



ISLAMABAD POLICY RESEARCH INSTITUTE

5th Floor, Evacuee Trust Complex, Sir Aga Khan Road,
F-5/1, Islamabad, Pakistan. Tel: + 92 51 9211346-49;
Email: ipripak@ipripak.org Website: www.ipripak.org

IPRI Press Release

“A Year after Annexation: Challenges to Restoring Peace and Autonomy in Indian Occupied Kashmir”

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The Islamabad Policy Research Institute organised a special webinar on ‘*A Year after Annexation: Challenges to Restoring Peace and Autonomy in Indian Occupied Kashmir*’ here in the capital today. Speakers included Lieutenant General (R) Naeem Khalid Lodhi, former Secretary of Defence, Government of Pakistan; Ms Mushaal Mullick, Kashmir rights activist and Chairperson, Peace and Culture Organisation; and Mr Jamal Aziz, Executive Director, Research Society of International Law (RSIL).



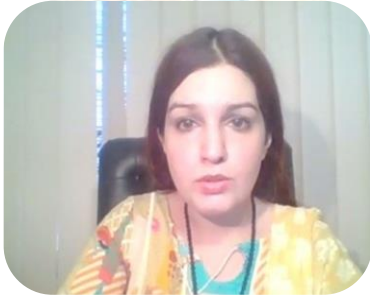
Acting President and Director Research IPRI, **Brig. (R) Raashid Wali Janjua** welcomed the distinguished panellists and formally launched *The Paradise under Siege. A Tale of Unremitting Atrocities in Indian Occupied Jammu and Kashmir* from IPRI’s platform. The book is a fact-based pictorial primer on Indian atrocities and repression in a paradise held under the worst siege witnessed by mankind. He highlighted that the book powerfully captures the plight and anguish of Kashmiris suffering the full force of Indian fascism in flagrant disregard of human rights charter and norms of civilised conduct. The stark images and poignant visages speak to the struggle for liberation. Loss of 0.5 million lives since 1947 is a testament to the angst meted out to the denizens of the Valley. Brig. Janjua highlighted that annexation and illegal occupation of Jammu and Kashmir on 5 August 2019 has set in motion a chain of events that have exposed the evil face of Indian expansionism in the region. The wanton act of August 5 has not only united disparate political groups in the Valley, it has also ignited a fire of resistance that has found resonance in the international community. ‘Books like this are a humble effort to showcase the human tragedy that is unfolding in front of the international community. I am sure it will find wide readership for a worthy cause’, he hoped.

Discussing the topic ‘From Annexation to Demographic Change: India’s Evolving Strategic Imperatives in Kashmir’, **Lt. General (R) Naeem Khalid Lodhi** said that given India’s illegal, arbitrary and unconstitutional presidential order that revoked Article 370 and its 35-A provision, effectively stripping Kashmir of its special autonomy status, Pakistan’s



counter moves and pre-emptive actions need to cover all political, legal and military angles. Lt. General Lodhi stressed that peace never materializes unless the environment is conducive. ‘Professional and efficient diplomatic corps is a vanguard in pursuing a country’s national interests and defending it against external onslaughts. But diplomacy alone can’t achieve results - political, economic, military and diplomatic actions must be well aligned and properly sequenced to achieve national goals,’ he stressed. While lauding Pakistan’s diplomatic efforts he opined that, ‘Pakistan has done well in the diplomatic field to internationalize the issue after a long time, with Prime Minister Khan’s speech at the United Nations (UN) which set the ball rolling.’ But, he cautioned that despite such efforts, Pakistan has not been able to create a political, strategic or economic clout in terms of regional or other blocks that put their weight behind our Kashmir stance today. Pakistan should think of revoking the Simla Agreement as it has been torn to pieces by India and capitalize on the renewed Chinese interest in the issue to further internationalize it.

He also proposed a partial plebiscite under the UN auspices within the territories of GB and Azad Kashmir, with a resolve to completing and extending it later in IOJ&K, whenever feasible. He also suggested a ‘Government in Exile’ in some European or friendly country, comprising political heavyweights from Azad Kashmir, IOJ&K and Kashmiri diaspora. ‘However, all far reaching political implications of such moves should be discussed amongst Kashmiri and Pakistani jurists and political leadership. This would only become possible if our diplomatic endeavours are strong, resulting into favourable international environment.’ For countering India’s kinetic moves and to save the lives of Kashmiris in IOJ&K, politico-legal activism and well-coordinated international diplomacy need to be supplemented with military training of young Kashmiris on war footing, ‘as nature, Kashmiris and history will never forgive us for merely acting as bystanders and watching the butchery and rape of IOJ&K,’ he urged.



Speaking about ‘The State of Internal Resistance: Humanitarian and Security Challenges’, *Ms Mushaal Mullick* lamented that a year after the 5 August 2019 unconstitutional change, Indian Occupied Jammu and Kashmir continues to be subjugated to grave escalation in humanitarian violence, with pro-independence protests squashed, Hurriyat leaders imprisoned and thousands of UN-reported atrocities against Kashmiri children and women. She highlighted that Indian authorities have completely deprived Kashmiris of their basic rights, including religious rights. She shared that all senior Hurriyat leadership is under detention at homes or in different prisons turning the homegrown Kashmir struggle into a leaderless movement. She said that India’s fascist government has intensified its barbarism and state terrorism with over 1,237 innocent Kashmiris, including 28 women martyred till date, besides rendering 100 women widowed and 227 children orphaned. She urged the international community to take serious notice of India’s move to grant domiciles to non-Kashmiris meant to change the demographic status of the occupied territory as non-Kashmiris flood into the region to diminish the Muslim majority.

She warned that through its Nazi-inspired ideology, India is carrying out genocide via laws and economic and population measures. ‘An entire population, Kashmiri identity is being decimated and wiped out. 5 lakh domiciles have been issued to Indians, and underground torture cells have been set up to crush the freedom struggle. 8 lakh soldiers and 6 lakh migrant workers are set to receive domicile certificates’, she informed. Ms Mullick inquired how long Kashmiris can keep struggling under such an evil systemic repression when Indian forces control all exit and entry points, have closed off logistical provisions and even food and medical supplies to the Valley.

‘Kashmir is completely cut off from the rest of the world through a concerted imposition of physical, psychological and electronic isolation to ensure its surrender. Pakistan, along with the Kashmiri diaspora, needs to take responsibility. The United Nations Trusteeship Council needs to be engaged on this matter and a cohesive 5-10 year strategy formulated to internationalize the Kashmir cause since the bilateral approach has lost its shelf life’, she said. Ms Mullick also recommended that the Parliamentary Special Committee on Kashmir Affairs should have more Kashmiri members and a Kashmiri as its Chairperson.



On the issue of ‘Article 370 and 35-A: Options for Strengthening Pakistan’s Legal Case’, **Mr Jamal Aziz** was of the view that while the political and diplomatic dimensions are routinely discussed, the Kashmir issue primarily remains one of legal significance. From the application of numerous United Nations Security Council (UNSC) Resolutions to the constitutional changes made by the Indian state on 5 August 2019, all entail legal consequences and unfulfilled international obligations.

Mr Aziz highlighted that the State of India is an occupying power in Jammu & Kashmir and through its actions of 5 August 2019, has attempted to unlawfully annex this territory without any recourse to the will of the people of Jammu & Kashmir. Under International Law, an occupation is a question of fact. He informed that there are three conditions for an occupation: 1. territory which the occupying power is not entitled to under international law; 2. the occupying power is a hostile army; and, 3. the occupying power has effective control and exercises its authority over the territory. ‘All three conditions for an occupation are met by the Indian State actions in Jammu & Kashmir,’ he stressed.

By attempting to alter Jammu & Kashmir’s demographics, India is also aiming to end, once and for all, any chance of a plebiscite in accordance with the UNSC resolutions on the disputed territory. The unlawfulness of a referendum conducted following demographic changes is clear under International Law. Mr Aziz further informed that the communication lockdown, restrictions on movement and refusal to grant humanitarian access are in violation of IHL rules and human rights norms that India is obligated to uphold.

In the **Question/Answer Session**, the speakers agreed the *Hindutva*-inspired machination masqueraded as a move for integration is a dangerous ruse to tailor the demographics and fate of the Muslim majority territory fighting for their right of self-determination for over 70 years. By doing so, India is in blatant violation of international law as well human rights and resolutions of the UN. The participants highlighted Pakistan’s broad-based diplomatic campaign to expose Indian unilateralism at key global forums, including the UNSC. However, they lamented that despite Pakistan’s calls to resolve the bilateral dispute in light of critical UNSC resolutions, India continues to maintain its hostile aversion to any transparent, peaceful and legally binding

settlement on the matter. The plight of Kashmir is a test of the global champions of human rights. Pakistan needs to send a clear, unequivocal and united message that it will not act as a bystander to the genocide and demographic apartheid of the innocent denizens of Indian Occupied Jammu and Kashmir.