**The Modi Doctrine and its Discontents**

[Dr Syed Nazir Gilani](https://dailytimes.com.pk/writer/dr-syed-nazir-gilani/)

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This piece is my first contribution in the New Year. It would be proper to wish peace, honour and dignity to all in the world. People living in the Valley of Kashmir, have very little to celebrate. Every tool is used by Modi government to humble, dishonour and control them against their free will. We on the Pakistani side of the ceasefire line don’t have much to offer them, except the opportunity to tell their story to the world. However suffering needs the right narrative to be meaningful

It is just the seventh month since the United Nations published its 14 June 2018 report on “The Human Rights Situation in Kashmir”, which reported that on 26th December 2018 Yashwant Sinha a senior Indian politician in an “Off the Cuff with Yashwant Sinha” programme organised by a leading media group had revealed that Modi Government, had abandoned the Vajpayee policy of “Consensus, Democracy and Insaniyat” in favour of a “Strong State” policy in Kashmir, which meant “use of brutal force to kill as many as they could”.

He is a strong witness to take the UN Report a couple of steps further. He has served as a Minister in the cabinets of Prime Minister Chandra Shekhar and Prime Minister Vajpayee and has visited Kashmir as head of a civil society organisation–Concerned Citizens Group (CCG)– several times, interacting with various stakeholders to explore the possibility of finding a lasting solution to the Kashmir problem.

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Yashwant Sinha while responding to Rahiba Parveen, a senior journalist with The Print said that the People of Kashmir valley, hate India much more than their fellow Nepali neighbors. He said “The hatred in the minds of the people of the Valley is far stronger than Nepal. We have ruined our relationship with the people of Jammu and Kashmir, especially Kashmir Valley”.

Answering another question whether India is losing Kashmir, Yashwant Sinha replied, “We have lost Kashmir, there is no question of losing. We hold on to Jammu and Kashmir only by dint of the fact that we have our armed forces there. We have lost the people”.

The secret that Modi government had a “Strong State Policy” to kill as many as possible to keep Kashmir, was not known in this manner when the UN High Commissioner for Human Rights introduced the aforementioned report on Kashmir. It is extremely disturbing. Jammu and Kashmir Council for Human Rights (JKCHR) has informed Michelle Bachelet, the new United Nations High Commissioner for Human Rights, that the news would disturb the Kashmiri diaspora living internationally and unless the Office of the United Nations High Commissioner for Human Rights (OHCHR) addresses the revelation post-haste it could harm the good relations between the communities of Indian and Kashmiri origin. There are over 2.5 million Kashmiri refugees living in various provinces of Pakistan and in the light of the latest information emanating from New Delhi, could unfreeze 5 out of the 6 elements frozen into non-action by the UN mechanism on Kashmir.

Pakistan is a party to the Kashmir dispute and as a member nation of the UN must rethink its position on Kashmir. We would be failing in our duty if the Indian soldiers continue to operate no holds barred under the Modi doctrine on Kashmir. It is no more an issue of violation of Human Rights and the Seven Restraints. It is amounts to a genocide and a war crime. OHCHR in view of its report on Kashmir should seriously consider calling a special session of the Human Rights Council on Kashmir.

There are more than 11 countries on the present Human Rights Council which have remained actively involved in UN Security Council debates on Kashmir and in finalising the mechanism for a UN supervised referendum in Kashmir. We could easily convince (or at least make a start) one third of the Member States on the Human Rights Council to request a special session to address the so-called Modi doctrine on Kashmir.

The tragedy as I see it is the lack of understanding or unreliable understanding of the jurisprudence of the Kashmir case at various levels in Azad Kashmir and Pakistan. We raise the issue of Kashmir and leave it with one sentence that “India has failed to implement the UN Resolutions on Kashmir”. It is much more than that.

We don’t back our narrative with the jurisprudence that has developed at the United Nations. For example, Philippines at the 773rd Meeting of UN Security Council held on 20 February 1957, has argued that “the sovereignty  of India or of Pakistan is not involved in the proposal (Pakistani proposal) to send a United Nations force into the State of Jammu and Kashmir for a temporary and limited purpose”. In para 46 Philippines has strengthened its argument by stating that, “Under the circumstances and pending the holding of a plebiscite, neither India nor Pakistan can claim sovereignty over the State of Jammu and Kashmir”.

Yashwant Sinha’s statement about the Modi doctrine is in the public domain. We need to intervene and protect the people. Pakistan should revive its proposal of 16 January 1957 made at the 761st meeting of the Security Council, that the UN should send its forces into Indian-occupied Kashmir. We have a UN Security Council resolution sponsored by Australia, Cuba, United Kingdom of Great Britain and Northern Ireland and the United States of America supporting Pakistan’s proposal for a UN force in Kashmir.

The writer is the President of JKCHR — NGO in Special Consultative Status with the United Nations. He is on UN Register as an Expert in Peace Keeping, Humanitarian Operations and Election Monitoring Missions. He is a senior advocate of the Supreme Court. Author could be reached at dr-nazirgilani@jkchr.com

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