**Countering Indian Aggression**

[Asad Tahir Jappa](https://dailytimes.com.pk/writer/asad-tahir-jappa/%22%20%5Co%20%22More%20Articles%20by%20Asad%20Tahir%20Jappa)

February 28, 2021

Since 9/11 2001, the day the world changed forever, Pakistan has borne the brunt of naked terrorism and paid the heaviest possible price. It has faced more than 19000 terrorist attacks on its soil, suffered 83000 casualties and incurred direct loss of more than USD 126 billion. As per the Dossier on Indian terrorism released by Pakistan, India established 87 training camps to destabilize Pakistan by all means. Sixty-six of these training camps were established on Afghan soil while 21 of these exist in India. Beyond the shadow of any doubt, India is the patron and sponsor of TTP and exercises control over its splinter groups. In August 2020, RAW facilitated merger of Jamat-ul-Ahrar and Hizb-ul-Ahrar (both factions have strong presence in Kunar and Nangarhar provinces of Afghanistan). Both of these terrorist organizations are banned by Pakistan. India has blatantly been violating international law, specially UNSC resolution 1372 (2001) by financing and strengthening TTP. During 1980s, RAW sponsored and supported (Liberation Tamil Tigers Ealam (LTTE) to fight against Sri Lankan government and in late 1960s Mukti Bahni in East Pakistan (later Bangladesh). In recent times, BLA and TTP are also the militant outfits launched by the RAW to destabilize Pakistan. India’s involvement in Baluchistan is clearly recognized by independent sources as well. Statement by US Special Representative James Dobbins and leaked diplomatic cables of British (2008) and UAE (2009) confirm these apprehensions. Furthermore, threats to Pakistan made by Indian NSA Ajit Doval are a flagrant violation of Article 2(4) of UN Charter, the UNGA Declaration on Principles of International Law Friendly Relations and Cooperation Among States in Accordance with Charter of the UN, the UNGA Declaration on the Inadmissibility of Intervention in Domestic Affairs of States and Protection of their Independence and Sovereignty.

India’s long-standing strategy to deliberately and shamelessly attack educational institutions in Pakistan has thoroughly been exposed. Terrorist attacks on APS Peshawar, Agriculture University, Peshawar, and Bacha Khan University, Charsadda are few examples of Indian faceless aggression

Likewise, the irrefutable evidence suggests that India uses Hawala money for terrorist financing. As per US Treasury Department’s study, India is one of the largest countries to move money secretly through Hawala worldwide. India is categorized by US State Department as “Jurisdiction of Primary Concern” in respect of money laundering and financial crimes. US State Department’s 2020 report states that for Indian government, money laundering and terror financing are lower priorities, while it appreciated the incumbent regime in Islamabad to have taken stringent measures to address these gaps. As per essential measures of FATF, India has miserably failed to identify the risks, nor could it develop policies and domestic coordination to counter money laundering.  Under FATF recommendations, India is obligated to provide “widest possible range of mutual legal assistance” to Pakistan in relation to money laundering, associated predicate offences and terrorist financing investigations, prosecutions and related proceedings. Recently, suspicious activity reports were filed by US Banks with US Watchdog, the Financial Crimes Enforcement Network against 44 Indian banks (both state and privately owned).

To add salt to the injury, India is also involved in political assassinations in Pakistan. It is pertinent to mention that murder has been criminalized in all of world’s major domestic and several HR treaties under international law. India stands in violation of Article 3 of Universal Declaration of HR, Article 6(1) of International Covenant on Civil and Political Rights, Article 4 of African Charter of Human and Peoples Rights, Article 4 of American Covenant of HR, and Article 2 of European Convention on HR legal systems. Furthermore, it has also violated Article 2 of Convention on Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, 1973 (New York Convention) protects internationally protected persons including heads of states and families from death threats, attempted murder and kidnapping while travelling abroad. We must remember that Article 2(4) of UN Charter “All members shall refrain in international relations from threat or actual use of forces against territorial integrity or political independence of any state”. UNSC Resolution 611 (1988) is very self-explanatory and it terms assassination in foreign countries as “aggression”. Similarly, Article III (5) of Organization of African Unity Charter Political Assassination or the killing of only lawful combatant is justified under International Humanitarian Law (IHL), Law of Armed Conflict during the armed conflict. Unfortunately, India keeps violating all the above laws and covenants with impunity.

India’s long-standing strategy to deliberately and shamelessly attack educational institutions in Pakistan has thoroughly been exposed. Terrorist attacks on APS Peshawar, Agriculture University, Peshawar, and Bacha Khan University, Charsadda are few examples of Indian faceless aggression. UNSG enumerated attacking schools as one of the six grave violations against children and armed conflict. India is a violator as per Article 13 of the International Covenant on Economic, Social and Cultural Rights (ICESCR), and Article 28 of UN Convention on the Rights of the Child (CRC). The Rome Statute on the International Criminal Court (ICC) includes attacks on educational buildings that are not military objectives in armed conflicts. Likewise, UNSC Resolutions 1261(1999), 1998 (2011) and 1882 (2009) strongly condemn attacks against schools. Under International Humanitarian Law (IHL), schools are protected civilian objects and therefore benefit from humanitarian principles of distinction, precaution and proportionality. In clear violation of IHL, Indian Armed Forces occupation of educational institutions in IOJ&K started in early 1990s and Indian Central Reserve Police Force still continues to occupy many schools. In border areas of AJK, schools remain closed due to heavy shelling and indiscriminate firing by Indian Army.

To the shocking surprise of many in the international comity of nations, EU DISINFO LAB has recently made startling revelations. The actors and their actions in the elaborate report are referred to as the Indian Chronicles which were aimed at maximization of negative content against Indian adversaries, primarily Pakistan. This under-cover operation had direct control of more than 10 NGOs accredited by the UNHRC. It used more than 750 fake media entities in 116 countries to disseminate Indian propaganda unleashed against Pakistan. More than 550 website domain names were also registered for dissemination of this malicious propaganda. Fake media, dubious NGOs in Brussels and Geneva were mobilized to promote the Indian narrative. Resurrection of dead people, media and NGOs, to malign Pakistan remained some of its nefarious activities. Impersonation of EU institutions, identity theft, fake journalists were some of its ugly manifestations. As the direct victim and aggrieved party, Pakistan can bring up Nehru-Liaqat Agreement of 1950 and invoke its Article C, Para 8. Likewise, Article 2 of Simla Agreement 1972 can be invoked and legal remedy is also available for Pakistan under Article 4 through UNGA and Article 3(1 &2) 1936 International Convention on use of Broadcasting in the Cause of Peace. Under International Law Commission’s Articles on The Responsibilities of States for International Wrongful Acts (ARSIWA), Pakistan can invoke Article 1,35,37 and 40 through UNSC/UNGA. In the same manner, resorting to 1953 Convention on the International Right of Correction, Pakistan can invoke Article II (1) through UNGA. In order to further build its case, Pakistan can engage EU Council and thereby seek punitive actions against India. Moreover, by mobilizing International Alliance for Defense of Rights and Freedom, Pakistan can plead for screening of HR organizations and conduct an inquiry through UNHRC.

In South Asia, the aggressive policies and military posture of India which is now ruled by a neo-fascist regime pose an immediate and pervasive threat to international peace and regional security. In an aerial combat between the two countries in February 2019, India committed blatant aggression against Pakistan with its infructuous aerial incursion. In subsequent exchanges, it lost two of its aircrafts. As a good will gesture Prime Minister Imran Khan returned the captured Indian pilot. Unfortunately, this was misconstrued as weakness and India’s posture only grew more aggressive. India has since imposed a military siege in occupied Jammu and Kashmir with a design to annex the occupied territory, change its demography through illegal immigration and deny its people their right to self-determination as prescribed and upheld by the resolutions of the UN Security Council. Indian forces continue to resort to artillery and small arms fire every day along the Line of Control (LoC) targeting innocent civilians on Pakistan’s side. There were over 3,000 ceasefire violations in 2019 and over 2,400 in last year 2020. Such daily military provocations are accompanied by repeated threats of aggression by India’s political and military leaders. Pakistan has acted with restraint to these provocations and threats, but as we demonstrated in February 2019, Pakistan will respond decisively to any Indian aggression with the full force of our capabilities. The sooner Mr. Modi realizes this reality, the better for regional peace and stability!

*The writer is a civil servant by profession, a writer by choice and a motivational speaker by passion!*