**Kashmiri Pandits Observe 32nd Black Day**

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January 20, 2022

Kashmiri Pandits observed 19 January as the 32nd year of their exodus from the Valley. Pandits call their displacement a “holocaust” and demand their return “Ghar Wapsi.” This day is observed as a black day by Kashmiri Pandits living outside Valley and they list several grievances against the “Muslims” that date back to January 1990.

As long as Kashmiri Pandits remain in exile – “voluntary” or “forced”-their grievances have merit and remain pending against “Muslims” in Kashmir. It would be unfair and without merit, if Kashmiri Pandits, hold a grievance against all Muslims. Yes, a section of people in the Muslim community seriously wronged Kashmiri Pandits in early 1990. Loss of home is not an ordinary loss in one’s life and the grievance holds any test.

Kashmiri Muslims have allocated 27 October as a black day and continue to observe it as a black day all over the world. They have a grievance against the Government of India and its support mechanism in Kashmir, for the loss of rights, dignity, security and self-determination. Kashmiri Muslims too have grievances against Kashmiri Pandits. It is not as harsh as Kashmiri Pandits’ but it also includes a desire of 2.5 million Muslims living as refugees in the four provinces of Pakistan to return – a “Ghar Wapsi.”

Kashmiri Muslims had a collective political voice in the shape of an alliance called Hurriyat and a Militancy, to secure a resolution of Jammu and Kashmir according to UN Security Council Resolutions or by finding an alternative through an engagement. Hurriyat had a constitution adopted on 31 July 1993 and the constitutional discipline should have set the direction of the struggle. Militancy should have observed the military discipline highly desired in a struggle in the name of a people, defined by the United Nations – as a plural society.

Hurriyat failed to make itself a democratic, inclusive, influential and reliable institution.

It should not have been allowed to assume as a Muslim Hurriyat or a Muslim Militancy. Hurriyat should have followed the wisdom enshrined in Para 6 of UN Security Council Resolution 47 and should have invited major groups (including Pandit, Sikh, Christian, Jews and others) to “designate responsible representatives to share equitably and fully in the conduct of Hurriyat” at all levels. Hurriyat failed to make itself a democratic, inclusive, influential and reliable institution.

Militants should not have been assumed to be Muslim militancy. They were well protected under the argument made by the United Kingdom at the 241st meeting of the UN Security Council on 5 February 1948. Militants did qualify as one of the six interest groups discussed at the meeting. In addition, they had the protection of UN General Assembly Resolution 2621 adopted at the 1862nd plenary meeting on 12 October 1970. If our militancy had followed the principle 2 (c) (i) laid down in Resolution 47 of UN Security Council, that is, “That the presence of troops should not afford any intimidation or appearance of intimidation to the inhabitants of the State,” our militancy would have gained international approbation and it would have prevailed. However, as long as the UN template on Kashmir is there, the use of militancy has no merit and is full of disadvantages.

We find that Hurriyat and Militancy were ill-considered experiments. They did not assume themselves properly in any manner. We do not find any trace of their influence or any shred of their authority, in exacting any relief or advantage for the people of Kashmir. On the contrary, allowing Hurriyat and Militancy no-holds-barred freedom of action has been a serious error of judgement. Hurriyat, as an equal partner, failed to make full use of the “political, diplomatic and moral support,” announced by the Government of Pakistan.

The Hurriyat composition did not have merit that could convince the Government of India or the international community, of their seriousness and their understanding of the UN package on Kashmir. Except for a reference in the objectives of the constitution, Hurriyat has not used the word “UN template” until this day. Nor has it carried out any activity that could occupy the interest of the United Nations.

Militancy exposed itself in an unmanageable list of factions and a rag a tag Kashmir force failed to set its compass. It missed capturing the opportunity, where the Government of India was about to recognise it (de facto) as a force within the meaning of UN General Assembly Resolution 2621.

Hurriyat and Militancy, at times, wronged the interests and trust of Kashmiri Muslims as well. The habitat and the people have paid a heavy price for subscribing and looking after the two. The exodus of Kashmiri Pandits is a regrettable affair and if Pandits felt insecure, we owe an account.

If Hurriyat and Militancy were true to their objectives stated in the constitution or in general, we would not have been abandoned by Kashmiri Pandits in particular. They would have had no grievance against Muslims and a cause to shout for “justice” on the Black Day observed on 19 January 2022.

Kashmiri Pandits were displaced in January 1990 and they were not alone in this sojourn. Many Muslims were also forced to run for safety, either to Delhi or cross over into Azad Kashmir. A struggle to secure rights, dignity, security and self-determination, became a curse of Albatross around our neck. We are stranded in a cul de sac, because of our ill consideration and incapacity to lead our people on a political and military front.

We have brought bad news upon ourselves by losing the trust of Kashmiri Pandits and causing the death of a generation of Kashmiri Muslims. Any delay in not seeking an early engagement with Kashmiri Pandits would be unhelpful and would further the mistrust. An early engagement with Pandits, their leaders at all levels, has no substitute. We have to hasten to rehabilitate their trust and assure them of the merits of the Kashmir cause.

There is no disagreement on the fact that the Indian action of 5 August 2019, is unlawful. The government of India has violated its agreements made with the people of Kashmir and has violated its obligation accepted under the UN template on Kashmir. Government of Pakistan, Government of Azad Kashmir, Hurriyat, Militants, Government of J & K, Gupkar Alliance, and all have to agree on the fact to remind the Government of India, that, “Government of India has committed a very grave offence” against the “solemn agreements by the two Governments” India and Pakistan.

UN Security Council has made it clear that “The party that would dare to violate an agreement thus reached would load upon itself a very grave offence against the other party, against the United Nations and against the right of the people of Jammu and Kashmir to self-determination, a right which, in other contexts, both parties have so often and so eloquently defended.” (611th Meeting of UN SC dated 23 December 1952).

I would suggest that all relevant interest groups referred in para 6 of UN Security Resolution 47 and identified by the United Kingdom at the 241st meeting of UN Security Council on 05 February 1948, are facilitated by India and Pakistan and the three Governments of Jammu and Kashmir, to start a process, to seek a resolution of all grievances. There is no other exit ramp.

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