

Resolution No. 8/44-POL
On
The Jammu and Kashmir Dispute

The Forty Fourth Session of the Council of Foreign Ministers, (Session of Youth, Peace and Development in a World of Solidarity), held in Abidjan, Republic of Côte d'Ivoire, from 16 to 17 Shawwal 1438H (10-11 July 2017),

Reaffirming the principles and objectives of the Charter of the Organization of Islamic Cooperation (OIC) and the UN Charter regarding the sanctity of the universal realization of the right of peoples to self-determination and recalling the numerous unimplemented UN Security Council resolutions on Jammu and Kashmir dispute which declare that the final disposition of the state of Jammu and Kashmir will be made in accordance with the will of the people to join India or Pakistan expressed through the democratic method of a free and impartial plebiscite conducted under the auspices of the United Nations;

Recalling the Special Declarations on Jammu and Kashmir adopted by the 7th, 10th and 11th Sessions of the Islamic Summit Conference and the Extraordinary Session of the Islamic Summits held in Casablanca in 1994 and Islamabad in 1997 and all previous OIC resolutions on the Jammu and Kashmir dispute and Joint Communiqué as well as the reports of the Ministerial and Summit Meetings of the OIC Contact Group on Jammu and Kashmir and endorsing the recommendations contained therein,

Reaffirming the unwavering support expressed for the Kashmiri people in their just cause in the Joint Communiqué of the 13th OIC Summit and 43rd CFM;

Stressing that Jammu and Kashmir is the core dispute between Pakistan and India and its resolution is indispensable for realization of the dream for peace in South Asia;

Expressing deep concern at atrocious human rights violations being committed by the Indian occupation forces in Indian Occupied Jammu and Kashmir (IoK) since 1947;

Strongly condemning the intensified Indian barbarities since July 2016, after the extra judicial killing of Burhan Wani, against unarmed and innocent civilians in IoK in which more than 200 people have died, and around 20,000 sustained injuries;

Expressing deep shock at mass blinding of Kashmiri youth, including many women and children, by the pellet gun shots deliberately aimed at eyes;

Noting the widespread uprising by the people of Indian occupied Jammu & Kashmir as a referendum against Indian occupation;

Expressing serious concern at the unprecedented level of illegal detentions and disappearances;

Strongly condemning the continued detentions and house arrests of senior Hurriyat leaders which not only denies them their fundamental freedoms of movement, political activity and speech, but also having a heavy toll on their health;

Expressing deep shock at the discovery of more than 6000 unmarked mass graves in IoK with thousands of victims of fake encounters;

Condemning the wide-spread practice of harassment of Kashmiri students in Indian institutions for showing support to Pakistan;

Rejecting the Indian attempts to malign the legitimate Kashmiri freedom struggle by denigrating it as terrorism and expressing support to the wide-spread indigenous movement in IoK for realization of their right to self-determination;

Paying rich tribute to the valiant people of IoK who, despite worst Indian repression, continue to wage heroic struggle for their inalienable right to self-determination;

Rejecting the Sham and farcical elections held in IoK under the duress of 700,000 Indian occupation forces as a substitute to free and impartial plebiscite held under the UN auspices;

Expressing deep concern at Indian attempts to bring demographic changes in IoK and converting the Muslim majority of the State into minority by settling non-Muslim non-State subjects like West Pakistan Refugees and establishing Sainik colonies;

Denouncing Indian attempts to create fissures among the religious communities of IoK by establishing separate colonies for Pandits who are always welcomed by Kashmiris to return to their ancestral lands;

Taking note of the Memorandum presented by the True Representatives of the people of Jammu and Kashmir;

Acknowledging that the people of Jammu and Kashmir are the principle party to the dispute and should be included in any peace process for resolution of the Jammu & Kashmir dispute;

Strongly condemning the unprovoked firing by the Indian forces on the Line of Control (LoC) and the Working Boundary (WB) with intentional targeting of civilian areas which resulted in the martyrdom of more than 47 civilians and injuries to more than 150 others, including women, children and elderly in the year of 2016;

Further censuring India for deliberately attacking a passenger bus in AJK on 23 November 2016, and subsequently the ambulance evacuating the injured, causing martyrdom of 11 civilians and injuries to at 8 others;

Welcoming the visit of the delegation of the Independent Permanent Human Rights Commission (IPHRC) to Pakistan and AJK in March 2017, in the context of its Standing Mechanism for monitoring the human rights violations in the Indian occupied Jammu & Kashmir and acknowledging its report;

Endorsing the concern of the IPHRC report over the gross human rights violations in IoK, and denial by India to the right of self determination to the Kashmiris guaranteed by international rights law and promised by various UN Security Council Resolutions.

Further endorsing the report of IPHRC which states that “through discriminatory laws, Indian security forces have created an atmosphere of impunity and fear which has led to grave human rights abuses against unarmed demonstrators and protestors, with little regard for the principles of proportionality and necessity”.

Condemning the act of awarding the commendation card to Indian Army officer (Major Gogoi) on using an innocent Kashmiri as human shield and approving the observation of the Commission that this act “attests to the Indian Security Forces acquiescence to using such inhuman tactics to create fear and terror among Kashmiri population”.

Denouncing India for denying the IPHRC and other international bodies access to IoK for making an objective assessment of on ground situation of human rights.

Deeply acknowledging the personal support of the former Secretary General Mr. Iyad Amin Madani for the Kashmir cause and his efforts for the peaceful resolution of the Kashmir dispute in accordance with the UN Security Council resolutions;

Welcoming the incoming Secretary General with the hope that he will continue to play his constructive role for resolutions of Kashmir dispute in accordance with the UN Security Council resolutions, and highlighting the plight of hapless Kashmiri people;

- 1- **Calls upon** India to implement numerous UN Security Council resolutions on Kashmir which declare that the final disposition of the State of Jammu and Kashmir will be made in accordance with the will of the people, to join India or Pakistan, expressed through the democratic method of a free and impartial plebiscite conducted under the auspices of the United Nations.
- 2- **Reminds** the international community of its obligations to ensure the implementation of UN Security Council resolutions on Kashmir and fulfill the promises made by it with the people of Jammu and Kashmir.
- 3- **Calls upon** the international community to intensify its efforts in condemning India for continuous human rights violations in IoK;
- 4- **Urges** India to stop forthwith its brutalities and crimes against humanity in Indian Occupied Jammu and Kashmir and allow international human rights groups access to IoK for conducting free and impartial inquiry into the horrendous human rights abuses;
- 5- **Calls upon** India to release all political prisoners forthwith particularly the Hurriyat leaders who are the true representatives of the Kashmiri people;
- 6- **Urges** India not to change the religious make-up of the State by settling non-State non-Muslim subjects in IoK and respect the internationally recognized disputed status of the State and not bring any material changes there.
- 7- **Further urges** India not to create religious disharmony in IoK through its communal agenda and politics of religious polarization;

- 8- Calls upon India to conduct free and impartial inquiry into the discovery of 6,000 unmarked mass graves and bring the perpetrators to justice.**
- 9- Affirms that any political process/elections held under foreign occupation cannot be a substitute to the exercise of the right of self-determination by people of Jammu and Kashmir as provided in the relevant Security Council Resolutions and reaffirmed in the Millennium Declaration of the UN General Assembly.**
- 10- Appeals to the Member States, OIC and other Islamic Institutions, such as the Islamic Solidarity Fund, and philanthropists to mobilize funds and contribute generously toward providing humanitarian assistance to the Kashmiri people.**
- 11- Requests the Islamic Development Bank and the Islamic Solidarity fund to provide the necessary financial resources to provide vocational training and higher education to Kashmiri refugees and entrusts the General Secretariat to submit appropriate proposals.**
- 12- Urges the Government of India to allow OIC Special Representative on Jammu and Kashmir and the OIC Fact Finding Mission to visit the Indian Occupied Jammu and Kashmir for a neutral and impartial judgment of human rights situation there.**
- 13- Recommends that Member States continue to coordinate their positions in international fora and mandates the OIC Contact Group on Jammu and Kashmir to meet regularly;**
- 14- Welcomes the important briefings provided by the IPHRC Standing Mechanism on IoK to the OIC Contact Group on Jammu and Kashmir during the Islamic Summit and CFM on the human rights violations in IoK and requests it to continue this useful practice. Also requests the Standing Mechanism of the OIC IPHRC to submit its regular reports on the human rights situation in the IoK to the CFM at its subsequent sessions.**
- 15- Decides to consider the Jammu and Kashmir Dispute at the 45th Session of the CFM;**
- 16- Requests the Secretary General to follow up the implementation of this resolution and to submit report thereon to the next Session of the Council of Foreign Ministers.**
