[Ruthless killing of Kashmiris](https://nation.com.pk/21-Dec-2018/ruthless-killing-of-kashmiris" \t "_new)

Malik Muhammad Ashraf December 21, 2018 the nation

While the Indian security forces continue to commit mass murders of innocent Kashmiris and the state sponsored terrorism, the world conscience remains unstirred by this unfolding human tragedy. Indian atrocities in the occupied valley have left tens of thousands of people — mostly civilians — dead since 1989. However, the current year has been the deadliest since 2009, with more than 500 people killed so far. Only last month, as many as 18 innocent Kashmiris were martyred. In a fresh act of uniformed brutality on Saturday, Indian occupation forces killed 10 Kashmiri youths in Pulwama district. A protest against the killings by residents and the resulting clashes with the Indian troops led to two more youths being killed and injuries to many others. Rape of women, unrestrained use of pallet guns, enforced disappearances and torture are unabashedly employed to subdue the struggle of the people of Indian held Kashmir (IHK) who are fighting for their right of self-determination as enshrined in the UN resolutions.

Pakistan which is a party to the Kashmir dispute and has been justifiably extending moral, political and diplomatic support to the cause of the people of IHK, rightly feels perturbed and concerned about the state of affairs in IHK. Reacting to the latest killings in Pulwama, Prime Minister not only condemned the killings but also declared that the issue of human rights violations would be pushed forward in the UN Security Council. At the same time he also underscored the need for a dialogue saying it was the sole solution to the Kashmir conflict. The Senate of Pakistan has also adopted a unanimous resolution severely condemning the bestiality being enacted by the Indian security forces in IHK. Foreign minister Shah Mehmood called upon the UN Secretary General, the UN Human Rights Commissioner and the Secretary General of the OIC to intervene. The OIC representing will of 1.5 billion Muslims all around the world, issued a statement strongly condemning the killing of innocent Kashmiris by occupation forces. It called upon the international community to play its role in order to reach a just and lasting solution to the Kashmir conflict in accordance with the relevant international resolutions adopted by the OIC and the UN Security Council to redeem the pledges made to the people of Kashmir.

Pakistan for whom Kashmir is unfinished agenda of the partition and which has fought three wars with India over Kashmir cannot remain oblivious to the plight of the people of IHK. It was perhaps the right time to internationalize the issue vigorously and even going to the United Nations Security Council urging the peace-making body to have it resolutions on Kashmir implemented. Before that Pakistan should mount an aggressive diplomatic offensive to sensitize the world community about the Indian brutalities in IHK and the potential danger to peace and security in the region due to the Indian intransigence and refusal to fulfil her obligations towards the people of Kashmir repeatedly promised by Mahatma Gandhi and Nehru in the wake of the UN Resolutions. It is pertinent to point out that the Indian somersault on her commitments for a plebiscite in Kashmir to decide the question of the accession of the state to either of the newly created states through the constituent assembly of IHK declaring Kashmir as integral part of India was duly rejected by the UN through its resolutions number 91 and 122 reiterating unequivocally that the question regarding accession of Kashmir could not be resolved through any mechanism other than the UN sponsored plebiscite.

As is evident Indian stance on Kashmir has no moral or legal justification. Her claim that after the signing of Simla Agreement between the two countries Pakistan could not internationalize the issue is also misconceived and wrong. First the very fact that India acknowledged Kashmir as a dispute in the Simla Agreement negated her own contention regarding Kashmir being her integral part. Secondly contrary to the Indian contentions, the agreement did not preclude the possibility of raising the issue at the UN again. It clearly said that the relations between the two countries would be regulated as per the UN Charter. The signing of a bilateral agreement with India did not in any way absolve the UN of its obligations in that respect. Article 103 of UN Charter says “ In the event of a conflict between the obligations of the members of the UN under the present charter and their obligations under any other international agreement, their obligations under the present charter will prevail” What it means is that the UN resolutions on Kashmir will take precedence over all other international agreements on the same issue. Therefore as per UN charter resolution of the Kashmir dispute remains the responsibility of the UN because the bilateral arrangement has failed to produce the desired results.

It is an irrefutable reality that in spite of the ruthless use of force by the Indian security forces since the people of Kashmir launched their freedom struggle in 1989 and particularly in the aftermath of the killing of Burhan Wani, the movement has snow-balled and the Kashmiri youth are now on the forefront to take it to its logical end. The Indian Army Chief General Bipin Rawat also acknowledged this reality in an interview with The Economic Times in June this year. Reportedly he said “I support dialogue to solve the ongoing problems in Kashmir. Talks must happen. We kill them and more of them join. Infiltration can be controlled, but this cycle of recruitment of local youth can go on and one. So let us give peace a chance and see” The statement by the Indian Army Chief corroborated the credentials of the freedom movement as an indigenous phenomenon contrary to the Indian stance and underlines the need for a negotiated settlement which ultimately will have to be resorted to.

India must acknowledge the foregoing ground realities and read the writing on the wall. It cannot subdue the freedom movement in Kashmir through the barrel of the gun. The US and its allies who have put blinkers on their eyes and refuse to see what is happening in Kashmir to secure their own strategic and commercial interests in this region through India, must also wake up to the emerging realities before it is too late. Peace in the region which is not only in the interest of both Pakistan and India but also of the world community is inextricably linked to the resolution of the Kashmir dispute. Pakistani leaders both civilian and military have repeatedly shown their commitment to resolving all disputes with India including Kashmir through dialogue to save the region from perennial instability which is inimical to the interests of both India and Pakistan. However it takes two to tango.

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