



LEGAL FORUM FOR OPPRESSED VOICES OF KASHMIR

Conference Report

Kashmir's Prolonged Military Occupation: Lessons from History and way forward

Legal forum for oppressed Voice of Kashmir (LFOVK) held a one-day Kashmir Conference titled 'Kashmir's Prolonged Military Occupation: Lessons from History and way forward.' The objective of the conference was to highlight the 73 years of military occupation and to emphasize that the issue of Kashmir is not merely a human rights issue but an international Armed conflict between the two nuclear states, which has blighted the lives of millions of civilians, the violations perpetrated by the occupying forces for more than 7 decades constitutes as war crimes and crime against humanity. The violations are grave breach as specified under the 4th Geneva conventions of 1949 (Article 50, 51, 130 and 147 of conventions I, II, III and IV respectively), war crimes as specified under article 8 of Rome statute of International Criminal court

The conference started with the recitation of Quran and National Anthem of Pakistan. Before the session could begin, a short video clip of **Mr. Syed Ali Gilani** was played to honor him as long-standing resistance icon of Occupied Jammu Kashmir.

Analysis of the conference:

Welcome remarks **DR. Khalid Rehman** Director general IPS, Mr. Khalid while opening the session highlighted the work of IPS based on 3 dimensions which are: Pakistan affairs, international relations and faith in society and said Kashmir is integral part of three agendas of IPS.

Mr. Khalid further said, there would be No peace in region without giving justice to Kashmiris, the issue of Kashmir is recognized by United Nations and still pending for disposal the more delay in this issue would definitely lead states into a nuclear war.

The Occupying armed force in Kashmir resort to excessive use of force to subjugate the civilian population of Kashmir but it has not affected the resistance movement in Kashmir.

Pakistan has present Kashmiris as oppressed nation but failed to project their resistance, we must have to initiate a process to project the resistance of Kashmir because, "Are Kashmiri's ready to stay away from resistance?" The answer is NO! Sometime silence is felt on ground but it doesn't mean surrender.

We have to build National consensus on this issue and check on the narratives, and execute same.

First speaker **DR. Mubeen Shah** a Kashmiri business man and Diaspora leader addressed the conference virtually via zoom. Mr. Mubeen said that India has successfully established its narrative worldwide but we have failed to counter it properly. Kashmir is victim of dehumanization their all rights are curtailed even the basic fundamental human right are not given by occupying India. we

see that our every right is compromised. The world need to listen the voice of Kashmiris, What they want?

India has willfully destroyed the economy in occupying Kashmir and under a systematic genocide Indian regime was handing over Kashmiri properties to people from mainland India.

Mr. shah suggest that Pakistan should make Azad Kashmir as a base camp of Freedom struggle and also take the issue of Kashmir to International Court of Justice like Gambia took the case of Rohangiya against Myanmar in 2019.

Second speaker **Ambassador Basit** Former High commissioner

Mr. Basit said Pakistan is victim of its own inconsistencies regarding Kashmir issue.

Yesterday, I heard that envoy has been appointed in Middle East. Two months ago there was envoy appointed in Afghanistan I wish, government could a appointing some official envoy in Kashmir as well it is the high time for Government of Pakistan.

Unless we won't involve everyone in this struggle we will not be able to achieve much. Post August 5 Pakistan has failed miserably on all fronts. India's consistent effort to undermine the issue by engaging bilaterally with Pakistan, will prove fatal if Pakistan agrees to talk on India's terms.

Kashmiri are ready to make any sacrifice but Pakistan needs to take a decision whether its resolve is as strong as Kashmiris.

Third speaker Director Kashmir Media Service **Sheikh Tajjamul Islam,**

While appreciating the endeavors of LFOVK working on Legal front Mr. Sheikh said: that it is a matter of serious concern that Jammu and Kashmir does not exist in the list of occupied territories in the world because we fail on the law warfare front. If we cannot go for direct war against India we must start a law warfare, we are yet to build our legal case we have to recognize Jammu Kashmir as occupied territory in term of international law and believes that LFOVK is appropriate forum to initiate.

Valentina Azarova, a renowned Canadian Jurist says unlawful prolonged occupation arises when an occupying state seeks to change the demography, status quo of a territory through de facto.

Palestine occupation dates back to 1967, but Kashmir is occupied since 1947, hence Kashmir's case is prolonged Military occupation while applying the legal test governing law of occupation.

Fourth speaker **Mukhtar baba** senior journalist from IOJK, Mr. Baba also communicated via zoom and said that India would never agree to resolve Kashmir without strong force on the ground. For past 72 years, Pakistan is in a state of war with India and Kashmiris are waiting for right to self-determination.

We need to question ourselves whether by remembering BLACK DAY would bring freedom. If so, then why did not we achieve freedom in past 72 years?

Baba recounts the horrors of Military occupation in occupied Kashmir and asked Pakistan to strengthen Azad Kashmir government and declare it base camp for freedom struggle in Indian-occupied Kashmir.

Kashmir issue is international conflict and Azad Kashmir should be made as base camp moreover the Hurriyat conference must be revived and make proactive, Kashmiri diaspora played a good role however we need to organize them to build a strong case. Pakistan should issue passports to those Kashmiris who are working for the cause around the world," the Kashmiri Journalist Baba said

Chief guest **Justice Ali Nawaz Chowhan Honorary Chairman LFOVK** said, Kashmir is world largest militarized zone in the world with more than 800000 troops .The CIA fact book reveals that the people Army ratio is for every 5 individual one army person is present. 27 October 2020 marks 73rd year of military occupation in Indian occupied JK which is longest in modern History. Since 1989 more than 96 thousand Kashmiris have been killed by occupying army, 8000 have been subjected to enforced disappearance; there are 6000 unidentified mass graves in Kashmir. The occupying army use banned lethal weapons like pellet and PAVA grenades, Occupying force also use banned chemical to mutilate the dead bodies and destroy civilian property India has criminalized dissent in Kashmir. The ban on media and free press speak volumes the arbitrary detention under UAPA ,PSA has crossed all the limits despite amnesty calling PSA a lawless law India has detained more than 15 thousand Kashmiri's since 05 August 2020. The impunity enjoyed by army under AFSPA (armed forces special power act) has jeopardized the legal system ,army use rape as weapon of war, killed innocent under custody and rampant use of torture.. The dispute of Kashmir is source of international armed conflict and the Indian Army perpetrating war crimes, crime against humanity which needs to be adjudicated seriously before the world judicial forums.

We need a strong political will translated into action by a skilful approach for this purpose. I am sorry to say that for years the committee on Kashmir remained indolent. I also would attribute indolence to government of Azad Jammu and Kashmir. Who should have been proactive throughout the 73 years?

The LEGAL FORUM FOR OPPRESSED VOICES OF KASHMIR (LFOVK) is finding legal means of bringing the issue to the notice of the United Nations. We hope that this dedicated group of indigenous Kashmiris and their friends in Pakistan will successfully push the issue forward and obtain a legal decision not only against the carnage but also for action against the Indian war machine who is committing war crimes against the innocent people of Kashmir

Chief guest Azad Kashmir's **President Sardar Masood Khan** slammed, "Indian propaganda" regarding the military occupation of Kashmir on Oct. 27, 1947.

"The then leadership of Kashmir under Sardar Ibrahim Khan waged a war of liberation and freed Azad Kashmir from occupational forces of India," he said. "The first genocide of Kashmiris was committed by Indian forces in Jammu soon after partition of the sub-continent."

Khan said Kashmir is not a bilateral issue between Pakistan and India but "Kashmir is an international issue and any dialogue must be held under the auspices of United Nations as the UN had guaranteed Kashmir resolution.

Chief Guest Pakistan Parliament Kashmir Committee Chairman **Shehryar Khan Afridi** said government of Prime Minister Imran Khan has infused a new life in to the Kashmir narrative.

He called for reaching out to mainstream and social media institutions besides academicians.

"We do not want to recall mistakes committed in the past... we have will and determination to expose fascist Modi and his government while strengthening Kashmir narrative," he added. Kashmir Committee Chairman said his government in engaging Kashmir and building real narrative.

Referring to the ongoing conflict in Nagorno-Karabakh, Afridi said: "The war between Azerbaijan and Armenia reflected the failure of United Nations Security Council in resolution of territorial conflicts and Kashmir could spark a new war between Pakistan and India if the United Nations failed to play its due role in resolving Kashmir dispute."

The session was concluded by **Advocate Nasir Qadri Director LFOVK**.

Mr Qadri thanked all the guest speakers and participant for attending a daylong conference on law of occupied .Qadri said this is beginning of law warfare we have very strong case to defeat India and time has come to prosecute Indian for its heinous crimes . India must not forget the trial of Nuremberg and Tokyo their fate is similar to Nazis of Germany.

Gallery:









Pakistan urged to appoint special envoy on Kashmir

Islamabad-based think tank hosts conference to discuss way forward to resolution

Islamuddin Sajid | 24.10.2020



ISLAMABAD, Pakistan

Pakistan was urged Friday to appoint a special envoy on Kashmir who could put together efforts for the country towards resolution on Kashmir.

The demand was put forth at a conference in Islamabad where speakers debated challenges, mistakes and a way forward on the Kashmir dispute.

"There is a dire need for Pakistan to continue with its longstanding and consistent stance on Kashmir," said Pakistan's former ambassador to India, Abdul Basit.

The Legal Forum for Oppressed Voices of Kashmir hosted the conference, Kashmir's prolonged military occupation: Lessons from past and the way forward.

"Pakistan cannot afford to engage India bilaterally as New Delhi is not willing to change its position on Kashmir," said Basit as he urged Prime Minister Imran Khan to appoint a special envoy. "Kashmiris are ready to make any sacrifice but Pakistan needs to take a decision whether its resolve is as strong as of Kashmiris."

Azad Kashmir's President Sardar Masood Khan slammed "Indian propaganda" regarding the military occupation of Kashmir on Oct. 27, 1947.

"The then leadership of Kashmir under Sardar Ibrahim Khan waged a war of liberation and freed Azad Kashmir from occupational forces of India," he said. "The first genocide of Kashmiris was committed by Indian forces in Jammu soon after partition of the sub-continent."

Khan said Kashmir is not a bilateral issue between Pakistan and India but "Kashmir is an international issue and any dialogue must be held under the auspices of United Nations as the UN had guaranteed Kashmir resolution."

Pakistan's Parliamentary Committee on Kashmir Chairman Shehryar Khan Afridi told the conference that Indian Prime Minister Narendra Modi's "expansionist agenda" had been exposed to the world and "it can no more keep its occupation" of Jammu and Kashmir.

He referred to recent remarks by US President Donald Trump about India as "a diplomatic snub for Modi as India was facing international isolation."

Referring to the ongoing conflict in Nagorno-Karabakh, Afridi said: "The war between Azerbaijan and Armenia reflected the failure of United Nations to resolve the conflict."

Nations Security Council in resolution of territorial conflicts and Kashmir could spark a new war between Pakistan and India if the United Nations failed to play its due role in resolving Kashmir dispute."

"The United Nations needed to learn from the fate of the League of Nations. The UN is also fast losing its purpose and Kashmir resolution was its biggest test," said Afridi, who is also a federal minister in Khan's Cabinet.

Afridi urged the international community to "take notice of the crimes against humanity that were being carried out by the fascist regime of Narendra Modi under the influence of terrorist Rashtriya Swayamsevak Sangh [RSS] which wanted to make India into a Hindu Rashtra."

The RSS is a right-wing Hindu nationalist, paramilitary volunteer group.

Kashmiri business and diaspora leader, Dr. Mubeen Shah, addressed the conference virtually and said India cannot change the status of Kashmir "despite its brutal occupation."

"India has willfully destroyed the economy in occupied Kashmir and under a systematic genocide, the Indian regime was handing over Kashmiri properties to people from mainland India," said Shah, suggesting a third country take the Kashmir issue to the International Court of Justice like Gambia took the case of Rohingya against Myanmar in 2019.

Kashmiri Journalist Mukhtar Baba, who also spoke via video link, said India would never agree to resolve Kashmir without "strong force on the ground."

Urging Pakistan to widen the scope of the Kashmir Committee's area of engagement, Baba demanded the time has come to make the All Parties Hurriyat (Freedom) Conference "viable" and the Pakistan government "issue passports to those Kashmiris who are actively working for Kashmir in different parts of the world."

Baba said Azad Kashmir should be declared a "base camp of the liberation movement of Kashmir."

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AJK President calls for making Kashmir a truly Global freedom movement:

Sat, 24 Oct 2020, 7:31 PM



File Photo

MIRPUR (AJK) Oct 24 (APP): AJK President Sardar Masood Khan said on Saturday participants from all over Kashmir who had gathered under the banner of the All Jammu and Kashmir Muslim Conference at residence of Sardar Muhammad Ibrahim Khan unanimously vowed to join Pakistan and subsequently in August, September and October, that year, a war of independence was fought by the people of Azad Kashmir wherein they drove away the despotic Dogra from Azad Jammu Kashmir.

The President made these remarks while speaking to the participants of a one-day conference on “Kashmir’s Prolonged Military Occupation: Lessons from History and the Way Forward”, organized by Legal Forum for Oppressed Voices of Kashmir (LFOVK), AKK President office said Saturday evening.

The event was also addressed by Chairman Parliamentary Kashmir Committee Shehryar Afridi and former Chief Justice of Gambia Justice Ali Nawaz Chohan.

Masood Khan refuted India’s BJP-RSS sponsored propaganda in which they claim that on 22nd October 1947, the tribal forces entered Jammu and Kashmir via Mansehra and started Pakistan’s “invasion” of the State. India, he said, has crafted a myth that the Pakistan government-sponsored the tribal forces, although these tribals were volunteers who stepped forward to help their Kashmiri brothers and sisters. The truth, he said, is that between the months of August and October, India moved forces from Kapurthala, Patiala and other areas of Punjab, and made them the supplementary force of the Dogra army, thereby taking direct part in the occupation of Jammu and Kashmir.

He said that October 22 is not a day of infiltration or invasion but a day that marks the solidarity and true love between the people of Pakistan and Kashmir.

“If there was an instance of infiltration, it was from the Indian side. This took under the tutelage of Jawaharlal Nehru, the planning of Sardar Patel and it was duly sanctified by Gandhi”, he said.

The AJK President said that we must have talks on Kashmir but the key is to include Kashmiris in the talks. Any and all talks, he maintained, should take place under the auspices of the United Nations and in line with the resolutions passed by the Security Council on Jammu and Kashmir. He added that the legality of the whole issue stems from the fact that the people of Kashmir are a key party to the dispute and it is the Kashmiris that have to decide their political future.

“Even a slight hint of talks under the bilateral framework with India would be tantamount to legitimizing the illegal actions that were taken by India on August 5”, he said.

He said that all measures taken by India are violations of article after article of the Geneva Conventions, ICC statutes, several UN SC resolutions and customary international law.

India, he said, deserves to be a target of coercive measures under the laws, be it laws of ethnic cleansing, genocide or war crimes.

The AJK President said that Resolution 47 passed by the UN SC was rejected by Pakistan for the reason of it proposing to be implemented unilaterally.

He said that later in a consultation process undertaken by General McNaughton it was proposed for a proportional withdrawal of troops both by India and Pakistan, on both sides.

This proposal was accepted by Pakistan but rejected by India. He also highlighted Resolution 122 of the UN SC whereby the Council rejected attempts by India to shape the future of the Jammu and Kashmir State through a Constituent Assembly; and also maintained the disputed status of Kashmir.

Masood Khan said that we can involve legal experts and adopt a path of lawfare. The issue can be taken to the International Court of Justice through a reference from the United Nations itself. Intervention is a must as there is a genocide taking place in IOJK, he said.

The AJK President said that there should be a clear differentiation between diplomatic and political efforts.

While diplomats will continue to take the issue to diplomatic forums, engage the leadership of the UN, HRC and members of the General Assembly; the diplomats cannot indulge in politics, he said. He added that political support for Kashmir can only be garnered by politicians, political parties and citizens. They have to reach out to global parliamentarians, parliaments, the International Parliamentary Union, the US Congress, the EU Parliament and the international citizenry.

“Only then can we make Kashmir an international movement which would grab the attention of the UN and the global powers”, he said.

Trump's remarks, a snub to Modi regime: Shehryar Afridi

Fri, 23 Oct 2020, 6:27 PM



ISLAMABAD, Oct 23 (APP): Chairman of the Parliamentary Committee on Kashmir, Shehryar Khan Afridi Friday said that Narendra Modi's expansionist agenda had been exposed to the world and it could no more keep its occupation of Jammu and Kashmir.

Referring to the recent remarks of US President Donald Trump about India, he said Trump's remarks were a diplomatic snub for Modi as India was facing international isolation.

He was addressing a one-day seminar, here with regard to Black Day, titled "Kashmir's Prolonged Military Occupation: Lessons from history and the way forward", organized by Legal Forum For Oppressed Voices of Kashmir (LFoVK).

Shehryar Afridi observed that the war between Azerbaijan and Armenia reflected failure of United Nations Security Council in resolution of territorial conflicts and Kashmir could spark a new war between Pakistan and India if the United Nations failed to play its due role in resolving the dispute.

He added that the United Nations needed to learn from the fate of League of Nations. He said that the UN was also fast losing its purpose and Kashmir resolution was its biggest test.

He said that the countries were heading towards new confrontation and wars which depicted failure of the UN.

He said that the world needed to take notice of the crimes against humanity were being carried out by fascist regime of Narendra Modi under the influence of terrorist Rashtriya Swayamsevak Sangh (RSS) which wanted to make India into a Hindu Rashtra.

He said that India was imposing hybrid war on Pakistan and for the past three days, Indian media was involved in spreading fake news to malign Pakistan.

Shehryar Afridi said the Pakistan Tehreek-e-Insaaf government and Prime Minister Imran Khan had exposed the falsehood of India.

President Azad Jammu & Kashmir (AJK) Sardar Masood Khan said Kashmiri leadership had waged a war for independence in 1947 and got the AJK freed from the occupational forces of India.

He said that tribesmen had taken part in the freedom movement along with their Kashmiri brethren. He said that state of AJK had been liberated as a base camp for the freedom struggle of Kashmir.

He said that October 26 hence was remembered as Day of Solidarity between the peoples of Pakistan and Jammu and Kashmir.

He said that first genocide of Kashmiris had been at hands of Indian forces in Jammu soon after the partition of the subcontinent.

He also trashed the Indian insistence that Kashmir was a bilateral issue between Pakistan and India and said that Kashmir was an international issue and any dialogue must be held under the auspices of United Nations as the UN had guaranteed Kashmir resolution.

Ambassador (R) Abdul Basit said that there was a dire need for Pakistan to continue with its longstanding and consistent stance on Kashmir dispute.

He called for appointing a special envoy on Jammu and Kashmir.

He urged Prime Minister Imran Khan to back actions with rhetoric on Kashmir. He said that Pakistan could not afford to engage India bilaterally on Kashmir as India was not willing to budge an inch from its stance on Kashmir.

He said that Kashmiris were ready to make any sacrifice but Pakistan needed to take a decision whether its resolve was as strong as of Kashmiris.

Prominent Kashmiri leader Shaikh Tajammul Islam said that we had to wage a law fare against India. He said that Pakistan was yet to build its legal case on Kashmir's occupation against India.

He said that Pakistan had now very strong legal case on Kashmir and India's case has crumbled.

He said that Pakistan needed to present its case on Kashmir to the world as India had accepted the fact that the so-called instrument of accession was missing from its archives.

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UN urged to appoint special envoy to resolve Kashmir dispute

Abdul Rasheed Azad 24 Oct 2020

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ISLAMABAD: Speakers at a seminar have urged the United Nations to appoint a special envoy on Kashmir, aiming at resolving the Jammu and Kashmir dispute, and to stop India from committing crimes against humanity in the Indian occupied Kashmir (IoK).

They said that the United Nations (UN) had miserably failed in maintaining peace in various regions of the world especially in the Muslim world saying the war between Azerbaijan and Armenia also reflected the failure of the United Nations Security Council.

They added that the UN had failed to resolve the territorial conflicts in many parts of the world and the Kashmir conflict between India and Pakistan could spark a new war between Pakistan and India, if the UN failed to play its due role in resolving the dispute.

Addressing a one-day seminar, here on Friday with regard to Black Day, titled 'Kashmir's Prolonged Military Occupation: Lessons from history and the way forward', organised by Legal Forum For Oppressed Voices of Kashmir (LFoVK).

Speaking on the occasion, Chairman of the Parliamentary Committee on Kashmir Shehryar Khan Afridi said that Indian Prime Minister Narendra Modi's expansionist agenda had been exposed to the world, and it could no more keep its occupation of Jammu and Kashmir.

Referring to the recent remarks of the US President, Donald Trump, about India, Afridi said Trump's remarks were a diplomatic snub for Modi as India was facing international isolation.

He said that the world needed to take notice of the crimes against humanity being carried out by the fascist regime of Narendra Modi under the influence of terrorist Rashtriya Swayamsevak Sangh (RSS), which wanted to make India a Hindu Rashtra.

Addressing the participants, President Azad Jammu and Kashmir (AJK) Sardar Masood Khan said Kashmiri leadership had waged a war for independence in 1947 and got the AJK freed from the occupying forces of India.

He said that the tribesmen had taken part in the freedom movement along with their Kashmiri brethren. He said that the state of AJK had been liberated as a base camp for the freedom struggle of Kashmir.

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He also trashed the Indian insistence that Kashmir was a bilateral issue between Pakistan and India, and said that Kashmir was an international issue and any dialogue must be held under the auspices of the United Nations as the UN had guaranteed Kashmir resolution.

Ambassador (retired) Abdul Basit said that there was a dire need for Pakistan to continue with its longstanding and consistent stance on the Kashmir dispute. He called for appointing a special envoy on Jammu and Kashmir.

He urged Prime Minister Imran Khan to back rhetoric with actions on Kashmir. He said that Pakistan could not afford to engage India bilaterally on Kashmir as India was not willing to budge an inch from its stance on Kashmir.

He said that Kashmiris were ready to make any sacrifice but Pakistan needed to take a decision whether its resolve was as strong as of Kashmiris. Prominent Kashmiri leader Shaikh Tajammul Islam said that we had to wage a law fare against India.

He said that Pakistan was yet to build its legal case on Kashmir's occupation against India. He said that Pakistan had now a very strong legal case on Kashmir and India's case had crumbled. He said that Pakistan needed to present its case on Kashmir to the world as India had accepted the fact that the so-called instrument of accession was missing from its archives.

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APP46-23

October 25, 2020

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AJK President calls for making Kashmir a truly freedom movement

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