

POLITICAL SITUATION IN KASHMIR AND ROLE OF UNITED NATIONS

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Kashmir has been under Indian military occupation since October 1947. The people of Jammu and Kashmir have been granted the right of self-determination under the UN Charter, and under several UN Security Council resolutions, more specifically under UN (UNCIP) resolution of August 13, 1948, and January 5, 1949. These and subsequent UN resolutions have affirmed that, the question of accession of the State of Jammu and Kashmir to India or Pakistan will be decided through the political democratic method of free and impartial plebiscite.

The status of Kashmir has been hotly debated since the partition of British India and has prompted four wars between India and Pakistan, the most recent, the Kargil War, occurring in 1999. Kashmir's people have suffered immensely from the ongoing conflict between South Asia's two nuclear powers. Their plight finally garnered international attention in the closing decades of the past century, but only because, faced with a stagnant economy and a corrupt government, they had revolted.

Since then, the peoples of Kashmir are struggling for their political and birth rights. Indian forces of occupation have committed massive human rights violation in Kashmir.



Presently, the situation in Kashmir, according to international organizations and global media has not changed yet very much. It's still alarming and sparking flames of nuclear war in South Asia, that more than seven hundred thousand Indian army deployed in a small 40 -80 square miles area in Kashmir is the heaviest concentration in human history, and its all without any moral, political and legal code. More than 93 thousand Kashmiris are killed by Indian army and security forces in 23 Years. This epic struggle of the Kashmiri people for realization of their internationally acclaimed and inalienable rights to self-determination. It's very much recognized in United Nations Security Council resolutions since 1947.

The State of Jammu and Kashmir is located in the heart of Asia. It is situated between 32.17 and 36.58-degree north latitude and 74.26 and 80.30-degree east longitude. The State is bounded by Pakistan in west, by China in northeast, by Afghanistan in northwest and shares borders with India in the south. The area of State of Jammu & Kashmir spreads over 85,806 square miles (222,236 square kilometers). Total population of the state stands at 13379917. The State of Jammu and Kashmir comprises 36 districts, 22 districts of occupied Kashmir, 9 of Azad Jammu and Kashmir and 5 of Gilgit Baltistan Northern Areas.



Kashmir is a land of fabled beauty and elemental romance, blessed by nature with breath-taking scenery and a glorious climate, the Kashmir valley, a fertile well-watered spot, surrounded by high mountains has been described with justification a heaven on earth, a produce rich oasis an area not noted for its abundance,

Kashmir a land of lakes, clear streams, green turf, herbals magnificent trees and mighty mountains. Kashmir has a rich heritage of poets, writers, philosophers, intellectuals and craftsmen, but it has basically established itself as an agricultural economy. Kashmir is a place of saints, Sufis and its lot of historical Mosques, Tombs, Temples and Churches as well. Its place of great woman saint Lella Arifa and princess of Kashmiri poetry Habba Khatoon. Kashmiris form a distinct cultural & ethnic in the administrative unit of the Himalayan highest mountain range. Kashmir has been a highest learning centre of Persian and Sanskrit. It is also been embracing point of advent of Islam bringing its fold finest traditions of Persian

civilisation, tolerance, brotherhood and sacrifice. Ladakh has been the highest and living centre of Santayana Buddhism from hundred of years. Kashmir had 8 highest mountain range, the Nanga Parbat is 27,000 feet and Nun ku & Nubr is 24,000 at most of mountains 18,000 feet and over. 1 bulbous valleys and 4 merges in it. As the subcontinent was partitioned in 1947. The India occupied Jammu & Kashmir against its peoples will.

Kashmir has rich natural resources and a talented and entrepreneurial people, but its economic development has been hobbled by Indian's economic policies, corruption, a lack of cooperation by India and political turmoil. The history of Kashmir is Muslim majority state. It was a princely state. After independence of sub-continent, Indian army occupied Kashmir by illegal manner. It had four wars on Kashmir between India and Pakistan in past and both countries has nuclear capability and trillions populations of this region is on savior danger. A state big or small is impossible to acquire by force in the 21 Century. The political upheaval of recent years has exacted a heavy toll on the state's economy, and the richest source of income has become the threat and use of violence there.

Historically Kashmir was Independent state but under British ruled Kashmir had autonomy. The Britain sold this land to Hindu Maharaja Ghulab Singh for 7.5 millions Nanak shahi currencies in 1845. After that Kashmiri treated as chattels. He made their life miserable and crushed any resistance from them with a heavy hand. After him, his successor followed sicut. The Kashmir's started resisting collectively in earlier 19th century. The Kashmiri leaders Sardar Shamas Khan, Sardar Melli Khan, Sardar Sabez Ali Khan and their dozens colleagues bodies were screeched and hanged up on a historical tree (alive) at Mang Azad Kashmir in 1932, how ever, the Dogra ruler's barbarity remained relentless. In 1947, his army soldiers killed hundred of thousands of Muslims. India also sends its troops and occupied the State of Jammu & Kashmir forcibly. Kashmiris revolted, fought and lead under the leadership of Ghazi-e-Millat Sardar Ibrahim Khan, Mujahid-e-Awwal Sardar Abdul Qayyum Khan, Captain Hussain Khan Shaheed, Colonel Khan of Mang, Raja Sakhi Delair Khan, Colonel Hassan Mirza and their hundred of other commander had got some areas of the state liberated, which is calked Azad (Independent) Jammu and Kashmir. Sardar M. Ibrahim Khan was the founder President of Azad Jammu and Kashmir on October 24, 1947.

The United Nations Security Council and United Nations Commission for India & Pakistan (UNICP) in their resolutions called for holding a free and fear plebiscite in the state to determine the wishes of

Kashmiris, whether they want to join India or Pakistan. India accepted these resolutions but, on one pretext is the other, did not implement the same. This further frustrated Kashmiris, fuelling the fire of their resentment. In the letter to United Nations on 31st December 1947, Indian Government promised that; "The people of Jammu & Kashmir would be free to decide their future by the recognized democratic method of plebiscite."

When we are talking about Kashmir, its really very grieved and dangerous situation their. The widespread violations of Universal declaration of human rights, international humanitarian law, human & civil rights and Geneva Convention in Kashmir. In United Nations resolution on April 21, 1948 said that: "Both India & Pakistan desire that the question of the accession of Jammu & Kashmir to India and Pakistan should be decided through the democratic way of a free impartial plebiscite."

Indian last Governor General Mr. Lord Mountbatten had meeting on November 1, 1947 with Governor General and Founder of Pakistan on November 1, 1947, after meeting he said that; " The accession was not a bonafide one since it rested on fraud and violence and should never be accepted by Pakistan. Accession was the end of a long intrigue and that it had been brought about by violence."

Pakistan had consistently subjected Kashmiri interests to their own national security agendas and right to self-determination. With the start of Pak-India composite dialogue-comprehensive negotiations to resolve all contentious international recognized dispute of Kashmir, launched in February 2004 – Kashmiris are willing to allow more interaction across the Line of Control (LOC) but India had not engage Kashmiri representatives in the talks process yet. India has suspended the composite dialogue since the November 2008 of Mumbai attacks, but New Delhi and Islamabad has backtracked on these CBMs from last month.

Indian first Prime Minister Pandit Jawaharlal Nehru has wrote in official telegram to first Prime Minister of Pakistan Nawabzada Liaquat Ali Khan on October 26, 1947, he said that, "I should like to make it very clear that the question of aiding Kashmir is not designed in any way to influence the state to accede to India. Our view which we have repeatedly made public is that the question of accession on any disputed territory or state must be decided in accordance with the wishes of people of Kashmir and we adhere to this view."

Sardar M. Ibrahim Khan and Sardar Muhammad Abdul Qayyum Khan made a major contribution to the eventual liquidation of the Dogra ruler by leading political and an armed revolt to have the state liberated from his yoke. Either in power or not, both have been contributing to plead the case of Kashmir at national, regional and International fora. Kashmiri nation called to Sardar M. Ibrahim Khan as "Ghazi-e-Millat" and Sardar Abdul Qayyum Khan as "Mujahid-e-Awwal" who started armed movement against Dogra ruler in 1947. His family serving the Kashmiri nation for the last four decades, he wrote a number of books and gives lectures on global reputed institutions like United Nations, OIC, World Muslim League, Carnegie, USIP, Editorial board of New York Times, Washington Post, and Wall Street Journal, Staff & Command College, and other esteemed academic, intellectual and army institutions, visited whole world time to time and met thousands of delegations of high level included head of states, head of governments and other higher officials for solution of Kashmir problem and on the philosophy and other aspect of freedom movement. He is regarded rightly as a "Great Man of Sword and Pen" In short; his life-long mission is the freedom of Indian-occupied Jammu & Kashmir and accession to the entire state with Pakistan. He is strong voice of Kashmir both side of the line of control and around the world. Both leaders with hundreds colleagues had lead and liberated a bulk area of Kashmir to fought 18 months jihad and its called Azad (Free) Jammu Kashmir on October 24, 1947.

In his book "*India and Pakistan*" Mr. Stanley Wolpert writes: "The people of Kashmir themselves must be permitted to choose their own leaders in free and fair elections, as do Indians in every other states in that union, and New Delhi solemnly commit to supporting Kashmir's provincial autonomy and rights of its people, as it does the autonomy and rights of the people of Punjab, Maharashtra or West Bengal. But on the contrary, these liberal and democratic values are given a short shrift in the state. And in this crime, the government and the Indian people are complicit. The moral courage and intellectual integrity that is needed to stand up against the brutalities of the forces in the valley is missing. We tend to largely ignore the widespread human rights violation and suppression, and never support their urge for liberation and freedom".

The Jammu and Kashmir interlocutors had submitted their final report to Indian Home Minister Mr. P Chidambaram, focusing on a "permanent political settlement of the Kashmir problem." In recent Indian official's report said "The report deals with issues pertaining to economic, social and cultural aspects of Jammu and Kashmir," eminent journalist Mr. Dileep Padgaonkar told journalists outside

the North Block office of the Home Minister soon after submitting the report. He was flanked by the other interlocutors, academic Prof. Radha Kumar and the former Information Commissioner, M. M. Ansari. The three-member panel was appointed exactly a year ago with a mandate to suggest the contours of a political settlement to the Jammu and Kashmir problem. "The report aims at a permanent political settlement of the Kashmir problem," Mr. Padgaonkar said, refusing to elaborate further on its contents. "We have told the Home Minister that the report is the outcome of our interaction with more than 600 delegations, mass meetings in all 22 districts of Jammu and Kashmir and three roundtable conferences of women activists, scholars and cultural activists. We have adhered to the time frame of one year in giving our final report," he said. The report offers important insights, as it reflected in an "accurate and comprehensive" manner the views of the broadest possible spectrum of a cross-section of people of the State, he said.

I just want to give some very essential detail of Human rights violations committed by Indian armed forces and para-military security forces in occupied Kashmir since from January 1989 till February 2012.

Govind Acharya, South Asia Co-Group, Amnesty International USA talks about the discovery of mass graves in Kashmir and other issues that the international human rights organisation has raised in the recent past.

In Kashmir, the state human rights commission identified over 2,700 unmarked graves in North Kashmir and another 3,844 unidentified bodies in mass graves in Poonch and Rajouri. NGOs estimate that over 8,000 people have "disappeared". Amnesty International has proposed to the Indian government that an impartial inquiry should be conducted. Where has this dialogue reached?

Not to my knowledge. Generally the government of India is keen on trying to ignore a lot of this stuff and hope that the people will move on. That kind of happened in Punjab. But it's a rather callous attitude isn't it? Families do not know what happened to their loved one and may never know. The perpetrators might have received awards or promotions and are living a nice life. What a sad juxtaposition.

Despite being a signatory to the International Convention for the Protection of All Persons from Enforced Disappearances, India has had a terrible track record in Kashmir, the Naxal zones and the Northeast for the last few decades. Is it realistic to expect India to invite the UN to investigate human rights violations by its own

security forces? Is there another alternative to bring justice to the victims?

Realistic, yes. Do I expect it, no? Unfortunately, because of the powerful status of India in the international community, it is very difficult to pressure the government of India. The voices demanding justice must come from within and from the Indian Diaspora community of which I'm a part of.

Amnesty International has reported on a report titled 'Buried Evidence' by the International People's Tribunal's findings in 2008, Back then, no action was taken against India internationally for violating several international laws that the country is signatory to. What will you do to ensure this time around that the silence is broken?

For years, Kashmiris have been lamenting their lost loved ones, their pleas ignored or dismissed as the government and army claimed that they had gone to Pakistan to become militants. But these graves suggest the possibility of mass murder. The authorities should immediately investigate each and every death.

In book *My Kashmir*, Mr.Wajahat Habibullah lays out the intricate web of issues at “the root of the conflict: ethnicity, religion, national identity, friction between national and local government, and territory. The picturesque Indian state of Jammu and Kashmir, for centuries a model of harmony and coexistence, has been ravaged by conflict for sixty four years, caught in a tug-of-war between historical rivals India and Pakistan. Now that both nations are nuclear powers, some see the Kashmir issue as a flash point for what could become a nuclear war.”

HUMAN RIGHTS VIOLATIONS IN KASHMIR

Human rights abuses have been a part of a campaign by the Indian army against Muslim Kashmiris, particularly since 1990. The abuse is manifested in the following types of violations: "disappearances," torture, and the rape and molestation of Kashmiri women. The Amnesty International, the London-based world human rights organization, has said that “Indian army personnel facing charges of serious violations of human rights must stand trial.”

According to Kashmir Media Service (Kashmiri news agency)“the Amnesty International, citing India’s Supreme Court February 4 order, stated that the Indian army could not invoke the Armed Forces Special Powers Act (AFSPA) to avoid the prosecution of eight

officers charged with the March 2000 killing of five Kashmiri villagers at Pathribal. "We welcome the Supreme Court's statement that there should be no need to obtain prior approval for prosecuting security personnel charged with having committed grave human rights violations such as rape and murder," said Sam Zarifi, Amnesty International's Director on Asia-Pacific in a statement posted on the website.

Indian forces have burnt down historical Jamia Masjid in Kishtwar, a town in Doda south of occupied Kashmir. The mosque was gutted in fire during the intervening night of January 1-2 when the whole town was under curfew.

According to Kashmir Media Service, the gruesome event triggered strong protest demonstrations and people raised slogans against India and in favour of Kashmir's liberation. According to eyewitnesses, the Indian forces prevented fire-fighting trucks from extinguishing the fire. Add the following to it....

The burning of the 700-year-old Shah-e Hamdan Shrine in Tral, Indian occupied Kashmir, on December 16 was no accident. This was the third 'accidental fire' that has destroyed an important Islamic monument in Kashmir.

In May 1995, the 600-year-old shrine at Charar Sharif was destroyed by what the Indian occupation forces described as 'cross-firing' with a group of mujahedeen who allegedly had taken shelter there. No mujahid was found when the shooting stopped. Three years earlier, the library at Srinagar's main mosque was set ablaze. A large number of priceless manuscripts were destroyed.

After the Shah-e Hamdan fire, home minister in the Kashmir puppet administration, Mr. Ali Mohammed Sagar, was quoted by the AFP on December 20 as saying that the government would investigate the cause thoroughly, adding: 'We have nothing to hide.' The people of Kashmir have no faith in such pronouncements who consider the Farooq Abdullah administration as unrepresentative and a puppet of Delhi.

India, which claims to be the 'largest democracy' in the world, has drawn an iron curtain around Kashmir. Human rights organizations, especially Amnesty International, have been barred from entering the state since 1978. Even so, reports have trickled out painting a grim picture. Freedom House, a New York-based non-profit organization, described on December 21 India's occupation of Kashmir as the 'worst of the worst' where basic human and political

rights were denied to the people. In its annual report on Kashmir (December 1997), Human Rights Watch/Asia said that since the induction of the Abdullah government, there has been a marked 'increase in extrajudicial executions,' in Kashmir.

Brutalities in Kashmir have also been condemned by Indian human rights groups. The Andhra Pradesh Civil Liberties Committee, Hyderabad; Committee for the Protection of Democratic Rights, Mumbai, and Peoples Union for Democratic Rights, Delhi, issued a stinging rebuke of Indian forces' practices in Kashmir following a visit to the state by their fact-finding team last year.

"As the conflict in Kashmir enters its fourth year, central and state authorities have done little to stop the widespread practice of rape of innocent women by Indian security forces in Kashmir. Indeed, when confronted with the evidence of rape, time and again the authorities have attempted to impugn the integrity of the witnesses, discredit the testimony of physicians or simply deny the charges everything except order a full inquiry and prosecute those responsible for rape". (Asia Watch and Physicians for Human Rights, May 09, 1993)

"Since January 1990, rape by Indian occupation forces has become more frequent. Rape most often occurs during crackdowns, cordon and search operations during which men are held for identification in parks or schoolyards while security forces search their homes. In raping them, the security forces are attempting to punish and humiliate the entire community." ('Pain in Kashmir: A Crime of War' issued jointly by Asia Watch and Physicians for Human Rights, May 09, 1993)

"By beginning TV cameras and prohibiting the presence in Kashmir of the International Red Cross and of human rights organization, the Indian authorities have tried to keep Kashmir out of the news." ('Kashmiri crisis at the flash point', The Washington Times, by columnist Cord Meyer, April 23, 1993)

"Despite pressure from League of Human Rights and other humanitarian organizations the Indian forces have not desisted from using torture and sequestration of political opponents and using methods that defy imagination." (Le Quotidien de Paris, September 05, 1992)

"(On February 23, 1991), at least 23 women were reportedly raped in their homes at gunpoint (at Kunan Poshpora in Kashmir). Some are said to have been gang-raped, others to have been raped in front of their children ... The youngest victim was a girl of 13 named Misra,

the oldest victim, name Jana, was aged 80". (Amnesty International, March 1992)

"The most common torture methods are severe beatings, sometimes while the victim is hung upside down, and electric shocks. People have also been crushed with heavy rollers, burned, stabbed with sharp instruments, and had objects such as chilies or thick sticks forced into their rectums. Sexual mutilation has been reported". (Amnesty International, March 1992)

"Widespread human rights violations in the state since January 1990 have been attributed to the (Kashmir) Indian army, and the Paramilitary Border Security Force and Central Reserve Police Force." (Amnesty International, March 1992)

"The term "rape of Kashmir", is no exaggeration. India's Hindu and Sikh forces have adopted a concerted policy of raping Muslim women which is designed to break the will of the Kashmiri resistance... The world community should immediately bring political and economic pressure on India to stop behaving like a Mongol." (Eric Margolis, Sunday Sun, April 12, 1992)

"The worst outrages by the CRPF (Central Reserve Police Force) have been frequent gang rapes of all women in Muslim villages, followed by the execution of the men". (Eric Margolis, The Ottawa Citizen, December 8, 1991)

"While army troops dragged men from their homes for questioning in the border town of Kunan Pushpura, scores of women say they were raped by soldiers....a pregnant Kashmiri woman, who was raped and kicked, gave birth to a son with a broken arm." (Melinda Liuin, Newsweek, June 24, 1991) [Anthony Wood and Ron MaCullagh of the Sunday Observer (June 02, 1992)

estimated that over 500 Indian army men were involved in this orgy of rape and plunder in Kunan Pushpura Kashmir.]

"The security forces have entered hospitals, beaten patients, hit doctors, entered operating theaters, smashed instruments. Ambulances have been attacked, curfew passes are confiscated." (Asia Watch, May 1991)

"Sexual molestation, beatings, threats of violence, and electric shock are the most common forms of torture in Kashmir." (Asia Watch, May 1991)

"Jammu and Kashmir is almost the only part of India where demands for democracy and human rights and protest against corruption and administrative injustices were branded as treason. If a deliberate experiment had been launched, under controlled and most favorable conditions, with Kashmir as a laboratory, to implement a textbook model of terrorism, it could hardly have improved upon the present situation." (Hindu observer quoted in Asia Watch report, May 1991).

"Subjugated, humiliated, tortured and killed by the 650,000-strong Indian army, the people of Kashmir have been living through sheer hell for more than a year, the result of an increasingly brutal campaign of state repression. India hides behind its carefully-crafted image of "non-violence" and presents itself in international forums as a model of democracy and Pluralism. Yet , it is unable to stand up the scrutiny of even its admirers. All journalists, especially television crews, were expelled from the Valley. With no intrusive cameras to record the brutalities of the Indian forces, the world has been kept largely in the dark." (The Toronto Star, January 25, 1991)

"Young girls were now being raped systematically by entire (Indian) army units rather than by a single soldier as before. Girls are taken to soldier's camps and held naked in their tents for days on end. Many never return home...Women are strung up naked from trees and their breast lacerated with knives, as the (Indian) soldiers tell them that their breast will never give milk again to a newborn militant. Women are raped in front of their husbands and children, or paraded naked through villages and beaten on the breasts." (The Independent, September 18, 1990)

Last 23 years have witnessed a rapid rise in human rights violations in Kashmir. The Indian security forces disregarding any fear of international criticism continue to practice their barbaric methods despite the fact that many human rights groups have consistently took notice of these despicable acts. Mary Robinson, United Nations high commissioner for human rights, during her recent visit to Pakistan, described human rights violations in Indian occupied Kashmir as "serious". The US State Department in its annual report on human rights for the year 2001 also expressed somewhat similar views. The report stressed that the Indian security force continued to commit human rights abuses in Kashmir including killing of civilians, excessive use of force, extra-judicial killings, torture and rape. (source: INSPAD)

Most regional sources indicate that more than 93,000 Kashmiris have already sacrificed their lives in pursuit of freedom from Indian rule. Over 102,000 houses and shops have been either burnt or

looted. More than 100,000 children have been orphaned and roughly 10,350 women have so far been molested. It is indeed difficult to calculate that how many Kashmiris are missing or hiding but rough estimates put the figure to over 100,000. These figures by themselves paint a horrible picture in Kashmir. (Source: Kashmir Media Service-KMS)

A simple look at the figures certainly lends ample support to Mary Robinson's contentions. It is indeed imperative that an immediate stop is put to such barbaric and blatant violations. It becomes even more pressing when one realizes that the Indians have intensified their killing spree following the tragic events of September 11, 2001. Effectively using the cover of international coalition against terrorism, the Indians are killing their own people as they claim that the disputed state of Kashmir is an integral part of India.

To sum it up, here is a tribute which Indians have given us.

Since 1990 - Oct.1996:

- * 59 750 Murdered
- * 49 000 Murdered by indiscriminate firing
- * 550 burnt alive
- * 3 200 Bound and drowned in the River Jhelum
- * 4 500 Murdered crossing the cease-fire line

Early 1990's estimate:

- * 15 873 Rape cases (reported)
- * 934 Women murdered in gang rapes
- * 756 Rendered disabled
- * 43 390 Men and women held in prison without trial
- * 11 600 Youth in torture cells
- * 97 654 Burnt houses and shops
- * 250 678 Refugees (successfully crossed) in Pakistan (1)
- * 30 Schools destroyed
- * 189 Schools and hospitals bomb blasted
- * 200 Primary school children burnt alive on October 1, 1990
- * 358 Hospital Clinics destroyed
- * 346 Mosques destroyed
- * 358 Children died without treatment
- * 66 094 Houses and shops burnt
- * 1 480 Cattle burnt
- * 1 225 Food burnt (worth in millions of dollars)
- * 1 123 Forest burnt (worth in millions of dollars)
- * 848 Hospitals and schools burnt
- * Thousands of people dismissed from jobs

And the persecution is still continuing at an ever-increasing rate. In a land where even gatherings of more than four persons is prohibited, everyday is a nightmare; every place is a holocaust. Every family has suffered in one way or another. (Source: Asia Watch)

In any biography of the Kashmir dispute, one of the milestones mentioned is the recommendation made by the UN Security Council for a settlement on the basis of the will of the people as impartially ascertained through a plebiscite under the control of the United Nations. This is, of course, as it should be but there is the danger of the fact being obscured that the Security Council did not pull this recommendation out of thin air nor was it inspired by the idealistic promptings of either the Council or the leadership of the world power. If it were so, India would have been within her rights to question why the formula was held to be sacrosanct and immune from repudiation. But the proposition was squarely based on what the contestants themselves --both of them-- demanded separately; the only thing the Council supplied was the mechanism of setting the stage for, and organizing, the required plebiscite.

It is a unique characteristic of the Kashmir dispute that it is one on which the parties have recorded their voluntary agreement on both the principle and the lines of the desired settlement. This happened more than once, first, spontaneously in official exchanges between the parties; second, when India approached the UN Security Council and Pakistan followed; third, when the Council appointed a Commission which adopted two resolutions and the parties conveyed their acceptance of them in writing. The dispute erupted into a major conflict only when one of the parties, India, reneged on that agreement.

Unrest in West Asia has raised concerns of similar trends in Jammu and Kashmir in the summer. This is not unusual given transformation of conflict from violent terrorism to political violence and activism, trends of which were seen in the past three years or so in the Valley. The State government is also pre-warned and better prepared this time around to face the challenge. A number of factors denote how the summer situation which is likely to be volatile can be met and the cycle of the past few years broken.

January 1989 to January 2012	
Total Killings *	93,716
Custodial Killings	6,989
Civilians Arrested	119,789
Structures Arsoned /Destroyed	105,936
Women Widowed	22,763
Children Orphaned	107,436
Women gang-raped / Molested	10,350

Tab.1Violence Update in Kashmir

(Source: Kashmir Media Service-KMS)

Human Rights Watch has urged India to hold an independent inquiry into the unmarked graves found in Indian-administered Kashmir. This case is still in Indian court.

Earlier, the state human right commission said it had evidence that 2,156 bodies had been buried in 40 graves over the last 20 years. The commission is the first government body to confirm what others have previously alleged. Its report is yet to be submitted but it has been widely leaked in the media. The commission's investigation focused on four northern, mountainous districts and involved scrutinizing police, mosque and graveyard records, interviewing police and local people and cross-referencing information.

"For years, Kashmiris have been lamenting their lost loved ones, their pleas ignored or dismissed as the government and army claimed that they had gone to Pakistan to become militants, but it is absolutely wrong perception " Ms. Meenakshi Ganguly, South Asia director at Human Rights Watch, said. "But these graves suggest the possibility of mass murder. The authorities should immediately investigate each and every death."

Independent human rights groups have long insisted that thousands of people have mysteriously disappeared over the last two decades and never been accounted for. Some have accused India's security forces of abducting local people, killing them and covering up the crime by describing the dead as unknown militants when they are given for burial. The authorities deny such accusations. The security forces say the unidentified dead are militants who may have originally come from outside India. They also say that many of the missing people have crossed into Pakistan-administered Kashmir to engage in militancy, but its white lie of Indian government. Kashmir

is sometimes referred to as "Heaven on earth". Different titles given by different mughal emperors, rulers and scholars time to time. The world's best saffron grown here and in the middle of those saffron fields is an Army camp. The largest fresh water lake of Asia is in Kashmir - "The Wular Lake". Adjacent to it is an Army camp. Mughal King Jahangir loved this place, now known as Verinag. A beautiful mughal garden, the source of river Jhelum. Half of it under military occupation. Kokernag, the biggest spring in Kashmir, half of it under Army. The Almond orchards of the "High Ground", completely under army control. Sher Bagh, a spiring in Islamabad district of Kashmir, surrounded by Army camp. Lal Chowk, the hub of historical Srinagar city, home to an Army camp. After the AFSPA was launched these army men didn't even spare private toilets. You spit anywhere, at random, and you spit at an Army Personnel, such is their density in Kashmir. Doesn't matter much though. (Source: Institute of Peace and Development-INSPAD, the EU based eminent think tank)

This nation, Kashmir, has been raped time and again by Indian troops. Be it the Tengpora massacre or the Zakoora massacre, the Gawkadal Massacre or the Sopore massacre. Be it the Bomai killings or any other fake encounters, rape everywhere. In the last 11 years, over 2000 people, between the ages of 10 and 70, have disappeared from the Kashmir Valley after they were allegedly picked up by the security forces. They have left behind desperate families who have tried everything to trace their dear ones, but to no avail. Consider these:

It was June 27, 2000 that some 300 Muslim refugees from Indian-controlled Kashmir have crossed into the Pakistani side of the disputed territory after being beaten and threatened by Indian troops. The refugees said they had been abused for several days and eventually threatened with death unless they left their village about three kilometers (two miles) from the unofficial border between the Indian and Pakistani sides.

The incident was not the first of its kind in Kashmir, a scenic but heavily militarized region that is the subject of a decades-old dispute between India and Pakistan and the site of a long-smoldering guerrilla conflict that has caused some 700,000 Indian troops to be stationed here. But it was an especially gruesome example of how the latest flare-up of tensions over the region - a three-week battle in the Kargil mountains 100 miles east of here on the Line of Control separating Indian and Pakistani-Occupied Kashmir, has revived an array of regional problems that most Kashmiris hoped they were finally putting behind them.

Even as India was moving into a self-congratulatory mode in gaining the upper hand in Kashmir, the recent youth agitations reminded it that placing a military lid on the situation does not make it go away. This has been acknowledged by both the Kashmir Chief Minister and the Army Chief, calling for 'political' steps. The Indian Army Chief has gone further seemingly to suggest that earlier opportunities having been frittered away; it is time for a political solution. Removing deep levels of disaffection can only be done by a political approach.

Promises have been aplenty and so have overtures. The last initiative of 'secret diplomacy' by the Indian home minister has also been discontinued. Nevertheless, these actions indicate that intent exists. It begs the question as to why the state has held back. There are two sets of reasons: the first set comprising understandable reasons and the second those less so. Eliminating these reasons peacefully would help with the solution.

The first set gives the state the benefit of the doubt comprising fairly obvious reasons that the problem is complex, has a historical legacy. But a significant reason is that India's nation-building project is a work-in-progress. It is wary of the demands of its constituent sub-nationalities. It fears that setting a precedent may encourage the others through working of the 'demonstration effect'. The domino theory in this case conjures up an unraveling of India. But many separation movements are very much active in many provinces of India. Because all minorities are under threat and spread killings in India even Hindu minorities are unhappy.

The second is more critical to the state, dealing with the vexed question of militarization. The 'insurgency economy' in terms of vested interests of all players including security forces having grown roots, now requires considerable convincing that it is time to draw down. A political approach necessitates reconsidering the AFSPA. The Army Chief has already indicated his aversion to removal of AFSPA; implying that in case it is removed, so should the Army. Counter intuitively, removal of a division would do more for peace than a division deployed.

The political risk in proving this paradox could have been mitigated by getting Pakistan on board. With talks having collapsed last week at Islamabad, little progress can be expected on the Kashmir front. Absent any effort at selling the necessity of a political agenda to shape public opinion, a political approach is apparently not on the cards. Kashmiris unnumious acceptable organizations All Parties Hurriyat Conference-APHC also agree to start political composite dialogue since day of first.

POLITICAL SOLUTION OF KASHMIR

Kashmir is a political issue; it should resolve politically, it's moving to nuclear ring now, peace, security, stability, and stop terrorism, injustice and poverty impossible without resolution by political way in South Asia. Both countries fought four wars against each other. But no positive result came out yet. Hatred, misunderstanding, and distrust complications are rising day by day.

There is much more atomic ammunition gathered around. Indian army had no right to act in Kashmir illegally. With out political solution this conflict wills more complicated and growing very dangerous problems around. Kashmir not resolves with out full participation of Kashmiri representatives. India and Pakistan talking on water rights, economic cooperation, sercreek, ciachen, kargel and trade. But to leave basic conflict behind nothing will come out on both sides. If Kashmir issue will not solve urgently, no body stop nuclear war in this region. Kashmiris are not against Pak-India better relationship, they are not against any country but they are asking their own birth right. Since half century both countries increasing there defence capabilities and busy in talks and conspiracy against each other, population of both countries badly facing inhumanity, injustice, poverty, terrorism and discrimination

Meenakshi Ganguly, South Asia director at Human Rights Watch said in her recent report that: "The governments of India and Pakistan have recently indicated a desire to develop warmer relations and to settle the issues that divide them by peaceful means. This endeavor will not succeed, however, unless political violence in Kashmir is substantially reduced. If Kashmiris are to feel less alienated, governments in the Indian and Pakistani parts of the state of Jammu and Kashmir must grant their people freedom, not merely by granting elections but also by rolling back restrictions on business, terminating governmental monopolies in trade and commerce, and encouraging international investment by bodies such as the World Bank and the Asian Development Bank. Key areas for investment are watershed development, the timber industry, fruit processing, and power generation."

Chief of the Indian army General V.K. Singh has called for a political solution to unrest in Kashmir, saying the military should step back from its security role in the region.

Street violence in the Muslim-majority held valley has increased in recent weeks after the deaths of thousands unarmed civilians who were killed as troops sought to contain protests. I feel there is a great

requirement for political initiatives that take all people together, Indian Army chief told the "Times of India" in an interview published last week. Now, the need is to handle things politically. Singh added that local police need to be more active to allow the army, currently numbering about 500,000, to reduce its presence in the region. Whenever Pakistan army becomes desperate, they indulge in ceasefire violations. This happened in Kishnaghati, Macchil and other areas recently. The threat from terrorists is still there. It's evident from the encounters we have been having, including the recent one in which we lost a brave colonel-rank officer (Neeraj Sood), he alleged.

Author note: "But I think, reality is that Kashmiris are fighting for their basic birth right and universal recognized right to self-determination, they are not fighting against Indian army, any how they are demonstrating against injustice, unlawful killings, Dracula and black laws to gross violation of human rights and raped women and abused old peoples and children, but defending their lives, families, children and occupied territory, no body can say terrorist to them. Pak army never violated ceasefire, international media witness that Indian army had un-counted violations on ceasefire line since 1989. India violated, denied and smashed United Nations resolutions, promised time to time, commitments by Indian leadership and all Pak-India agreements from day of first on Kashmir".

CONCLUSION:

.Under the present atmosphere the talk on Kashmir will not bring any fruitful result. The final result appears to be zero. The best way would be to exchange mutual views to enhance good relations keeping the point of dispute of Kashmir. The two neighbors must move forward for the sake of peace and stability in the region, to root out terrorism.

.There is now a dire and immediate need that change old mindsets and give way to a new and progressive thought. Both Pakistan and India need to avoid shortsighted policies for political short-term gains, which have resulted in poisoning their relations in the past and the present. .Now it is time to turn their attention towards the gigantic task of eradicating poverty, injustice, must take steps tolerance, understanding and raising the standard of living of the vast mass of their peoples living below under the poverty line.

.Kashmiri feels election is not substitute of plebiscite; they are sacrificing lives since 64 years for their birth right. Former Home

Minister of India Mr. George Fernandes revealed that many Kashmiri had told him that the first time they had seen the ballot paper was in 1977. Mr. P.K. Dave the former chief secretary of the Indian Jammu and Kashmir Government also frankly admitted that: "All elections since 1951 to 1989, with the sole exception of election in 1977, were rigged. Election in 1987 when the National Conference and congress joined hands was the last straw. People are kept away from sharing political power, an indispensable condition of democratic functioning.....they feel all these governments were imposed on them by Delhi's convenience".

.Pakistan has to realize that Indian government has no power to alter anything of Kashmir without the consent of the Kashmiri people. Similarly India has to realize that Pakistan government can not do anything against the leaders of terrorists without the support of the majority mass people of Pakistan. Pakistan Government knows its deficiency when the world body is saying that Pakistan is the epic-center of terrorist.US are not going away from Pakistan or against Pakistan rather United State is sharing the difficulties and benefits with Pakistan. India also should share the difficulties of Pakistan in the process of peace talks. A mutual understanding is bound to increase the neighborly relations, the ultimate of which will nullify and control the terrorist activities on both side and bring a permanent political solution of peace in Kashmir.

.Pakistan and India, the two neighbours and the arch rivals have decided to prefer tables over battles. After the terror attacks in Mumbai and on the Indian Parliament, the relation between the two countries had revived its traditional hostility. However, it seems there is a realization on both sides that dividends lied there in friendship, or at least in less hostile relations and hatred rather than enmity.

.Recently, after the Foreign Minister Ms.Hina Rabbani Khar's visit to India, Pakistan has decided to grant India, the Most Favorite Nation (MFN) status. The decision, apparently, has observed not positive impact on both sides. However, there are sections on both sides of the borders that have rather skeptical views about their government's moves in apparently peaceful directions.

.In Pakistan, the government's decision is being analyzed at three different levels – the right wing political parties, the business community and the common public. While the business community will definitely not be happy over boosting business ties with a country offering a large market, the right wing political parties also unhappy to grant a considerable space to Kashmir issue in their

political agendas and manifestos will certainly not be happy with the move as to them, no relation with India be made and kept unless it grants freedom to the people of Indian occupied Kashmir.

.As far common people are concerned; they are coming up with a mixed response. Some of them are in favour to boosting friendly ties and promoting people to people contacts between the two countries. To them, a less hostile or friendly relation will develop the environment which will allow both sides of the people to go for a give and take peaceful settlement and then trade etc.

.As far the present incumbent's recent move to develop ties with India are concerned, the people also have concerns over the way their government is just giving in before India on the issues like Baglihar Dam, Vollar barrage, Kishanganga Dam which is aimed at leaving Pakistan a thirsty, to make desert and starved land. If the ruling alliance of both countries chooses to go for friendly ties without compromising on its principle stands, there are hopes that its moves will be supported among the masses of both side of Kashmir and Diaspora.

RECOMMENDATIONS

.Indeed, the heart of the dispute is being driven by local political conditions in Kashmir and much more sweeping issues of international politics and national sovereignty. Further complicating the situation, both Pakistan and India have sought to use the U.S-Pakistan proclaimed "global war on terrorism" to their own tactical advantage, increasing the risk of military missteps. Former Indian Prime Minister Mr. Atal Bihari Vajpayee has declared that he is willing to consider any political arrangement short of independence for Kashmir. But he didn't produce any relief to Kashmiris.

.In contrast, Pakistan is eager to keep the pressure on India to give Kashmiris right of self-determination recognized by United Nation resolutions. Pakistan's deep-rooted desire to avoid any more confutation with India. India has been quick to use the post-9 /11 "war on terrorism" for their own advantage.

.The United States and its allies have hunted down al-Qaeda and the Taliban in Afghanistan and Pakistan. While rhetorically convenient, this approach ignores the competing historical claims as well as the fundamental question of the competence of Indian administration of Kashmir.

.Apply on a continuing basis the broad diplomatic pressure on both sides that is necessary to initiate and advance a peaceful talks, composite dialogue and diplomatic process to wind down the immediate crisis and move toward a permanent political solution of Kashmir.

.The talks of high level political, diplomatic and businessmen, parliamentarians, media, civil society, and cultural, social and women rights activist's delegations between India-Pakistan continued.

.United Nations, European Union, OIC and other international institutions adopted a principled position when the Kashmir question first came before the UN Secretary General, voting in support of resolutions of 1948 and 1949, upholding the right of people of Kashmir to decide their future in a free and impartial plebiscite under UN auspices.

.Its needed is a sincere, meaningful and believable response however, what New Delhi has all along tried to do is to score debating points while it continues to use military means of the most barbaric kind to crush of Kashmiris.

.Mr.Sardar Attique Ahmed Khan, President All Jammu and Kashmir Muslim Conference, (Forerunner of the Political Emancipation of the people of the State of Jammu and Kashmir since 1932) and two times Prime Minister of Kashmir presented speech in OIC Kashmir Group meeting at Astana in June 2011 that both countries also start military leadership conversations to make conducive atmosphere.

.To urge India to reopen diplomatic and military channels of communication with Pakistan to solve oldest unresolved conflict, scale back tensions and stop killings, violence, Extra-judicial killings, inhuman torture and custodial deaths, arson and looting, crack down in civil population, rape and molestation of innocent women and serious violation of human rights.

.I feel its big responsibility to the Indian leadership and parliament in an atmosphere of friendless and cordiality, to talk to the Kashmiris on both sides of the ceasefire line. India brings the military action and the killings in the valley to an immediate end.

.Make an honest and sincere effort to invite Pakistan to the negotiating table, propose a meeting between the recognized political leadership of Kashmir from both side of Kashmir.

.Kashmiri wishes to exercise natural right of self-determination that has also been pledged to them by the United Nations.

.Kashmiri urge to UN to keep Kashmir as the top-most priority item of your administration's agenda with a view to taking urgent and meaningful action to bring to an end the carnage and atrocities in this unfortunate land and to facilitate a peaceful, just and lasting political settlement of the problem of Kashmir. The UN Secretary General can suo motto move to Kashmir, when such a grave situation arises anywhere over the globe.

.Suggestion is to submit a revised resolution in the UN Security Council on the subject of gross human rights violations by Indian occupation forces against the people of Indian Kashmir, calling upon New Delhi to stop its policy of terror, extermination and genocide of Kashmiri men, women and children.

.Kashmiri also request to UN and EU to depute a fact-finding mission to India and Pakistan to Kashmir as well as the survival and aspirations of Kashmiris, peace and stability in the Indo-Pakistan sub-continent and, indeed, international peace and security. Its needs to allow Human rights watch, Asia Watch, Amnesty international, Red Cross international, relief and rights global organizations to visit Indian and Pakistan Kashmir and talks on the subject.

The United States, China, Great Britain, Russia and other influenced powers can offer various forms of support and assistance to Kashmir, it could, for instance, supply U.S. expertise and resources to help Kashmiris suffering from posttraumatic stress disorder. U.S. incentives to encourage India and Pakistan to settle peacefully basic conflict of Kashmir, likewise take various forms, from helping Pakistan modernize its armed forces to securing foreign investment for the economic revitalization and development of the population of Jammu and Kashmir.

.United Nations resolutions are recognized, clear road map and very much implementable on Kashmir. Major stakeholders of dispute are Pakistan, India, Kashmiris, China and all important members of United Nations. This is big responsibility to United Nation, European Union, OIC, and other global organizations to implement these UNSC resolutions amicably.

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