**OIC Islamabad Moot and Kashmir**

[Dr Syed Nazir Gilani](https://dailytimes.com.pk/writer/dr-syed-nazir-gilani/%22%20%5Co%20%22More%20Articles%20by%20Dr%20Syed%20Nazir%20Gilani)

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The 17th Extraordinary Session of the Council of Foreign Ministers of Organization of Islamic Cooperation on the humanitarian crisis in Afghanistan has ended in making recommendations and pledges in Islamabad. It was convened by Saudi Arabia as the OIC chair and hosted by Pakistan. It is a common convention to applaud the host and more so to thank the delegates for making the summit a success. The Foreign Minister of Pakistan and the Foreign Office stand for a genuine appreciation.

A note of appreciation is a routine convention and no one begrudges the practice. However, there is more to it than playing the dulcimer. Prime Minister of Pakistan made a reference to Palestine and Kashmir. He called for the OIC’s unified response on the issues of Kashmir and Palestine where people were struggling for their democratic rights guaranteed by the United Nations.

A reference to Kashmir by the Prime Minister and the sight of the Prime Minister of Azad Jammu and Kashmir in the session is encouraging.  But it is not a proportionate and pointed response on Kashmir. Foreign Office should have invited a delegation of Kashmiris, comprising of the Prime Minister, leader of the opposition, a member of the civil society, a representative from the 2.5 million Kashmiris living in the four provinces of Pakistan and a representative from the Kashmiri Diaspora. The Kashmiri enclosure would have comprised less than five people and the visual would have acted as a convincing reminder of a people forgotten by OIC.

Some kind of interaction, of the manner as seen at the Islamic Summit in Casablanca, in December 1994 could have been worked out. We have always been uncomfortable with the ready reflexes of the Governments in Pakistan and Azad Kashmir. At this Extraordinary Session of the OIC, we have seen that the civil and military establishment looking after Kashmir, does not shine any better. Unfortunately, the establishment has run out of ideas and steam. It has no clue, how to handle the jurisprudence of the UN template on Kashmir.

Militancy did not have the military science to flag itself as a patriotic-defiance against Indian rule.

Kashmir could not be run as a Government or quasi-government department by one or a few people from the military or civilian establishment. And if they are not trained in the jurisprudence of UN mechanism on Kashmir, their efforts are doomed to fail. For example, the full contingent, comprising of military and the civil establishment and the foreign office failed to spot that the June 2018 Report of the High Commissioner for Human Rights has used the phrase “Indian State of Jammu and Kashmir” in the title of the REPORT and 8 times in succeeding paragraphs 4, 6, 9, 18, 46, 52, 70 and 132.

These people may mean well but they have ended up in total failure and disaster in Kashmir. Their understanding of the UN template is unreliable and unhelpful. The reference to the “democratic rights” of the people of Kashmir by the Prime Minister, fails to assuage the whirlwind of suspicion making rounds from 5 August 2019 and in particular when one of the OIC countries has allowed India on 5 March 2020 to discuss Kashmir as an “internal matter of India” at an international conference in Dubai.

OIC does not have a clean slate on Kashmir anymore and the hesitation of Saudia to convene a Special Session on Kashmir is no more a secret. Saudi interest in Afghanistan, if measured against OIC interest contained in item 10 of Kashmir Resolution of December 1994, adopted in Casablanca, Morocco, has its problems.

OIC appeal to “the Member States, OIC and Islamic Institutions, such as the Islamic Solidarity Fund, and philanthropists to mobilise funds and contribute generously towards providing humanitarian assistance to the Kashmiri people”, is not seen on the streets of Kashmir. On the contrary we find that Kashmiri orphans are being sold in the Indian market. No one knows what happened to these funds asked for “humanitarian assistance to the Kashmiri people”.

Prime Minister has asked OIC to have a unified response to protect “the democratic rights of the people of Kashmir guaranteed by the United Nations.” It is too little and too late a call after the Indian action of 5 August 2019. Prime Minister himself has accepted a constitutional role in Azad Kashmir and it is time that he audits it.

He is the chairman of AJ&K Council and nominates 5 members (non-State Subject) from amongst Federal Ministers and members of Parliament on this Council. The idea is not to enforce a colonial control or occupation of Azad Kashmir but his role is to energise the respective duties agreed under the Karachi Agreement of April 1949 and the duty towards the preparation and realisation of Plebiscite as envisaged in Article 8 of 1970 Act and Article 11 of 1974 Constitution Act of Azad Jammu and Kashmir and to discharge the duties assumed under UNCIP Resolutions.

Prime Minister of Pakistan, his nominees on the AJ&K Council and the three lent officers from Pakistan have a duty to ensure the provision of a “better Government and administration of Azad Jammu and Kashmir until the status of Jammu and Kashmir is determined through the democratic method of free and fair Plebiscite under the auspices of the United Nations as envisaged in the UNCIP Resolutions”.

Unfortunately, the Prime Minister of Pakistan sits on a corrupt and failed system of governance in Azad Kashmir. The political and administrative set up in Azad Kashmir is corrupt to the core and it does not serve the Kashmir case or the common people.

The politics in Azad Kashmir has remained under the command of Asif Ali Zardari (PPP), Nawaz Sharif (PMLN), Altaf Hussain (MQM, at least for 10 years), PTI leadership and others. Governments in Azad Kashmir do not serve as required under UNCIP Resolutions or as required under other agreements. They have no clue as to how to appraise the Governments of Pakistan or political parties of Pakistan of their duties envisaged in Article 257 of the Constitution of Pakistan and the UN template on Kashmir.

Political parties of Pakistan in the Government employ their front-men to syphon public money from AJK into their accounts in Pakistan. The 12 refugee seats in the AJK Assembly have always been a trade-off. The overseas seat in the Assembly goes to the person who offers a bigger briefcase full of British Pounds. The practice has never stopped.  The two Kashmiri refugee seats from Karachi in the AJK Assembly were captured for 10 years by MQM during the heydays of Altaf Hussain’s authority. It all happened in broad daylight. The military and civil establishment looking after Kashmir have their share in the quid pro quo.

The buck stops with the Prime Minister of Pakistan. His reminder to OIC is not convincing. He has to set the “Kashmir House” at Muzaffarabad, Gilgit and in Islamabad in order. Asking the OIC for a unified response for the protection of the “democratic rights” of the people of Kashmir makes no sense if we are caught with stained hands doing the opposite.

Our militancy and politics have failed in Kashmir. Hurriyat did not have the ability and vision to link Article 2 in Chapter II of its constitution with the UN template on Kashmir. Militancy did not have the military science to flag itself as a patriotic-defiance against Indian rule as provided under UN GA Resolution to fight against a colonial control or occupation. To make a difference, the Prime Minister of Pakistan has to audit his role in Azad Kashmir. The civil and military establishments in charge of Kashmir too need an independent appraisal of its failures and successes.

*The writer is President (Jammu and Kashmir Council for Human Rights).*