**[Oppressed Kashmiris with muted voice by PM Modi](https://nation.com.pk/05-Feb-2020/oppressed-kashmiris-with-muted-voice-by-pm-modi" \t "_new)**

Senator Rehman Malik February 05, 2020

Although the current era is of social and electronic media which are fastest modes of communication and source of quick information yet the Kashmiris are waiting for the international community and media to pay attention to their miseries and cries which have been blocked by Indian State aggression through its heartless military troops by imposing longest curfew of which today is the 187th day. The people of Kashmir are certainly expecting from media to highlight the serious crimes of mass murders, mass blinding, enforced disappearances, torture, rape, political repression, and suppression of freedom of speech which are being carried out by Indian forces under the political leadership of PM Narendra Modi and duly backed by RSS. It is unfortunate that India has muted the voice of oppressed Kashmiris by enforcing curfew and blocking the world human rights organizations including the parliamentarians from the world to visit Indian Occupied Kashmir and observe the worst rights violations there. The EU has condemned the unilateral changes made to the autonomous status of Kashmir by PM Narendra Modi and also has voted against the discriminatory law; CAA against the minority Muslim community. The ordeal of Kashmiris is not coming to end and there is no ray of hope for justice for them in the presence of a Prime Minister who is titled as ‘Bucher of Gujrat’. He is now emerging as the ‘Butcher of Kashmiris’ as one of his party’s senior members namely Maj Gen(r) SP. Sinha had publicly stated that it is justified to rape Kashmiri women. His statement has hurt the feelings of everyone worldwide yet not a single word of condemnation came from PM Modi against the said retired major general. The international community has so far paid no heed to the cries of helpless Kashmiris who are consistently going to be unheard by all those who matter in this world. We have to pay attention to the recent statement of PM Modi wherein he has stated that “he forced Pakistan to take bowl for begging before us in the world”. We need to examine his statement with reference to his actions since he is in power with the anti - Pakistan mindset. He managed to push us through the USA to FATF by misleading them about the Pakistani role in Afghanistan and painted the false stories of terrorist financing. He continues his negativity on the said forum while our actions are weaker and more defensive rather than being offensive. Obviously, Pakistan is suffering setbacks for the last many years as world financial institutions are hesitant to deal with Pakistan hence it is rapidly losing potential investments coming to Pakistan. Moreover, PM Modi over the period won our past big time Muslim country and isolated us from most of the Muslim world. PM Modi did this for the sole purpose to divert the focus from Kashmir and he successfully kept Pakistan engaged through backdoor channels and been conveying to Pakistan leadership that his recent victory will greatly benefit Pakistan by resolving the Kashmir issue and would promote the peace. I resented his lollypop to Pakistan as my book “Modi’s war Doctrine” was launched long before his elections in which I had expressed all of my concerns regarding Modi and his ill intentions towards Pakistan as well as Indian Muslims. It has become more important for Pakistan now to play a proactive role in this regard rather than keeping itself restricted only to the local speeches and marches. It is not the time of the flowery speeches but some practicality and well-thought actions in consultation with AJK government are needed.

Now it is time for us to start giving tough time to Indian PM Modi and to drag him on two forums the diplomatic forum and International legal forums. The government needs to assess how to become more active to bring the cause of Kashmir before the international community effectively.

Today is the 5th of February which is being observed by the people of Pakistan inside and across the world as ‘Kashmir Solidarity Day’ to show Pakistan’s support and unity with the people of Kashmir for their ongoing freedom struggle and to pay homage to Kashmiri martyrs who lost their lives fighting for their legitimate right of freedom from India illegal confinement. Unfortunately, like all the past years, this year’s Kashmir day too shall pass with speeches and some so-called long marches by some activists but nothing progressive would be done or initiated. The day was first observed in 1990 when 5th Feb was declared as a public holiday to show solidarity to Kashmir and has since been observed every year customarily. These measures perhaps are good for the government to satisfy the local public on Kashmir issue but it has been noticed that hardly any impact is seen on the ground. Since the inception of Pakistan and India in 1947, Indian troops are committing unprecedented brutalities in terms of mass murdering, mass blinding through pelleting, rapes, tortures, enforced disappearances, political repression, and suppression of freedom of speech upon Kashmiris yet no relief they have received so far. Modi is a curse for Kashmiris as he is the murderer of humanity, die heart member of RSS and the designer of crime against humanity in India and Kashmir.

In my book “Modi’s war doctrine” I have exposed Modi’s evil designs and anti-Muslim syndrome. It is hard fact now that due to his anti-Muslim syndrome, so far more than 94,000 Kashmiris have been killed, 7,000 persons have been killed in the custody of Army troops, 22,000 women have been widowed, 105,000 children have been orphaned and 10,000 women have been raped and molested by Indian military troops and paramilitary troops in Indian Held Kashmir which has been confirmed by the United Nations High Commissioner for Human Rights Geneva in its reports. PM Modi after sorting out the Indian Muslim community will bring India back to the era of ‘Barhaman Mafia’ duly supported by RSS and system of law because Barhaman Hindus believe that they are more superior class in India and is settling them in Kashmir by eliminating Kashmiri population. The valley has witnessed all kinds of brutalities since day first yet the international community and so-called champions of human rights are sleeping and even the United Nations couldn’t implement its Security Council Resolutions on Kashmir and silently witnessing the worst kind of human rights violations in Kashmir turning a blind eye. Indian has been persistently committing human rights violations without any fear and has chosen to ignore the investigative observations of the International community.

India being the Member of United Nations is liable to be penalized for these violations of human rights and also for not implementing the UNSC Resolutions of self-determination i.e. Resolutions, No.47 (1948), 98(1952) and 122(1957). It is about time that we move against the Indian brutalities before it is too late as today, the entire world is aware of the ill intentions of the Indian government after it scrapped the article which gave special status and individual rights to them. The abolition of Article 370 also allowed the purchase and allotment of property in Kashmir to the non-Kashmiris. It was January 5th, 1949 when the United Nations Security Council had passed a resolution supporting the Kashmiris’ right to decide their future by themselves through UN sponsored plebiscite. Though it was UN which gave the right of self-determination to Kashmiris, but today the same UN doesn’t even seem relevant for Kashmir as the Security Council’s intervention, by any measure has remained ineffective.

It is unfortunate to note that Pakistan not only lost the chance to table Kashmir Issue in UNGA but also failed to convince UNO to implement its own passed resolutions on Kashmir for self-determination or to even announce any deadline for a plebiscite. It also did not file any petition till the end of the UN Session. While India, on the other hand, succeeded in pulling the wool over the eyes of the world as well as the UNO by calling it a bilateral issue.

UN should not forget that it was the United Nations Security Council which had brought both countries on the table in 1948 enforcing ceasefire between both. It was the UN that internationalized the Kashmir dispute in 1947 and also raised the point of inescapable principle of self-determination. The resolution recommended that the future status of the State of Jammu and Kashmir shall be decided by the will of the people Kashmir through an impartial plebiscite. Pakistan should have dragged PM Modi and his associates for his crimes against humanity and genocide being committed by Indian Army troops under his direct command in Indian Occupied Kashmir. I have been consistently writing articles and letters to the Prime Minister, Foreign Minister and other International Forums including UNO and Human Rights Commission for dragging PM Modi as International war criminal replicating the model of Myanmar Rohingya massacre for which Aung San Suu Kyi was dragged in ICC and ICJ by the Gambia’s Minister of Justice Abubacarr Marie Tambadou.

The Gambia, a small Muslim country has emerged at the world map as the entire Muslim community feels proud of its action by making Aung San Suu Kyi face to drag for first legal action over the Rohingya genocide. It filed a complaint in the form of a lawsuit at the top court of United Nations formally leveling the charges of genocide against Myanmar whereas it is disappointing to see that India is committing genocide in Kashmir for decades yet no action is taken by any including the Government of Pakistan. I don’t think that we will be able to achieve anything to help the Kashmiri and to block the brutalities of PM Modi until and unless we move to the International Court of Justice and International Criminal Court under the Rome Convention. There has been a debate in our government that perhaps we may lose this case at the international forum during the trial bringing embarrassment to Pakistan.

I disagree with the Foreign Office and other supporters of this idea as the nations have to take calculated risks to protect the vanity and the sovereignty of the country. In case there are too many apprehensions of losing the case at government level let there be a lawsuit by eminent lawyers, NGOs, rights organizations and freedom organizations of IoK or victims of Indian aggression to become a party in both the ICC and ICJ under Rome convention.

The Government, in addition to calling upon people to march outside, delivering emotional speeches by showing solidarity with Kashmir should also state a comprehensive policy on diplomatic and legal fronts for the freedom of people of Kashmir. The Government should devise a policy in accordance with the successful strategies implemented by the Gambia against Myanmar’s brutalities on Rohingya Muslims.

The policy should also include the following demands:

The date of announcement of provision of the right to self-determination through a separate petition as a right to ask the UN to implement its resolutions.

Move a petition for the appointment of a high powered Commission by the UN to investigate gross human rights violations in Kashmir.

Additionally, a well-drafted legal petition to request to IJC to investigate the delay in implementation of the resolution on self- determination and why UNSC has failed to implement its own resolutions on plebiscite of Kashmiris.

File another petition to ICC under Rome convention for the trial of PM Modi as war criminal and crime against humanity replicating the grounds taken by Gambia’s Minister of Justice in the matter of genocide in Myanmar where the judgment has come in the favor of Muslims of Myanmar and Court has ordered to stop the genocide and crime against humanity.

Following are the salient features of the verdict:

The ICJ has ordered Myanmar to prevent genocidal violence against its Rohingya Muslim minority and preserve any evidence of past crimes. In a momentous decision, the ICJ also imposed emergency “provisional measures” on the country by instructing the government of Aung San Suu Kyi to respect the requirements of the 1948 genocide convention declaring that there was prima facie evidence of breaches of the convention.

The ruling also amounted to outright rejection of the Nobel peace prize winner Aung San Suu Kyi’s defense of her country against accusations of systematic human rights abuses and war crimes.

Demand for the restoration of Article 370 and 35A.

Demand for the removal of curfew and restoration of all modes of communication within the state.

The Government should make the UN recall the term of withdrawal of Indian troops from the state, agreed by India as per the agreement between India and Pakistan in 1948.

I urge the Government to follow my above proposals to take the Kashmir cause to some logical conclusion to help Kashmiris to get rid of Indian brutalities and able to get the right of self-determination.