituencies in IIOJK with an aim to give more seats to Hindu-dominated areas of Jammu division. At the same time, it has flouted a new political front of its collaborators led by Altaf Bukhari in the name of Jammu Kashmir Apni Party.

The basic objective behind all these unilateral illegal measures is to convert IIOJK's Muslim majority into a minority by settling Indian Hindus in large numbers. It is also aimed at damaging the essence of the UN resolutions on the Kashmir dispute and affect the results in India's favour if New Delhi is compelled to hold a plebiscite in Jammu and Kashmir at any point of time in the future.

Pakistan's support to Kashmir cause

The Pakistani leadership has always represented the Kashmiris' aspirations and never betrayed the faith reposed on them by the Kashmiri people. It was his commitment to the interests of the people of Kashmir that drove father of the nation, Quaid-e-Azam Muhammad Ali Jinnah, to visit Jammu and Kashmir three times before 1947. He had rightly termed Kashmir as the "Jugular Vein" of Pakistan. Prime Minister, Imran Khan, in his address to the UN General Assembly, drew world's attention to the worsening humanitarian crisis in IIOJK after Modi government's 5th August illegal move. He repeatedly warned the world that Modi government's Hindutva policies and aggressive posture posed serious threat to the peace in the region and the entire world. Pakistan's Foreign Ministry is consistently updating the world leaders on the Indian brutalities in IIOJK. The Pakistan Parliament has passed several resolutions



since August 05, last year, expressing solidarity with the oppressed people of IIOJK and condemning India's illegal actions in the territory. The Army Chief, General Qamar Javed Bajwa, has repeatedly expressed Pak Army's support to the Kashmir cause. He has declared that Pakistan is ready to fight till last bullet and last soldier for Kashmir.

Positive developments

The Kashmir dispute has become the focus of attention at the global level after the illegal actions taken by the Modi regime on and post August 05, 2019 in IIOJK. Pakistan's arduous efforts and the grave human rights situation caused by the continued military siege in the illegally occupied territory convinced the UNSC to hold its session on Kashmir thrice first time after the period of over 50 years. The UN Secretary General Antonio Guterres and the US President Donald Trump have repeatedly offered mediation to resolve the Kashmir dispute in the wake of heightened tension between Pakistan and India. The UN High Commissioner for Human Rights, Michelle Bachelet, several members of UK parliament and US lawmakers as well as world bodies including the OIC, the Amnesty International and Human Rights Watch have expressed serious concern over the grim human rights situation in IIOJK. Even the International watchdog, the

Genocide Watch in a statement expressed fears of genocide against the Muslims living in IIOJK and the Indian state of Assam.

Conclusion

This is the context of the observance of October 27 as Black Day by the Kashmiris all across the globe. The observance is aimed at sending a loud and clear message to the world community to take stock of the miseries of the Kashmiri people and come forward in a big way to ensure a solution of the lingering Kashmir dispute in accordance with their wishes. It is also intended to send a strong message to New Delhi that the Kashmiris reject its illegal occupation of their homeland and that they would continue their struggle till they achieved their inalienable right to self-determination promised to them by India and the world through several UN resolutions. The solution of the Kashmir dispute has become more imperative following India's action to change the disputed status and demographic composition of IIOJK for ensuring permanent peace in the region and the world at large.

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(Compiled by Muhammad Raza Malik. The writer is a Senior News Editor at Kashmir Media Service and can be reached at razamalik849@yahoo.com)

Imran Khan warns UN of potential nuclear war in Kashmir



Pakistan's Prime Minister, Imran Khan, has said he has been trying to raise the alarm at the United Nations this week about the danger of a nuclear war breaking out over Kashmir.

India and Pakistan came close to a conflict in February when India bombed Pakistani territory for the first time in a half century and warplanes from both countries fought a dogfight over the divided region.

Tensions were defused when Pakistan returned a downed Indian pilot. But they have grown again since India revoked a constitutional clause that endowed semi-autonomous status on the part of Kashmir under its control in August. India moved hundreds of thousands of troops to the region and carried out thousands of arrests. Khan said the move was driven by the Hindu nationalist ideology of the Indian Prime Minister, Narendra Modi, whom he called a "fascist".

The Muslim-majority territory is currently under heightened security, while mobile and internet services have been cut, but Khan predicted a popular backlash once such measures are lifted.

"They'll come out on the streets. What happens then?" Khan told journalists at the UN general assembly. He pointed to the presence of a 900,000-strong Indian force there currently enforcing security.

"I fear there will be a massacre and things will start to go out of control," the Pakistani leader said.

"My main reason for coming here was to meet world

leaders at the UN and speak about this. We are heading for a potential disaster of proportions that no one here realises," Khan said. "It is the only time since the Cuban crisis that two nuclear-armed countries are coming face to face. We did come to face to face in February."

Khan has vowed to defend Pakistani territory but has also expressed fear of an uncontrolled escalation. He spoke on Wednesday about his dilemma on being told of the Indian air strikes.

"In February, my army chief calls me up and the air force chief, [saying] that Indian jets have come and bombed Pakistan territory. What do we do? What do we do?" Khan said. "Should I should we have to make that choice."

He said he had expressed his fears in conversations this week with Donald Trump, Angela Merkel, Emmanuel Macron and Boris Johnson.

Trump has offered to mediate, but only if both Pakistan and India agree. India has been resistant to outside mediation, and Modi has presented his actions in Indian-controlled Kashmir as essential to counter separatism and terrorism, which he accuses Pakistan of fomenting.

But Khan has faced an uphill task. Trump has become a close political ally of Modi, even appearing as the Indian prime minister's guest last Sunday at a Texas rally of some Indian Americans. But on Monday, Trump described some of Modi's rhetoric as "very aggressive".

"I have tried my best," Khan said. "What options do we have? What do we do? Do we just wait for this nightmare scenario to unfold and hope that nothing happens."

In Kashmir, residents are watching the developments at the UN closely. "I hope the UN does something that helps Kashmir otherwise generations of our sacrifices will be ruined," said Mohammad Ramzan, who lives in Pulwama, south Kashmir.

"At least my generation saw good days and also the bad days. But I fear for the future of my sons and daughters," he said as he visited his son in Srinagar, Kashmir's main city. "We are now caught between an abyss and a fire," he

said.

In parts of south Kashmir, which has been the epicentre of new generation of anti-India insurgents, local residents said militants had asked for a complete shutdown until Friday's meeting, when Khan and Modi are both expected to address the annual session in New York.

"We are not sure if the militants have actually said it or not, but no one is willing to take a risk," added Ramzan. Shops in South Kashmir remain shut and roads mostly empty.

Some are sceptical that the UN meeting will lead to progress. "I don't think anything will happen. At the end it is our fight, no one else will come to fight it," said a shopkeeper in Srinagar, who asked to remain anonymous.

Meanwhile, Khan said he had been asked by both the US and Saudi Arabia to act as a mediator with Iran.

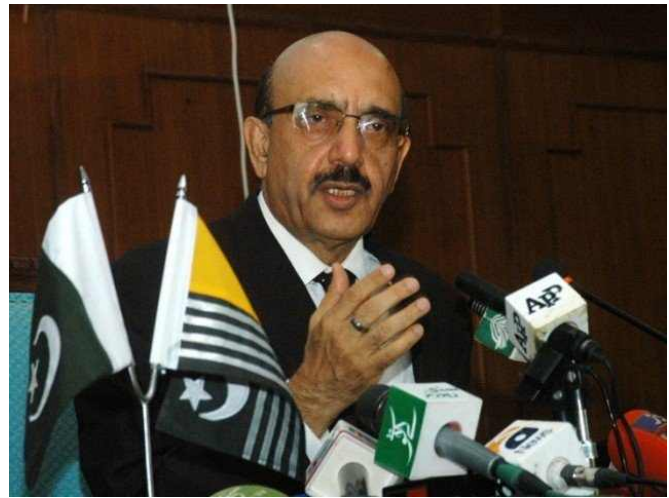
"President Trump asked me and also Prince Mohammed bin Salman asked me to speak to the Iranians, and we are trying our best that this should not develop into a conflict," Khan said. "The good thing about President Trump is that I feel he's not a pro-war person, although I can see that there are others who are egging him on. But his instinct, quite rightly is not for war ... I think that's very admirable."

'Talks with India should be held under UN supervision'

Farooq Abdullah and Mehbooba Mufti have never been Kashmiri leaders, says AJK President Masood Khan
ISLAMABAD: Azad Jammu and Kashmir (AJK) President Sardar Masood Khan has said that "as a matter of principle, talks with India should be held only under the UN auspices, side-by-side with Pakistan and India, and presence of Kashmiris on the negotiations table is a must".

The UN supervision of the talks is essential in order to carry forward and implement the Security Council resolutions on Kashmir, he added.

In an interview with a private TV channel, Masood said that India has always used the bogey of bilateral talks to



consolidate its illegal occupation of Kashmir and to keep the United Nations and the Kashmiris out of the negotiation process, and "now it can once again use the talks as a ploy to divert attention from its recent illegal actions in IIOJK".

He said that since the Kashmir issue has been once again raised in the UN Security Council, the talks as a matter of principle should be held in not Islamabad or New Delhi, but in New York. "However, to ensure participation of Kashmiris, these can also be conducted in Islamabad, New Delhi or Muzaffarabad and Srinagar." He added: "In any case, we will have to ensure that the talks are held within the framework of the UN Security Council resolutions on Kashmir only."

Responding to a question, he said that Pakistan's stand on talks is very clear that Kashmir is not a bilateral dispute between Pakistan and India but it is an international issue which must be resolved by the UN Security Council. "However, India does not consider it even a bilateral issue and describes it as its internal matter."

He said that India will also not accept Pakistan's condition of involvement of Kashmiris in the talks process. "Pakistan has always adopted the stand that the Kashmiri people themselves are to decide their future destiny as has been laid down in the UN resolution", he said, adding that the Kashmir issue must remain with the international community so as to prevent India from turning Occupied Kashmir into its colony, and stop it from depriving the Kashmiri people of their land and homes.

Answering another question, Masood said that the

Pakistani and the Kashmiri community living across the world including Pakistan and Azad Kashmir should rise up, and establish contacts with the international community on the political level to muster their support in order to stop India from the illegal process of demographic change in Occupied Jammu and Kashmir. Replying to another query about anti-India stance recently adopted by pro-India Farooq Abdullah and Mehbooba Mufti, the AJK president said that "these elements have never been Kashmiri leaders, but these were the people who had sold Kashmir to India in the lust of power, and after they have lost power and privileges, they wanted to strike some deal with India through blackmailing".

The fact remains that India is not ready to trust any Kashmiri leader, he added.

Kashmiris paying price for Shaikh Abdullah's decision to accede to India: AJK PM

MUZAFFARABAD - Prime Minister of Azad Jammu and



Kashmir Raja Farooq Haider Khan has said that Kashmiri people are paying the price for Shaikh Abdullah's decision to accede to India, which led to the enslavement of the Kashmiri nation. In a statement issued here on Monday, he said the former IHK chief minister Farooq Abdullah, Mehbooba Mufti and other Indian puppets were responsible for the massacre of Kashmiris going on for the last seven decades. Farooq Haider said it was ironical that the Modi government did not even treat its puppets well after August 5, and meted out the same treatment to its foes and friends.

Regional peace linked to Kashmir solution, Shah Mehmood Qureshi

MULTAN: Foreign Minister Shah Mehmood Qureshi on



Thursday said sustainable peace in the region would remain a dream until the core dispute of Jammu and Kashmir is resolved as per the resolutions of the United Nations Security Council and the aspirations of Kashmiri people.

In his virtual address to the Conference on Interaction and Confidence-building Measures in Asia (CICA) from here, he said a brutal military siege and communications blockade since India's illegal and unilateral actions of last August have destroyed life in Indian-held Kashmir. He apprised the meeting that India's move has resulted in crippled livelihoods and imperiled the core identity of the people of IHK. He stressed that repression against Kashmiris and denying them their fundamental right to self-determination, as enshrined in the relevant UN Security Council resolutions, is against the fundamental principles of the CICA.

Qureshi said Pakistan has always been at the forefront of all international initiatives for promoting peace, tolerance, inter-cultural and inter-faith harmony and respect both at home and abroad. He reiterated Pakistan's firm commitment to global and regional peace and stability, and towards the socio-economic welfare of its people through partnerships at regional and sub-regional levels. "We believe that a peaceful and secure environment, regionally as well as globally, would substantially contribute towards sustainable economic growth and development, reduction in poverty and enhance the welfare of our people," he said. Terming as

"historic" the launch of intra-Afghan negotiations in Doha, the foreign minister said Prime Minister Imran Khan has long maintained that there is no military solution to the conflict in Afghanistan as a "political solution is the only way forward".

Qureshi expressed satisfaction that Pakistan's perspective is now widely shared across the international community and urged Afghan leaders to seize the historic opportunity by working for an inclusive, broad-based and comprehensive political settlement. Successful culmination of intra-Afghan negotiations remains indispensable for peace, stability and prosperity in the region and beyond, he said. He emphasized Pakistan's facilitation of the process that culminated in the US-Taliban Peace Agreement in Doha on February 29 this year. Spoilers, he said, both internal and external, could pose formidable challenges that required constant vigilance to guard against their machinations.

He highlighted the alarming situation of the global resurgence of xenophobia, Islamophobia, hatred and acts of violence against minorities. He pointed out the disproportionate growth in hate speech and stigmatization of Muslim communities and individuals, including happening in Pakistan's neighbourhood. He assured Pakistan's commitment to promote peace, stability and development in the region.

Qureshi said as COVID-19 affected the entire globe with unprecedented health, humanitarian and economic challenges, the cooperative multilateralism offered the best mechanism to effectively address these issues. Pakistan like other nations worked for a concerted international effort to fight the pandemic and develop a vaccine accessible for global public good.

He mentioned Prime Minister Imran Khan's proposal of "Global Initiative on Debt Relief" for developing countries to achieve enhanced fiscal capacity and tackle negative consequences of the pandemic. He said Pakistan supports China's Belt and Road Initiative and is proud to be a key player in one of its flagship projects China Pakistan Economic Corridor. He said besides Pakistan's

development, the CPEC would ensure benefit to Central Asian and Eurasian neighbours.

He expressed gratitude to outgoing Foreign Minister of Tajikistan for his dynamic leadership of CICA during the last two years and congratulated Mukhtar Tileuberdi as Kazakhstan assumed the CICA chairmanship.

No compromise to be made on Kashmir: Shehryar Afridi

Islamabad: Chairman Kashmir Committee Shehryar Afridi has said the government, the state institutions and the people of the country have an unwavering commitment for the Kashmir cause. Addressing a news conference along with Chairperson Jammu Democratic Party Nabila Irshad and Dr Waleed Rasool in Islamabad, he said the entire nation including civil military leadership are on the same page and no compromise will be made on Kashmir issue.

He said Prime Minister Imran Khan is exposing the Indian brutalities globally as ambassador of Kashmiris. Shehryar Afridi said Kashmir dispute is not a bilateral issue between Pakistan and India, rather it is an international conflict which should be resolved as per aspirations of Kashmiris in the light of UN Security Council resolutions.

He said Kashmir Committee is planning to expose Indian atrocities in Indian Illegally Occupied Jammu and Kashmir with close coordination with Foreign Office, Academia, Media, civil society and other stakeholders.

Share this:

Peace in region not possible without resolution of Kashmir issue: Governor

Lahore: Punjab Governor Chaudhry Mohammad Sarwar has said that peace in the region cannot be established without resolving the Kashmir issue. The silence of the United Nations and other international bodies, including the OIC, on the worst Indian terrorism in Kashmir is shameful. Narendra Modi is now targeting Kashmir through Rashtriya Swayamsevak Sangh (RSS) goons. More than 95,000 Kashmiris have been martyred due to Indian terrorism.

He was addressing a Kashmir conference organized by Maqbool Ahmed, a former Member of the Kashmir Assembly. President of Tehreek-e-Insaaf Azad Kashmir Sultan Mahmood, Central Member of Tehreek-e-Insaaf Umar Dar were present on this occasion. Punjab Governor said that there is no doubt that Indian forces are committing the biggest terrorism in Kashmir in the world and massacring innocent Kashmiris. He said that thousands of Kashmiris have been imprisoned innocently and so far more than 95,000 Kashmiris have been martyred due to Indian terrorism and more than 7,147 people have been killed by other agencies including Indian forces during their detention. He said that Kashmir is still the lifeblood of Pakistan and Prime Minister Imran Khan has become the ambassador of Kashmiris in the true sense of the word. The time has come for the world to take notice of the atrocities of Indian forces and save Kashmir from Indian atrocities instead of playing the role of silent spectator on Indian terrorism.

Governor Punjab said that RSS goons led by Narendra Modi are targeting other minorities including Muslims inside India and now India is resettling RSS goons in Kashmir with proper planning.

If the majority of Kashmiris can be turned into a minority and the terrorists of RSS have started targeting Kashmiris after coming to Kashmir. This is the worst violation of human rights on which Pakistan will no longer remain silent.

Sarwar said that all political and religious parties of Pakistan are united on the issue of Kashmir and stand firm with their Kashmiri brothers and sisters like a rock.

Inshallah, the time is not far when Kashmiris will get independence.

Addressing the conference, President of Tehreek-e-Insaaf Azad Kashmir Barrister Sultan Mahmood said that despite all its atrocities, India has not been able to suppress the independence of Kashmiris but the independence of Kashmir is getting stronger with each passing day.

He said that Prime Minister Imran Khan was fighting his

case all over the world by becoming the ambassador of Kashmir and it is also the responsibility of the United Nations and other international bodies to play their role in resolving the Kashmir issue.

Former Member Kashmir Assembly Maqbool Ahmad said that the people of Pakistan are with their Kashmiri brothers and sisters and no sacrifice will be spared for the independence of Kashmir. Kashmiris are fighting for their independence in a peaceful manner. The Kashmir issue should be resolved as per UN resolutions and Kashmiris should be given the right to independence.

'IIOJK journalists facing risk to life for truthful reporting'

Srinagar: In Indian illegally occupied Jammu and Kashmir, the Hurriyat forum led by Mirwaiz Umar Farooq has said that the Indian repressive policies against the Kashmiri people and local media have increased tremendously to suppress the voice for freedom and truth in the territory.

The forum in a statement issued in Srinagar while denouncing the Indian government's policy of intimidation and coercion against the media fraternity in the territory said that media was being stifled to suppress the truth.

The statement said that local journalists and print media owners are facing risk to their lives greatly while upholding the standards of journalistic ethics by reporting factually, neutrally and fearlessly from the ground. "The international recognition and acclaim that the Kashmiri journalists have earned has made the people of J&K proud."

The Hurriyat forum said that journalists like many others are under surveillance and those resisting to toe the authorities' line are harassed with arrests, charges of sedition and legal action. "The witch-hunt against media has worsened with authoritarian approach being put in place to chase those not toeing the government line."

The forum hoped that the media fraternity in IIOJK would not yield to pressure, and would continue to uphold its high standards of reporting truthfully and impartially

without fear or favour.

Indian cruel methods in IIOJK bound to backfire: Report

Srinagar: In Indian illegally occupied Jammu and Kashmir, people, who are living under miserable conditions for over the past seven decades, are determined to continue to fight the Indian occupation, come what may.

An analytical report released by Kashmir Media Service, today, particularly mentioned a recent warning by former Indian minister Congress leader, Mani Shankar Aiyar that if the measures taken by Narendra Modi and Amit Shah on August 5, 2019 aimed at endangering the demographic composition of the territory are not rectified, “an intifada and even worse can overtake” Indian illegally occupied Jammu and Kashmir.

As per the report, Mani Shankar Aiyar in a fresh article published in The Wire reiterated that Articles 370 and 35A are permanent features of Indian constitution, and that “Narendra Modi and Amit Shah have just created a Palestine” on India's northern border”

Having quoted the excerpts from the article of India's seasoned politician, the report said that Kashmiris' freedom struggle was destined to gain more momentum as Indian brutal tactics have failed to intimidate Hurriyat leaders into submission, and it advised New Delhi to stop its cruel methods in IIOJK since they are bound to backfire.

The report said that human rights violations in IIOJK, which continues to reel under Indian military siege since Aug 5, 2019, have witnessed an unprecedented spike since the Article 370 was abrogated, last year.

“Academics, doctors, lawyers, teachers and ordinary citizens in IIOJK are caught in daily cordons, searches, repression and torture and some even are routinely killed in cold-blood,” it said adding that Indian authorities are randomly arresting civilians, invoking black law, Public Safety Act (PSA) against them and seizing private properties.

The report urged the world to come forward in a big way to rescue beleaguered Kashmiri people and lambast India for rights violations in IIOJK.



HUMAN RIGHTS VIOLATIONS IN IOK

(From Jan 1989 till Sep 30, 2020)

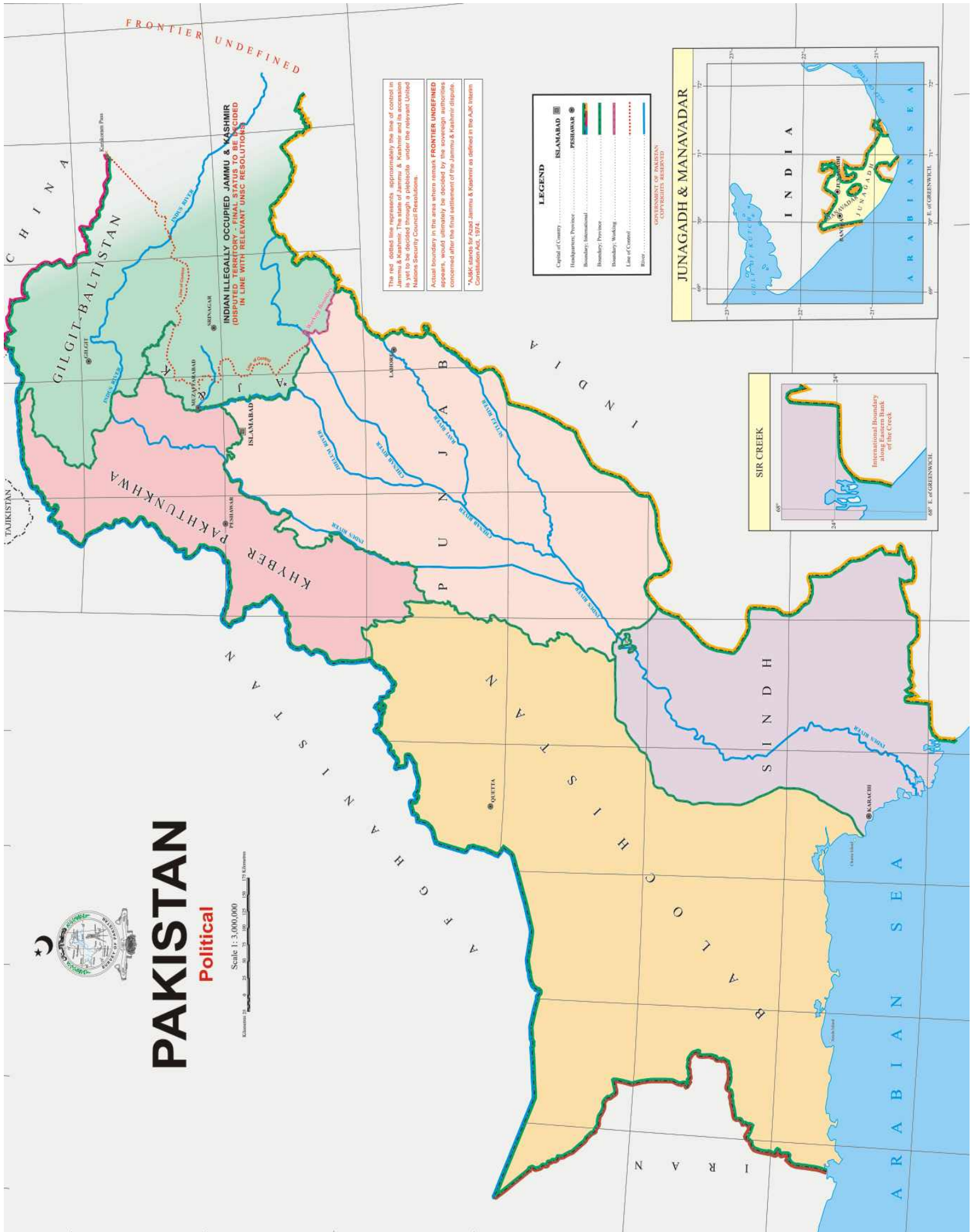
Total Killings *	95,686
Custodial Killings	7,147
Civilian arrested	161,037
Structures Arsoned/Destroyed	110,367
Women Widowed	22,920
Children Orphaned	107,802
Women gang-raped / Molested	11,219



PAKISTAN

Political

Scale 1: 3,000,000
Kilometers 25 50 75 100 125 150



World community must take cognizance of India's brutal action in IIOJK

