



LEGAL FORUM FOR OPPRESSED VOICES OF KASHMIR

Legal Forum for Oppressed Voices of Kashmir (LFOVK) on November, 23rd 2020 held the final session of their webinar series titled “International Armed Conflict and Kashmir” at Ramada hotel Islamabad.



The round table was aimed to trigger a debate over Kashmir’s International Armed conflict character and the applicability of Law of War in disputed region.

Special guests for this round table included Oves Anwer, Dr. Asif Khan, Dr. Mohammad Shoib and Iman Zainab Mazari. The session was chaired by Justice (R) Ali Nawaz Chowhan –honorary chairman LFOVK.

Our first guest speaker, Asif Khan, a senior Assistant Professor at Bahria University, PhD Public International Law, University of Salzburg, Austria. LLM (Master of Laws) Public International Law, University of Liverpool, UK in his discussion said



that Kashmir is basically an occupation and all international laws, Geneva Conventions and additional protocols apply to Kashmir. For an occupation, there is legal solution and we push same before judicial bodies. International organizations working on international humanitarian law should accept Kashmir as international armed conflict. International law is there and it has created a debate on Kashmir but

we don't see application of international law in Indian occupying Kashmir. The other important issue is that international organizations dealing with International Armed conflict don't see Kashmir as Occupation.



Our second guest speaker, Imaan Mazari, (Master in international law and legal studies, University of Vienna). Founding partner, MH Advocates & Legal Consultants. Mazari while expressing her views said that Additional protocol IV restricts India for destroying civilian property in Occupied Kashmir. Human rights violations in Occupied Kashmir are result of

illegal occupation. The denial of medical treatment, communication blackout, use of internationally banned pellet shotguns in IOK by Indian authorities stands in violation of international law.

Changing demography of Indian-occupied Kashmir into a Hindu majority by Modi-led BJP government and after abrogation of article 370 and 35A, India has breached

Shimla agreement. Annexation cannot be recognized and we should work to sanction the occupying state for crime of aggression.



Our third guest speaker Oves Anwer, Director Research Society of International Law (RSIL), LL.M., and University of London. LL.M. in international Law, University of Vienna while giving his opinion stated that the real battle is “battle of narratives and legal battle”. The language of this battle is international law. We are not confronting

India where we should confront. Unfortunately, Pakistan has reservations on international affairs. India has built capacity with international law and lawyers. International organizations don't want to anger India. Kashmiris are fighting a legitimate war of liberation under international law. India is labelling Kashmir freedom fighters as terrorism which is against all international norms. It should be our personal liability to name and shame war criminals and Indian occupational forces who have unleashed brutality and cruelty in occupied territory.



Our next guest speaker Mohammad Shoib, Assistant Professor at Bahria University, LL.M. from Bahria University Islamabad law dept. under the scholarship of ICRC and the research mainly revolves around role of civilians during armed conflict Also he wrote articles related to Kashmir, CPEC, SECP, while expressing his views said that we need to realize that Kashmir

is not only political and legal issue, it is the case of humanitarian crises and occupation. India cannot make laws for occupied territory, and Kashmiris don't

accept the constitution of India. So, the resistance against India becomes justified action for attaining Right of Self Determination. Whatever India does to annex Indian-occupied Jammu and Kashmir is the strategy of Israel. Pakistan must take it serious.



Our next guest speaker Justice (R) Ali Nawaz Chowhan – a former international judge at Hauge and Honorary chairperson of LFOVK thanked LFOVK for its commitment and endeavor to pursue law fare of Kashmir while expressing his views said that the government lobbyist for Kashmir have no urge to fight for the right of

Kashmir till internationalization of this issue was done by India itself. This issue must not be reduced as human rights issue. It is a hostile armed conflict with deep consequences if not addressed in due time. I am honored to be part of this team and soon we will come up with a legal doctrine which will give hope to the hopeless.



Nasir Qadri –director LFOVK moderated the session. While summing up the debate Qadri called Kashmir a “case of International armed conflict” while referring to certain International Humanitarian Law treaties which India has become party. India cannot run away from atrocity and crimes which they commit in Indian-occupied Jammu and

Kashmir. The rhetoric Kashmir as internal matter or integral part is limited to their vote bank, world knows the intensity of this armed conflict.





