



OIC/CFM-40/2013/POL/RES/FINAL

***Resolutions
on Political Affairs
Adopted by the 40th Session of the Council of
Foreign Ministers
(Session of Dialogue of Civilizations, Factor for
Peace and Sustainable Development)***

Conakry, Republic of Guinea

***06 – 08 Safar 1435h
(09 – 11 December 2013)***

RESOLUTION NO.1/40-POL
ON
THE JAMMU AND KASHMIR DISPUTE

The Fortieth Session of the Council of Foreign Ministers, (Session of Dialogue of Civilizations, Factor for Peace and Sustainable Development), held in Conakry, Republic of Guinea, from 06 to 08 Safar 1435H (09-11December 2013),

Reaffirming the principles and objectives of the Charter of the Organization of Islamic Cooperation 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 Summits 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 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 Fact Finding Mission to visit Indian-occupied Jammu and Kashmir or responded favorably to the offer of a Good Offices made by the OIC,

Taking note of the report of Mr. Christof Heyns, Special Rapporteur on Extrajudicial Summary or Arbitrary Execution presented during the 23rd Session of the UN Human Rights Council expressing concern at the extra judicial execution, enforced disappearances, death due to excessive use of force, fake encounters, 2700 unmarked graves containing 2493 and wild ranging powers to the armed forces in respect of using lethal force in various instances,

Regretting the travel restrictions imposed on the Kashmiri leadership due to non-issuance of travel documents,

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,

Expressing the hope that the dialogue between India and Pakistan will be substantive and 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,

Expressing support for the work of the Special Representative of the OIC Secretary General on Jammu and Kashmir and hoping that it would facilitate the implementation of OIC's Resolutions on Jammu and Kashmir and the early settlement of this dispute,

1. **Calls for** a peaceful settlement of the Jammu and Kashmir issue in accordance with the relevant UN Resolutions;

2. **Calls upon** India to cease forthwith the gross and systematic human rights violations of the Kashmiri people;

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

4. **Expresses** concern at the execution of Mr. Afzal Guru in complete secrecy in Tihar Jail, New Delhi, on 9th February 2013 who was not provided access to adequate legal counsel and dead body of whom was not handed over to the relatives and buried in the jail premises;

5. **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;

6. **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;

7. **Requests** the Secretary General to send a delegation comprising representatives of IDB, ISF, and ISESCO led by Ambassador Abdullah Abdul Rahman Alim to visit Azad Jammu and Kashmir and to assess their needs and find more practical and effective measures to help the people of Kashmir.

8. **Calls for** the expeditious implementation of the recommendations contained in the reports of the **three** OIC Missions led by Ambassador Ezzat Kamel Mufti, Secretary General's Special Representative on Jammu and Kashmir in March 2007, September 2008 and Ambassador Alim in April 2011 to Pakistan and Azad Kashmir to prevail upon India to sincerely strive peaceful resolution of the Kashmir dispute and reciprocate the initiative taken by Pakistan;

9. **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. **Further urges** the Government of India to allow an impartial investigation of unmarked graves in Kashmir and calls for the need to secure the sites of those graves and conduct investigations by impartial forensic experts in order to determine their identities;

11. **Expresses** concern at the frequency of cease-fire violations by the Indian occupation forces from across the Line of Control since the beginning of 2013 while appreciating that Pakistan is following the policy of restraint, responsibility and dialogue in the larger interest of peace in the region;

12. **Requests** the OIC Secretary General to urge upon the Government of India to remove the restrictions imposed upon the Kashmiri leadership to facilitate their travel abroad;

13. **Requests** the OIC Secretary General also to compile a report on human rights violations in the Indian-occupied Kashmir as soon as possible;

14. **Requests** the OIC Independent Permanent Human Rights Commission (IPHRC) to establish a standing mechanism for monitoring the human rights situation in the Indian-occupied Kashmir and present the report thereon to the subsequent session of the Council of Foreign Ministers;

15. **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 on the sidelines of session of the UN General Assembly, the UN Human Rights Council and UN Sub-Commission on the Promotion and Protection of Human Rights as well as the OIC Ministerial meetings;

16. **Reiterates** its recommendation that for a meaningful and effective role in the Kashmir dispute, the Secretary General should dispatch a formal request to the Government of India to facilitate the visit of an OIC Mission to the Indian-occupied Jammu and Kashmir;

17. **Decides** to consider the Jammu and Kashmir Dispute at the next Session of the CFM;

18. **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.

**RESOLUTION NO.2/40-POL
ON
PEACE PROCESS BETWEEN INDIA AND PAKISTAN**

The Fortieth Session of the Council of Foreign Ministers, (Session of Dialogue of Civilizations, Factor for Peace and Sustainable Development), held in Conakry, Republic of Guinea, from 06 to 08 Safar 1435H (09-11December 2013),

Guided by the principles and purposes of the UN as well as OIC Charters,

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,

1. **Strongly supports** the efforts of the Government of Pakistan for a peaceful resolution of the Kashmir dispute and **urges** India to remain engaged into a meaningful and sustained dialogue process with Pakistan to resolve all outstanding issues 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, the promotion of people-to people contacts, cultural exchanges and bilateral trade,

3. **Expresses** concern at the frequency of cease-fire violations by the Indian occupation forces from across the Line of Control since the beginning of 2013 while appreciating that Pakistan is following the policy of restraint, responsibility and dialogue in the larger interest of peace in the region,

4. **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 among 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;

5. **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;

6. **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;

7. **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 41st Session of the Council of Foreign Ministers.
