

**Resolution No. 10/46-POL**  
**On**  
**The Jammu and Kashmir Dispute**

*The Forty- Sixth Session of the Council of Foreign Ministers, (Session: 50 Years Of Islamic Cooperation: Roadmap For Prosperity And Development), held in Abu Dhabi, United Arab Emirates 24-25 Jumadah Al-Thani 1440 H (1-2 March 2019),*

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 7<sup>th</sup>, 10<sup>th</sup> and 11<sup>th</sup> 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 13<sup>th</sup> OIC Summit and 44<sup>th</sup>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 and human rights violations being committed by the Indian occupation forces in Indian Occupied Jammu and Kashmir (IoK) since 1947 that have resulted in the martyrdom of more than 100,000 innocent Kashmiris;

Welcoming and endorsing the recommendation of the Report of Office of the High Commissioner for Human Rights (OHCHR) on Jammu and Kashmir for the formation of Commission of Inquiry to conduct a comprehensive, international and impartial investigation into the gross human rights violations in Indian occupied Jammu and Kashmir;

Appreciate the report on Jammu & Kashmir of the UK Parliament All Parties Parliamentary Kashmir Group (APPKG) in which it questions the morality and legality of parallel Indian legal apparatus in the IoK; criticizes impunity being enjoyed by Indian occupation forces; deploras IoK government's reluctance to ascertain identity of bodies in unmarked graves and condemns the use of pellet guns by Indian occupation forces,

Welcoming the statement at the Human Rights Council by the new High Commissioner for Human Rights Ms. Michelle Bachelet stating that "*people of Kashmir have exactly the same rights to justice and dignity as people all over the world*", and that the High Commissioner "will continue its monitoring and reporting",

Strongly condemning the intensified Indian barbarities since July 2016, after the extra judicial killing of Burhan Wani, against unarmed and innocent civilians in loK in which more than 755 people have died, and around 25,265 sustained injuries,

Condemns in the strongest possible terms recent wave of Indian terrorism in occupied Jammu & Kashmir that have resulted in the deaths of 48 people in the month of November alone making 2018 one of the deadliest years in the history of occupied Jammu & Kashmir in more than a decade with over 450 casualties;

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

Deplores the brutal sexual assault against an eight year old Muslim girl Asifa, and denounces the recurring use of rape as a tool of war against the Kashmiris.

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

Expressing concern at the alarming increase in the indiscriminate use of force and gross violations of human rights committed against the innocent Kashmiris and regretting that India had not allowed the OIC-IPHRC and United Nations Fact Finding Mission to visit Indian-occupied Jammu and Kashmir;

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 loK 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 loK for realization of their right to self-determination;

Paying rich tribute to the valiant people of loK 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 loK 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 loK 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;

Noting with concern extension of the Securitization and Reconstruction of Financial Assets and Enforcement of Securities Interest Act (SAFRAESI Act) and the Statistics Act to the loK to alter the demographic composition of the territory;

Denouncing Indian attempts to create fissures among the religious communities of loK 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 38 civilians and injuries to more than 135 others, including women, children and elderly in the year 2018;

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 loK, 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".

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

Deeply acknowledging the personal support of the former Secretary General Mr. lyad 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;

1. 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.
2. 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.
3. 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.
4. 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.
5. 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;
6. Welcomes the important briefings provided by the IPHRC Standing Mechanism on loK to the OIC Contact Group on Jammu and Kashmir during the Islamic Summit and CFM on the human rights violations in loK 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 loK to the CFM at its subsequent sessions.
7. 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.
8. Decides to consider the Jammu and Kashmir Dispute at the 47<sup>th</sup> Session of the CFM;
9. 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.

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