

AN APPEAL TO WORLD CONSCIENCE

MY COMMON AND HUMBLE APPEAL TO THE PEOPLES, GOVERNMENTS, POLITICAL PARTIES, HUMAN RIGHTS ORGANIZATIONS, INTELLECTUALS AND TO THE MEDIA OF INDIA, PAKISTAN, JAMMU KASHMIR STATE AND TO INTERNATIONAL COMMUNITY INCLUDING WORLD DIGNITARIES, UNITED NATIONS AND OTHER RELEVANT INTERNATIONAL ORGANIZATIONS ALONG WITH MEDIA.

Distinguished Ladies and Gentlemen!

Peace be upon us all,

I, Amanullah Khan, address this appeal to you in my personal capacity and as one of the founders in 1977 and now the Patron-in-Chief of Jammu Kashmir Liberation Front (JKLF), and wish to bring to your notice my humble submissions in the best national interests of Pakistan, India, Jammu Kashmir and the international community. At the very outset, please accept my apologies for being a burden on your precious time while going through this lengthy but a document worth reading and favorably considering in the best interests of us all.

Ladies and Gentlemen,

The 20th century AD witnessed the consecutive rise of at least three dozen revolutionaries, statesmen and reformers, and their colleagues from Vietnam in the East to the Americas in the West. The struggle carried by them had germinated a revolution across the globe towards the second half of the century and thus precipitated the collapse of dominance of men over men, the curses of slavery and colonialism. The outcome was spectacular as, as many as 16 nations attained their political independence within the short-span of the year 1960. This task was unfolded by revolutionaries, statesmen or reformers namely, Ho Chi Minh (Vietnam), Ahmed Sukarno (Indonesia), Mahatir Mohamad (Malaysia), Lee Kuan Yew (Singapore), D.S. Senanayake (Srilanka), Sheikh Mujib-ur-Rehman (Bangladesh), Mao Tse-Tung & Chou Enlai (China), Mahatma Gandhi, Pandit Jawaharlal Nehru, (Minus their unjust policy in Kashmir), Subhas Chandra Bose & Bhagat Singh (India), Maqbool Ahmed Butt (Kashmir), Muhammad Ali Jinnah, Allama Iqbal and Zulfiqar Ali Bhutto (Pakistan), Imam Khomeini & Dr. Muhammad Musaddiq (Iran), Yasir Arafat & George Habash (Palestine), Gamal Abdel Nasser & Hassan-ul-Banna (Egypt), Faisal bin Abdul Aziz Al Saud (Saudi Arabia), Ahmed Ben Bella (Algeria), Robert Mugabe (Zimbabwe), Nelson Mandela (South Africa), Marshal Josip Broz Tito (Yugoslavia), Mehdi Sudani (Sudan), Mustafa Kamal Pasha (Turkey), Earl Bertrand Russell (Britain), Patrick Pearse (Ireland), Charles De Gaul (France), Fidel A. Castro (Cuba), Hugo Chavez (Venezuela), Chee Guevara (Bolivia) and Abraham Lincoln and Martin Luther King Junior (USA).

Ladies and Gentlemen,

Whereas the 20th century had the distinction of bringing an end to the 'dominance of men over men', it also carried a dark chapter that amongst the newly independent states some had snatched away the right to freedom of some of their smaller neighbors. In doing so, independent India and to an extent Pakistan too, had taken steps to deprive the neighboring State of Jammu Kashmir of its right to be free. Conversely, they have been using various pretexts to unduly claim ownership of the

State. The issue has continued to remain unresolved for about seven decades. In this context, I wish to submit that the **Kashmir issue** merits your close and serious consideration as any move to the contrary, will be very expensive for all the stakeholders.

My submissions are as follow:

My First Submission:

It is an undeniable fact that the State of Jammu Kashmir or any of its parts is neither an 'integral part' of India nor a 'jugular vein' of Pakistan. The sole ownership of the State and right to determine its future rests with the permanent residents of the State. The reasons are not too far to seek.

A- India's commitments in the past and claims of today:

Today, the official Indian position describes the entire State of Jammu Kashmir as an 'integral part' of the Indian Union. However, facts on the ground are as follow:

i. World renowned thinker and torch-bearer of human rights Earl Bertrand Russell wrote in his world famous book '**New Hopes for a Changing World**' (pages 145-146):

"When one observes that the high idealism of Indian government in international matters breaks down completely when confronted with the question of Kashmir, it is difficult to avoid a feeling of despair".

At this point, it is important to recall that Earl Bertrand Russell was otherwise known for his soft-corner for various Indian policies. Interestingly, the international opinion today continues to share the same view regarding Indian policy on Kashmir.

ii. In numerous telegrams and letters, the-then Prime Minister of India had conveyed to the Governor General and Prime Minister of Pakistan that Kashmir's accession to India will be contingent upon Kashmiri peoples' final decision regarding the fate of their State.

iii. The very first Indian Prime Minister Pandit Jawaharlal Nehru while speaking at All India Radio on 2nd November, 1947 made the following announcement:

"We have declared that the fate of Kashmir is ultimately to be decided by the people. The pledge we have given (and the Maharaja has supported it) not only to the people of Kashmir but to the world. We will not and cannot back out of it."

iv. Indian representative at the United Nations Mr. Gopala Swami Ayyangar while presenting Kashmir issue at the United Nation Security Council (UNSC), made the following statement on 15th January, 1948:

"Whether she should withdraw from her accession to India and either accede to Pakistan or remain independent, with a right to claim admission as a member of the United Nations - all this we have recognized to be a matter of unfettered decision by the people of Kashmir, after normal life is restored to them."

v. The Indian Prime Minister while addressing All India Congress Committee, made the following statement on 9th July, 1951:

"Kashmir has been wrongly looked upon as a prize for India and Pakistan. People seem to forget that Kashmir is not a commodity for sale or to be bartered. It has an individual existence and its people must be the final arbiters of their future."

"With the above three commitments on record what moral, legal, political, constitutional and historic justification does India have to claim of the Jammu Kashmir State or any part of it to be her integral part(s)."

vi. UNSC while adopting Resolution no. 47 (21st April, 1948), Resolution no. 51 (3rd June, 1948), Resolution no. 80 (14th March, 1950), Resolution no. 91 (30th March, 1951) and Resolution no. 122 (24th January, 1957) maintained that the final disposition of the State of Jammu Kashmir will be determined in a plebiscite under the UN auspicious. Both, India and Pakistan, had agreed to these resolutions, and for that reason Indian claim that Kashmir was an integral part of Indian Union is indeed negation of these resolutions.

vii. The United Nations Commission for India and Pakistan (UNCIP) while adopting Resolutions dated 13th August, 1948 and 5th January, 1949 made it clear that future of the State of Jammu Kashmir will be decided in a plebiscite to be held in the entire State under the UN auspicious. The two governments while confronting each other had accepted the two resolutions. This again raises a question as to whether there is any moral obligation on India and Pakistan, once they had accepted the resolutions.

viii. Until ten years after Kashmir assumed an international character, India had been promising international community and Kashmiri people that fate of the State will rest upon the Kashmiri peoples' choice. In this period until 1957 or even later, nothing new happened that would establish the State as an integral part of the Indian Union. With this background, the Indian claim regarding 'integral part' does not hold correct under any constitutional, political, social, moral and legal basis.

ix. Is there any government functionary in India or a common man who would tell us for sure as to when Kashmir had acceded to India? Not on 14th and 15th August, 1947 as then Jammu Kashmir State was an independent entity, a status that was acknowledged by the British, Indian and Pakistani governments.

The very claim regarding accession of Jammu Kashmir to India stands contradicted by the very Prime Minister Pandit Jawaharlal Nehru's letters to the Governor General and Prime Minister of Pakistan, moves to establish a separate Constituent Assembly for the State (that envisaged a separate President, Prime Minister, National Language and separate Laws for Jammu Kashmir State) and the **White Paper** on Kashmir situation that reaffirm the Kashmiri peoples' right to decide their future. This is further enforced in the UNSC Resolutions no. 47, 51, 80, 91 and 122 and UNCIP Resolution of 13th August, 1948 and 05th January, 1949 which affirm Kashmiri peoples' right to decide their future. The Indian Government had accepted all these resolutions. In this background, one can find two contradictory stances by the same party which can imply both. The accession had no legal, political, constitutional and factual standing and if so, the successive Indian governments have been untruthful over the years in their claims with the international community. Faced with this situation, a government taking a false stance so blatantly, has no right to take a seat at the UNSC. Rather, for not complying with these pending UN Resolutions on Kashmir issue, India should be expelled from the very UN. That scenario may not be acceptable to the Indian government hence the Maharaja's accession on 27th October, 1947 has no constitutional, political, legal, moral and factual standing. The so-called accession was a sheer fraudulent exercise.

x. Some Indians claim that State of Jammu Kashmir became part of India when Pakistan refused to withdraw its troops from the State. In this context, one would like to submit that;

(1) India too had committed a series of violations. For example, Indian troops had landed at Srinagar, the capital of the Independent state of Jammu Kashmir, prior to the signing of accession deed by the Indian Governor General. This was no less a violation than what Pakistan would have carried. Ironically, there were no protests against this violation. Why were the Indians not asked to explain?

(2) Above all, no religion including Hinduism and Islam or any civilization or a set of moral values, would allow a discriminatory approach in relation to crimes or conviction of one for a crime committed by another. In this logic, the blame is on Pakistan for not withdrawing her forces from Jammu Kashmir but conviction is applied on the people of Kashmir by depriving them of their birthright of self-determination. This Indian approach is a glaring violation of the internationally established norms and ethical values which cannot be accepted.

In short, the Indian claim that the State of Jammu Kashmir or any of its parts is an 'integral part' of Indian Union on any political or moral ground is false and untenable. This claim symbolizes the worst example of 'might is right', India's expansionist designs and Indian track record of breach of commitments that remains a dirty black spot on the face of India and Indians that must be erased as soon as possible for their own larger national interest.

SOME Pakistanis' claim of Kashmir being a 'jugular vein' (shah rug) of Pakistan is also untenable. Let us see how?

i. Muhammad Ali Jinnah in his capacity as President of All India Muslim League declared on 17th June, 1947:

"With the termination of British paramountcy, Indian States would be free to join either the Hindustan Constituent Assembly or the Pakistan Constituent Assembly, or to remain independent."

This declaration by Mr. Jinnah is carried on page 16 of a compilation titled: 'Quaid-e-Azam Muhammad Ali Jinnah Speeches and Statements 1947-1948'. Published by the government of Pakistan, The preface of 1989 edition of the book was written by the then Prime Minister of Pakistan Late Benazir Bhutto.

ii. The statement by Mr. Jinnah made on 17th June, 1947 is recorded by the Reuters News Agency as incorporated in India Office Library in London report on Transfer of Power (page 438, item 225).

iii. Mr. Jinnah after meeting Kashmiri leaders: Chaudhry Hameedullah, Acting President of All Jammu Kashmir Muslim Conference (AJKMC) and Professor Muhammad Ishaq Qureshi issued a policy statement on 11th July, 1947. It reads as follows:

"The second question that is engaging the attention of the Muslims of Kashmir is whether Kashmir is going to join the Constituent Assembly of Pakistan. I have already made it clear more than once that the Indian States are free to join either the Pakistan Constituent Assembly or the Hindustan Constituent Assembly or remain independent. I have no doubt that the Maharaja and the Kashmir Government will give their closest attention and consideration to this matter and realize the interests not only of the ruler but also of his people."

The statement is more than clear about his being open to all the three options.

iv. Under instructions from Quaid-e-Azam, the-then Foreign Minister Sir Zafarullah Khan was instrumental in achieving a broad consensus as expressed in the UNCIP resolution of 13th Aug 1948 that stated that people of Jammu Kashmir State will decide the future of their State in a plebiscite that will be held under the UN auspicious. The Resolution did not refer to any integral part or to any jugular vein.

v. Regardless of positions taken during discussions, at track-II, the declared position of Pakistan remains that Kashmiri people are entitled to self-determination in terms of UN Resolutions. This excludes theories such as jugular vein.

Ownership of Jammu Kashmir State rests with its permanent residents (State Subjects):

i. Destiny of any State is determined by the permanent residents of that State in consonance with democratic and human precepts, and not by any ruler or any outside power. It is therefore important to uphold the rights of the people of Jammu Kashmir State (as it existed on 14th August, 1947) to decide their future. This right does not entitle those who came from outside, to settle down in the State after August 14, 1947.

ii. The promise of Kashmiri peoples' right to decide is enshrined in the correspondence which the Indian side had carried with the other parties to Kashmir issue.

iii. The assurances regarding Kashmiris right to decide is contained in Indian Prime Minister Mr. Nehru's statements of 2nd November, 1947 and 9th July, 1951 together with Indian Permanent Representative to the UN Mr. Gopala Swami Ayyangar's statement at the UNSC on 15th Jan. 1948 (see part A, subsections iii, iv and v, page no. 4 of the Appeal).

iv. Kashmiris rights were reaffirmed in the UNSC Resolutions 47, 51, 80, 91 and 122 dated 21st April, 1948, 3rd June, 1948, 14th March, 1950, 30th March, 1951 and 24th June, 1957, besides UNCIP Resolutions of 13th August, 1948 and 5th January, 1949 all of which were accepted by India, Pakistan and other nations afterwards.

To sum up, the whole State of Jammu Kashmir, as it existed on 14th of August 1947 and fragmented following the incidents of October 1947, is neither an integral part (atoot-ang) of India nor a jugular vein (shah-rug) of Pakistan. Its ownership and right to decide its future rests with the permanent residents of the State itself who have not been allowed to exercise their right so far.

My Second Submission:

The right of self-determination of nations under subjugation is not constrained by any law of limitations.

In terms of international law and practice, the right of self-determination of any subjugated nation is not constrained by any law of limitations. If this was not so, neither India nor Pakistan would have attained independence. The right of Kashmiris to self-determination is sanctioned by the UN Resolutions and Human Rights Charter and therefore any effort on the part of Indian intellectuals to deprive them on the pretext of law of limitations is totally unjustified and unacceptable.

My Third Submission:

A peaceful, democratic, just, honorable and viable solution of Kashmir Issue

In the preceding discussion, it is proved beyond doubt that the State of Jammu Kashmir or any of its parts is neither an 'integral part' of India, nor a 'Jugular vein' of Pakistan. The ownership of the State and right to decide its future rests with the permanent residents of the State. It is also established that right of self-determination of subjugated people is not subservient to the law of limitations.

In the past:

1. Kashmir issue has been the cause of more than two wars between India and Pakistan that brought about loss of life to millions of people and disabled thousands, besides wide spread losses to property in the region.

2. Both sides have employed undemocratic means to advance their interests.

3. The two sides have been taking unjust postures vis-a-vis the dispute.

4. Similarly, the competing powers while advancing their interests, often took dishonorable stands against the wishes of Kashmiri people.

5. Contrary to un-implementable solutions offered from time to time by other quarters, the JKLF in general, and I personally in particular, have been putting forward solutions that would assure peaceful, democratic and just solution to the Kashmir issue. This would also be an honorable way out for the competing powers themselves. In short, this relates to the concept of a free and independent State of Jammu Kashmir (as emerged on 14th-15th August, 1947 as consequence of Indian Independence Act, recognized by Governments of Pakistan and India and as manifest in the then Stand Still Agreement between Pakistan and Jammu Kashmir State as two independent states). It is thus important that the State of Jammu Kashmir that has been fragmented since Indian moves of 27 October, 1947, should be re-united and for this, people of the State from all provinces namely; Kashmir Valley, Jammu, Azad Kashmir, Gilgit, Baltistan and Ladakh should be allowed to establish a democratic (Parliamentary), federal and secular (non-communal) State. This entity should be independent and poised to pursue peaceful coexistence with its neighbors. It is proposed that fifteen years after achieving the basic objective, there should be a UN supervised referendum in the entire State to determine, first of all, the peoples' choice between independence and the broader question of accession. If the majority makes a choice for independence, all parties including India and Pakistan and international community should accept this popular verdict and carry out its implementation. But if greater numbers of people vote in favor of accession, then a second round of referendum should take place and the people of whole State should have the choice to vote for either Pakistan or for India. In this process the State will join either India or Pakistan depending upon the number of votes each gets.

The two-tire referendum is suggested to ascertain the future of Jammu Kashmir State because the simple majority fixation of the winner, as per the British system of election, is most defective specially while determining the future of a nation. If there are three candidates aspiring for Independence, Accession to Pakistan and Accession to India. If the three candidates obtain 35%, 34% and 31% votes respectively, the candidate obtaining 35% will be declared as winner according to British system of elections whereas the other two have gained almost twice the votes obtained by the winner. This is most un-just because the winner represents just over one-third of the votes. This system may be easier to practice in ordinary elections, but while determining the future of a nation, it is most defective, almost amounting to depriving Kashmiris of their basic human right.

In its fragmentation, Jammu Kashmir State has two more parts that would need attention: A part of Ladakh that was taken over by China as consequence of 1962 war with India and second, the areas ceded to China wide Pakistan–China Provisional Border Agreement of 1963. These two parts have scares of populations. Nonetheless, the 1963 border agreement is already based on the assumption that final disposition of the border will be negotiated with the next sovereign authority in the State. In this background, it is advisable to postpone the question of Chinese controlled territory till the final disposition of the State.

Let us now examine the benefits of solving the Kashmir issue and the losses in store for not solving it, for Pakistan and India, International Community and for the people of Jammu Kashmir State.

My Fourth Submission (TO THE PEOPLE OF INDIA):

1. The edifice of India's commitment to higher principles when put to test with reference to its Kashmir posture, crumbles down on the way. This dichotomy creates serious issues for India. For example, India's rise to permanent seat at the UNSC, to which it aspires, is indeed halted because of the persisting negative image about her Kashmir policy. Otherwise, India would have already gained that status and together with its nuclear muscle would have succeeded to play its role in the international arena far more effectively.

2. The inability to resolve Kashmir issue has led up to three wars between India and Pakistan, loss of lives of millions of people and material losses to both the countries. If not resolved, the issue will continue to haunt the region with the possibility of new wars. Needless to say, that any war between two atomic powers can lead to a wider destruction. It is therefore, in the national interest of both India and Pakistan to address the Kashmir issue for a peaceful settlement in keeping with our proposed plan.

3. It is a matter of national ego that India would not like to cede Kashmir to Pakistan. Nonetheless, our proposal does not call for handing over Kashmir to Pakistan. Instead it calls for handing over Kashmir to its own people and for re-unification of various parts of the State to make it one independent State.

4. India had accused Pakistan of having entered its troops and tribesmen into Jammu Kashmir on 22nd October 1947 and hiding this fact from the UNCIP. It is claimed that Pakistan had then refused to withdraw her troops and thus justified India's refusal to hold the promised referendum.

In the above context, it is recalled that contrary to the established laws and practices, India had kept the UN ignorant of several aspects of the situation. For example, it had entered its troops into Kashmir before signing the so called instrument of accession. This was as big a crime as compared to what is attributed to Pakistan. Secondly, no system of justice, religion or civilization would allow shifting of punishment from the perpetrator of the crime to another party. How could Kashmiris be punished for something attributed to or done by Pakistan? In this regard, the Indian steps are unjust, immoral and inhuman.

My Fifth Submission (TO THE PEOPLE OF PAKISTAN):

1. In the absence of a Kashmir solution, Pakistan remains dependent on American and Chinese assistance to meet its requirement of armament, aircrafts, ships etc. This causes a challenge for Pakistan's national independence and its capacity to defy the United States (e.g. drone attacks and loss of Pakistani lives). In the event of a Kashmir solution, Pakistan will be spared from challenges that confront her independence and sovereignty, and from further loss of life.

2. Kashmir issue has caused three wars between India and Pakistan and loss of lives to many. If the issue remains unresolved, the potential of war will continue to haunt the two atomic nations.

3. Our proposed solution holds the promise of a peaceful settlement of the issue.

4. Pakistan is faced with a growing water shortage, while water sources in Kashmir remain in Indian control. In the case of independence of the State, the challenge will almost be finished.

5. In the case of peaceful resolution of Kashmir, India and Pakistan can be friends that will benefit them both politically and diplomatically.

6. The solution will unfold greater trade to the advantage of both the countries.

My Sixth Submission (to International Community):

1. We, the people of Jammu Kashmir State, are grateful to the United Nations for having promised to us our birth right of self-determination. This was a matter of relief for us as the then British government that claimed to be the Mother of Democracy, Indian National Congress that claimed to represent people of India and All India Muslim League that claimed safeguarding Muslim interests, had in fact left Kashmiris' fate to the mercy of their undemocratic, unjust and autocratic ruler. However, in spite of the promises, the United Nations has been unable to implement its resolutions.

2. Over sixty-seven years have passed since the promises were made by the United Nations and agreed by India and Pakistan but have not been fulfilled as yet. Hence the Kashmiri people's birth right remains unachieved. A solution to Kashmir issue will in fact accomplish the unfulfilled moral obligation of the United Nations.

3. In the absence of Kashmir solution on the lines proposed by us, the issue will remain a source of threat for regional and international peace.

My Seventh Submission (To World Dignitaries):

In near future, I will be writhing individually to world dignitaries who or who's national hero's strongly believed in natural justice, in human and humanitarian values and are politically strong and diplomatically important rulers like President Barak H. Obama and Secretary of State John Kerry of Abraham Lincoln's and Martin Luther King Junior's America, Head of the State Queen Elizabeth and Prime Minister David Cameron of the Great Britain who actually created Kashmir issue, Xi Jinping President of Mao Tse-Tung's and Chou Enlai's China, Vladimir Putin President of Lenin's Russia, Joachim Gauck President of United Germany, Head of Late Lee Kuan Yew's Singapore, government of Charles De Gaul's France, President of Mahatir Muhammad's Malaysia, President of the Islamic Republic of Ayatollah Khomeini's Iran, the successor of King Faisal's Saudi Arabia, President of Nelson Mandela's South Africa, Head of Hugo Schavez's Venezuela, Head of Fidel Castro's Cuba etc. **I am sure, if we could present our case properly, the world conscience is not that dead to ignore our nation's sad saga.**

My Eighth Submission (To the people of Jammu Kashmir State):

1. It is a proverbial fact that revolutions are the product of struggle waged by dedicated cadre. This is also true of spiritual revolutions that brought about light against the ills. Similarly, the leaders and organizations dedicated to national liberation also resolved to continue their struggle until victory. If one set of leadership fails, another team takes over and continues the struggle with a view to reaching their goal.

2. In spite of anti-freedom dictate from India and Pakistan, the JKLF had carried forward its practical struggle for freedom that started on 31st July, 1988. This struggle would have achieved its desired goal if the Indian brutalities and manipulations in Pakistan had not sabotaged it.

3. The Kashmir issue could be solved within a month on the basis of our formula in keeping with norms of justice, democracy, honor and peaceful course for the competitors provided India and Pakistan fulfill their promises regarding unconditional referendum, UN plays its promised role and people of the State commit themselves to freedom and Kashmiri patriotism instead working for the interests of the neighboring countries of India and Pakistan. One month will be good enough to materialize demilitarization, removal of landmines and to reconnect three parts of the State.

4. If our proposal is not carried forward, the State of Jammu Kashmir and its people will continue to face the sufferings they have faced so far.

5. Inability to solve Kashmir issue on peaceful, just and honorable footing, can unfold the potential of more wars between the two atomic countries. In the midst of this conflict, Jammu Kashmir State will continue to serve as a pitch ground for the competitors to demonstrate their muscle at the cost of the natives' sufferings.

My Prime Submissions:-

1. The best solution of the Kashmir issue will have to be peaceful, democratic, just and honorable for the competitors. It will have to be implementable and permanent, based on the following outline.

The entire State of Jammu Kashmir which is fragmented since October 1947 and divided as Jammu Kashmir, Azad Kashmir and Gilgit-Baltistan, should be re-united to establish therein a democratic (parliamentary) , federal (consisting of five provinces namely: Kashmir Valley, Jammu, Ladakh, Azad Kashmir and Gilgat Baltistan), secular (non-communal) and independent sovereign state. This State shall have friendly relations with other countries of

the world, especially with her own neighbors, particularly with India and Pakistan. It shall also facilitate holding of the UN sponsored referendum fifteen years after re-unification so as to reconfirm its independence or choice for State's accession to India or to Pakistan. (Details of mode of referendum is given under the caption "My Third Submission", Page no. 6 of my appeal).

2. The above mentioned solution will serve the best national interests of India, Pakistan and above all, the people of all regions of Jammu Kashmir State. If this peaceful and equitable solution is not followed, the entire sub-continent, Jammu Kashmir State in particular, can be exposed to a disastrous situation.

3. The Kashmir issue can possibly be solved within a short span of one month if India, Pakistan and the UN reaffirm their commitments given to Kashmiri people before 1957, and if various Kashmiri political leaders and parties act as true Kashmiri patriots instead of working for the interests of India and Pakistan.

4. Let me clarify that while seeking re-unification of the State, we do not stand in opposition to the Indian Union or to Pakistan (None of the three parts of the State is a constitutional part of India or Pakistan). Nevertheless, it remains a point of distress and anger for us that India has been taking an unjust posture vis-a-vis people of State of Jammu Kashmir, violating its own commitments and following double standards in the pursuit of its Kashmir policy. Similarly, Pakistani posture vis-a-vis Azad Kashmir and Gilgit-Baltistan has been contrary to democracy and peoples' rights. It is shameful that Pakistan's bureaucracy has for decades prohibited Kashmiri politics in Gilgit-Baltistan region, even though all the Pakistani documents including the constitution establish Gilgit-Baltistan as part of Jammu Kashmir State.

My submission to search your consciences:

It is my humble submission to the people specially to the conscientious ones, of India, Pakistan, International Community and of all three parts of the State, their Governments, Political Organization, besides people associated with human rights, intellectuals and the media, I urge all of them to search their conscience, and see that the rulers, local (Kashmiries) and foreign (Indian and Pakistani), have in fact carried excesses towards Jammu Kashmir State and its people. These excesses were either direct or indirect and carried varying impacts, adding up to the peoples' miseries. It is therefore important that in order to assure a brighter future for the people of entire sub-continent and their future generations, injustice already done to the Kashmiri People should be undone and the formula offered by us, (to accept the former State of the Jammu Kashmir as an independent political entity for fifteen years followed by an equitable referendum to decide their ultimate future) be carried forward towards implementation. This formula alone can lead to a solution that is peaceful, just, democratic, honorable for all, and sustainable. Again, this solution holds the promise of bringing an end to the difficulties which India, Pakistan and Kashmir have faced over the past about seven decades.

The gist of my appeal:

The gist of my humble appeal to the peoples and governments of India, Pakistan, all the parts State of Jammu Kashmir, international community especially United Nations, relevant international human rights organizations, Groups of Independent States and to regional and international media is to let the State of Jammu Kashmir be re-united and to emerge as an independent political entity initially for next fifteen years. This independent State should have a democratic, federal (with Kashmir

Valley, Jammu, Ladakh, Azad Kashmir and Gilgit Baltistan as its five provinces) and secular (non-communal) system of government, having friendly relations with all countries especially with its immediate neighbors, particularly with India and Pakistan. This independent State of Jammu Kashmir should also facilitate holding of UN sponsored referendum fifteen years after its reunification. This divided state of Jammu Kashmir has since 1947 been under the control of India and Pakistan. The time period of at least fifteen years is required for the people to also taste the rights and wrongs of sovereignty and to compare the merits and demerits of independence of the State with those of accession to India or to Pakistan because only then could they be able to pin point the best possible solution of Kashmir issue for themselves and for their future generations.

To begin with the process of plebiscite, let there be a referendum between complete independence of the State and its accession to India or Pakistan (without explaining to India or to Pakistan). If the majority goes for independence (i.e. if independence gets more than the total number of votes received by Pakistan and India put together), all the concerned parties to the issue (India, Pakistan, International community and the people of all the parts of the Jammu Kashmir State) shall accept the popular verdict and Jammu Kashmir State should be accepted as an independent and sovereign State for all times to come. But if the majority goes for accession, a second ballot shall be held between the accession of the State to Pakistan or to India, and whoever gains the majority of all the votes cast by the people of whole State be declared as the winner. This two-tier referendum is the best way to pin-point the real majority in a case like Kashmir issue where there are three candidates (i.e. Complete Independence of the State, Accession of the whole State to Pakistan and Accession of the whole State to India) in the run.

For making the UN supervised plebiscite more effective and fruit bearing, two things will have to be adhered to: i). the voters during both the two phases will have to be given full freedom in making their choice between independence, accession to India and accession to Pakistan and ii). Whatever may be the decision of the majority of the voters of entire State of Jammu Kashmir, it must be considered as permanent, final and unquestionable for all times to come and the losing parties will have to accept the decision with their hearts open.

In conclusion:

Before concluding my humble request, let me repeat the undeniable fact that the Kashmir issue can be solved within a month, if India, instead of unduly creating hurdles in the way, concedes their fully deserved and promised right of self-determination to Kashmiri people, if Pakistan agrees to withdraw its armed forces from the State of Jammu Kashmir, if United Nations tries harder to make India and Pakistan fulfil their promises previously made to the people of Jammu Kashmir and above all if political leaders, political parties, writers, media men, intellectuals, students and poets etc. of Jammu Kashmir State act like real Kashmiri patriots instead of defending national interests of India and Pakistan at the cost of their own national interest. With so much to gain for all the stake holders in solving the issue, and so much to lose by letting the issue go unresolved, only an extremely selfish, narrow minded and, I am sorry to say, an insane person or nation only would refuse to comply with such a peaceful, equitable, honorable, practicable, just and everlasting solution of the issue. **As such I would repeat my prayer to Almighty God (Parmatma) that all of us be guided by selflessness, far-sightedness, large heartedness, by principles of justice and by human and humanitarian values.** (Ameen)

Requesting all the addressees to acknowledge the receipt of the appeal with their comments on the subject matter and thanking them all,

Theirs faithfully,

(Amanullah Khan)
Patron-in-Chief,
Jammu Kashmir Liberation Front (JKLF).

(Note: Sorry for using stamp for my signature as my right hand is almost paralyzed)

For those receiving copies of the appeal and the covering letter:

Sir/Madam,, your mention is on page no., under item no. and at serial no. Please go through my appeal and the facts mentioned in the preceding paragraph and act accordingly. Your point of view about our proposal shall be appreciated and awaited. Thanks.

Requesting all the addressees to acknowledge the receipt of the appeal with their comments on the subject matter and thanking them all.

Theirs faithfully,
(Amanullah Khan)
Patron-in-Chief,
Jammu Kashmir Liberation Front (JKLF)