RESOLUTIONS
ON
POLITICAL AFFAIRS
ADOPTED BY THE 36TH SESSION
OF THE
COUNCIL OF FOREIGN MINISTERS

DAMASCUS, SYRIAN ARAB REPUBLIC
28 JUMADU ALWAL – 1 JUMADU THANI 1430H
(23-25 MAY, 2009)
RESOLUTION NO. 2/36-POL
ON
THE JAMMU AND KASHMIR DISPUTE

The Thirty-Sixth Session of the Council of Foreign Ministers (Session of Enhancing Islamic Solidarity), held in Damascus, Syrian Arab Republic from 28 Jamadul Awal – 1 Jamadul Thani 1430 H (23-25 May 2009);

Reaffirming the principles and objectives of the Charter of the Organization of Islamic Conference and the UN Charter regarding the importance of the universal realization of the right of peoples to self-determination and recalling the UN resolutions relevant to the Jammu and Kashmir dispute which remain unimplemented;

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 Summit held in Casablanca in 1994 and Islamabad in 1997 and all previous OIC resolutions on the Jammu and Kashmir dispute 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;

Expressing concern at the indiscriminate use of force and gross violation of human rights committed against innocent Kashmiris, and urging India to allow the OIC fact-finding mission to visit Indian occupied Jammu and Kashmir and respond favorably to the offer of a Good Offices made by the OIC;

Taking note of the indigenous uprising in Indian occupied Kashmir in July 2008, ignited by Amarnath Shrine land issue and also expressing concern at the indiscriminate use of force against the Kashmiris protesting against the economic blockade by the extremist elements of Jammu leading to shahadat of several Kashmiris;

Noting with regret the Indian attempt to malign the legitimate Kashmiri freedom struggle by denigrating it as terrorism and appreciating that the Kashmiris condemn terrorism in all its forms and manifestations;

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

Regretting that following the Mumbai incident, India has put a ‘pause’ on the Composite Dialogue;

Encouraging and supporting Pakistan’s commitment to settle all issues between Pakistan and India including the issue of Jammu and Kashmir, in a sincere and purposeful manner;
Expressing the hope that the peace process between India and Pakistan would resume soon and become result-oriented in addressing all outstanding issues including the issue of Jammu and Kashmir;

Acknowledging that the Kashmiris are the principal party to the Jammu and Kashmir dispute and that they must be associated with the Pakistan-India dialogue process;

Appreciating the timely and substantive response for relief and rehabilitation by the Government of Pakistan, OIC Member States, OIC Secretariat and the international community after the devastating earthquake that struck Jammu and Kashmir and parts of Pakistan on 8th October 2005;

Expressing Support for the work of the Special Representative of the OIC Secretary-General on Jammu and Kashmir and hoping that it would facilitate implementation of OIC’s decisions on Jammu and Kashmir and early resolution of this dispute;

Taking note of the Report of the Secretary General on the Jammu and Kashmir dispute;

1. Calls for a peaceful settlement of the Jammu and Kashmir issue in accordance with the relevant UN Resolutions and as agreed upon in the Simla Agreement.

2. Calls upon India to respect the human rights of Kashmiris and cease forthwith the gross and systematic human rights violations.

3. Further calls upon India to allow international human rights groups and humanitarian organizations to visit Jammu and Kashmir.

4. 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 Kashmir as provided in the relevant Security Council Resolutions and reaffirmed in the Millennium Declaration of the UN General Assembly.

5. Supports the ongoing efforts of the Government of Pakistan to seek a peaceful resolution of the Jammu and Kashmir dispute through all possible means including substantive bilateral talks with India in accordance with the will of the people of Jammu and Kashmir.

6. Appeals to the Member States, OIC and other Islamic institutions, such as the Islamic Solidarity Fund and to mobilize funds and contribute generously towards providing humanitarian assistance to the Kashmiri people, and request 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.
7. Calls for the expeditious implementation of the recommendations contained in the reports of the two OIC Missions led by Ambassador Ezzat Kamel Mufti, Secretary General’s Special Representative on Jammu and Kashmir in March 2007 and in September 2008 to Pakistan and Azad Kashmir to prevail upon India to sincerely strive for peaceful resolution of the Kashmir dispute and reciprocate the initiative taken by Pakistan.

8. Urges the Government of India, in the interest of regional peace and security to avail itself of the offer of Good Offices made by the OIC and also allow the OIC Fact Finding Mission to visit the Indian occupied Jammu and Kashmir.


10. Recommends that Member States continue to coordinate their positions in international fora and mandates the OIC Contact Group on Jammu and Kashmir Group to meet regularly along side the session of the UN General Assembly, the UN Human Rights Council and the Sub-Commission on Prevention on Promotion and Protection of Human Rights as well as the OIC Ministerial meetings.

11. Recommends that for a meaningful and effective role in the dispute the Secretary General should take all measures possible to take up the matter with the Indian Government to facilitate the visit of an OIC Mission to the Indian held Jammu and Kashmir.

12. Decides to consider the Jammu and Kashmir Dispute at the 37th Session of the CFM.

13. Requests the Secretary-General to follow up the implementation of this resolution and to submit report thereon to the 37th Session of the Council of Foreign Ministers.

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RESOLUTION NO.3/36-POL
ON
THE PEACE PROCESS BETWEEN INDIA AND PAKISTAN

The Thirty-Sixth Session of the Council of Foreign Ministers (Session of Enhancing Islamic Solidarity), held in Damascus, Syrian Arab Republic from 28 Jamadul Awal – 1 Jamadul Thani 1430 H (23-25 May 2009);

Guided by the principles and purposes of the UN as well as OIC Charter;

Recalling the OIC Summit and Ministerial Resolutions on the Security and Solidarity of Islamic States and the relevant OIC Declarations and Resolutions expressing solidarity with the Islamic Republic of Pakistan and support for the just struggle of the Kashmiri people for their fundamental human rights, including the right of self-determination;

Recognizing the centrality of the issue of Jammu and Kashmir between Pakistan and India and the need for seeking a durable and just solution to the satisfaction of both Pakistan and India as well as the people of Jammu and Kashmir;

Expressing disappointment on the Indian decision to put a ‘pause’ on the Composite Dialogues process;

Strongly urging India to resume the Composite Dialogue process;

1. Strongly supports the efforts of the Government of Pakistan for a peaceful resolution of the Kashmir dispute and urges India to enter into a meaningful and sustained dialogue process with Pakistan to resolve all outstanding issue including the core issue of Jammu and Kashmir.

2. Supports various confidence-building measures taken by both Pakistan and India including on peace and security, covering both conventional and non-conventional fields, promotion of people-to people contacts, cultural exchanges and bilateral trade.

3. Urges the need for the continuation of the ceasefire along the Line of Control (LoC) in Jammu and Kashmir, maintain Kashmir related CBMs to promote interaction amongst the Kashmiri people and requests Pakistan and India to consider enhancing the role of UNMOGIP and other impartial observers along both sides of the LoC to further strengthen the existing CBMs as well as those related to the disputed area of Jammu and Kashmir.

4. Calls on India to resolve all disputes, including Jammu and Kashmir, Siachen, Sir Creek and river waters on the basis of international legality and past agreements.

5. Calls upon the international community including the United Nations to closely monitor the situation inside the Indian occupied Jammu and Kashmir and the dialogue process between Pakistan and India.
6. **Requests** the Secretary-General and the OIC Contact Group on Jammu and Kashmir to remain seized of the developments of the situation and to submit report thereon to the 37th Session of the Council of Foreign Ministers.

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