**Irritants in Kashmir Policy and dangers ahead**

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People of Kashmir on Indian side of cease fire line (Indian occupied Kashmir) have been through the 62nd day of unlawful imprisonment. We have failed them in forcing Modi Government to vacate, if not the aggression and occupation, at least the imprisonment. Reasons are very clear. Pakistan can only help Kashmiri People, if it takes urgent steps to correct irritants in its Kashmir Policy.

The two tweets of Prime Minister of Pakistan on the Azadi March organised by JKLF stating

“I understand the anguish of the Kashmiris in AJK seeing their fellow Kashmiris in IOJK under an inhumane curfew for over 2 months. But any one crossing the LoC from AJK to provide humanitarian aid or support for Kashmiri struggle will play into the hands of the Indian narrative – a narrative that tries to divert from the indigenous Kashmiris’ struggle against brutal Indian Occupation by trying to label it as “Islamic terrorism” being driven by Pakistan. It will give India an excuse to increase violent oppression of Kashmiris in IOJK & attack across LoC” and my two replies:

“Prime Minister if we follow UN Resolutions, It is a CFL and Para 12 of UN Resolution 47 guarantees “lawful entry and exit” to Kashmiris across CFL. Humanitarian interest is a lawful activity. However under Shimla Agreement it is a LOC and embeds a problem. ½ “Jurisprudence of UN Resolutions on Kashmir should prevail. You have all the strengths to advocate the Jurisprudence of Kashmir case. Article 103 of UN Charter could help to override the difficulty posed by LOC test. Kindly keep faith. It moves mountains” 2/2, go a long way in explaining the flaw at core.

Pakistan is not clear how to reconcile the jurisprudence of Shimla Agreement with the jurisprudence of Kashmir case under UN Security Council Resolutions, primarily because, our Foreign Office officially abandoned Kashmir from 1251st meeting of the UN Security Council held on 5 November 1965.

PTI Government has admitted that Kashmir has not been discussed at the UN Security Council for the last 50 years. As a natural consequence, the generation of officers from November 1965 to 16 August 2019, has not had any reasonable opportunity to keep itself up-to-date on the jurisprudence of Kashmir case.

*In London today Kashmiri men, women, children and elderly along with members of other communities had a Candle Light Walk from Parliament Square to Indian High Commission via Trafalgar Square*

Foreign Office is still not out of woods on Kashmir. It has been making serious gaffes on Kashmir at the UN, in the Supreme Court of Pakistan and recently in the July 2019 UN report on Human Rights in Kashmir, it let go an eight times reference to Indian occupied Kashmir as the “Indian State of Jammu and Kashmir”.

Foreign Office has started dusting the old Kashmir files and is not yet ready for the Indian challenge. It is surrounded by mediocres (Kashmiris and Pakistanis), who have never even been to a proper school either. This lack of expertise was reflected in the technical content of Prime Minister’s speech made at the UN General Assembly and came out clearly in the anger of Foreign Minister when he faced a questions from a media person in Multan. It is unfortunate to see Foreign Minister very angry and uncomfortable on his home turf. In this age of information, it is very difficult to duck a question and hope to wriggle out of a printed incorrect claim. It goes on.

There are some intriguing similarities between the soundings made by leaders in India and leaders in Pakistan on the future of Kashmir. It was in 1995 that Indian Prime Minister Narasimha Rao said that so far as autonomy for the State of Jammu and Kashmir was concerned, only “the sky was the limit” – implying of course that azaadi was out of the question. It matches with third point in Musharraf’s four point formula, which reads, “Third, introduce self-governance or self-rule in the identified region or regions. Let Kashmiris have the satisfaction of running their own affairs without having an international character and remaining short of independence”.

This is where Kashmiris have a genuine reason to mistrust the understanding of Kashmir case by Pakistani leadership and in dismay pull their hair. They remain confused as Kashmir is an intra-agencies issue and all the variables have their respective approaches. Most of the time too many cooks spoil the broth.

Pakistan started with Kashmiris right of self-determination and argued at the UN Security Council that “Accession with India amounted to signing their death warrant”. Kashmir remained Pakistan’s core issue with India until it became one of the eight outstanding issues in 1999.Musharraf proposed a joint-control in 2006. On the contrary Indians kept their course and continued their claim that any future dialogue would be on reclaiming the Azad Kashmir, which they call in their diplomatic jargon as Pakistan Occupied Kashmir (POK).

At this point when the UN, people on the streets of the world, parliamentarians in various parliaments, people of all manner around the world, condemn Indian Government for the lock down of the people of Kashmir, we seem to have no follow up plan after the Prime Minister’s speech made at the UN and his robust diplomacy in the USA. On the contrary without any due consultation, Government of Pakistan used social media to discourage the Azadi March organised by JKLF, which of course is against the lock down of their kith and kin on the other side of the cease fire line.

Government of Pakistan should have used all resources and constituencies around the world, in informing them that Kashmiris have decided to cross the cease fire line under Para 12 of UN Security Council Resolution 47, which permits a “lawful entry and exit” of Kashmiris. Taking humanitarian aid across the cease fire line and crossing over to inquire about their welfare is a ‘lawful’ entry and exit. Pakistan should have washed its hands off any use of force and asked the UN to take over the responsibility. On the contrary holding these Marchers back and using any kind of force on them is unhelpful after all these years of neglect.

Government of Pakistan should have backed up its first concern by pointing out that there are 2.5 million Kashmiri refugees living in the four provinces of Pakistan. These refugees too have a right under Para 13 of UN Security Council Resolution 47 to return to their homes in the Indian occupied Kashmir. Pakistan should have left the ball in the UN Security Council’s Court to decide the rights of the people to cross the cease fire line under Para 12 and 13 of UN Security Council Resolution 47.

In London today Kashmiri men, women, children and elderly along with members of other communities had a Candle Light Walk from Parliament Square to Indian High Commission via Trafalgar Square. Parliament Square and Thames water reverberated with shouts of Modi Terrorist, Modi Hitler, Butcher Modi, India Go Back, Killing Forces Go Back and Free Kashmir. It would be a gross error of judgment if the PTI Government does not act out of the ordinary and works on the sympathetic constituency, increasing every moment, in the support of the people of Kashmir. The caveat however is that the present stock and mind-set in the Foreign Office and their beloved constituency of mediocres in Kashmiris, hired for optics would have to be purged.

It would be a tragedy if the credible variables in the Diaspora decide to disown the Government of Azad Kashmir and declare that they don’t trust the understanding of the case by the Foreign Office of Pakistan. PTI Government has raised the bench mark in the quality of representation of Kashmir case. Let it correct the irritants and keep soaring to new heights.

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