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**Political Resolution adopted by the Central Working Committee of the Jammu and Kashmir National Conference**

**(2<sup>nd</sup> November, 1994 at Jammu)**

Our hearts and minds are full of anguish and pain over the unprecedented violence that has ravaged the Jammu and Kashmir State during the past five years.

Kashmir has suffered the tragedy of death and destruction worst in its history and our hearts go out to the countless families who lost their dear ones often without anyone around to console them. They died in their thousands in an atmosphere of fear, uncertainty and extreme repression.

We feel anguish deep down our hearts!

It is extremely painful to go into the unfortunate events of human rights violations during the past five years. The question of human rights violations in Kashmir at the hands of para-forces has been taken notice of by the Central Government in some measure and punishments have also been awarded in certain cases. We, however, feel that there is need for a high-level Commission of Enquiry to look into all kinds of human rights abuses committed during these years of turbulence.

The militants who resorted to innocent killings, extortions, kidnappings and other forms of excesses against the people, will remain before the bar of people. They cannot go unpunished.

Our hearts go out to those sons and daughters of Kashmir who had to leave their home and hearth for no fault of theirs and became migrants particularly the Kashmiri Pandits. The hardships that the migrants have suffered during these years of turbulence is a record by itself. We, however, feel confident that conditions shall soon be created to facilitate the return of the migrants to their home and hearth with dignity and honour.

It is a matter of concern to us that a sizeable number of detainees are languishing in jails in and outside the State without trial. A fair and just mechanism needs to be created to ensure early release of those persons who are innocent and also those who are not involved in serious offences.

The turbid gloom of hopelessness experienced by the people of the State during these years of strife was however pierced by a glimmer of light from Jammu when it opened its arms wide to receive both Hindus and Muslims with equal care and compassion. Jammu sustained this stance of togetherness and showed its inner vitality of and culture for secular ideals. Today, we feel pleasure in saluting the people of Jammu for their historic role!

The administration in the State has continued to remain insensitive and non-responsive to the needs of the people all these years. The corruption, red-tapism and other mal-practices have become an all-pervading phenomenon and it is agonising to find the people of the State fighting against these social evils rather helplessly.

While Jammu and Kashmir is crying for a political transformation, much is not possible without Union of India being clear on the dimensions of the tragedy that has befallen Kashmir. It has also to be clear on what needs to be done. Sense of urgency has also to be there.

The armed militancy promoted by the signatory to Simla Accord, Pakistan, has caused a deep tragedy in Kashmir. The loss of life and property is enormous and it is certainly not possible to express its dimensions in precise terms. But, the insecurity and uncertainty created by the gun-culture have robbed Kashmir of its very soul!

But, there is another side to the picture.

Government of India can squarely be blamed for alienating people of Kashmir from the mainstream. The constitutional relationship that had so assiduously been built by the leadership of the Jammu and Kashmir National Conference and an agreement to that effect signed in July 1952, was gradually destroyed by Delhi's power-elite itself. The tragic situations that occurred in 1953, 1984 and 1990 (to mention only a few) could simply be characterised as milestones in the path of the Centre's mistrust towards the people of Kashmir.

Government of India must take the primary responsibility for what has gone awry in Kashmir. Having done that, it has to take bold initiative and the first step in this direction would be to treat current Kashmir situation as a political crisis to be resolved through political instruments. Kashmiris cannot be left to be tackled by the army and para-military forces for it is essentially no law and order problem.

We wish to remind Government of India at this crucial juncture that the people of the State acceded to India on the basis of shard principles. The constitutional relationship as envisaged under Article 370 of the Constitution of India got strengthened by the Agreement, signed in 1952 between the Jammu and Kashmir State and the Union of India, popularly known as The Delhi Agreement. But, subsequently this relationship got impaired as the Union of India did not abide by its commitments resulting in the erosion of the autonomy.

The time has come when this state of affairs should be reviewed in order to restore autonomy to its pristine and original form. Government of India can in no case win the confidence of the people of Jammu and Kashmir unless autonomy is restored to the State. That is absolutely necessary for a harmonious constitutional relationship in future. This will also be in consonance with the spirit of the Union's unambiguous, constitutional measure of granting special status to the Jammu and Kashmir State.

We also consider it necessary to emphasize that there has to be a credible system of guarantees governing the constitutional relationship between the State of Jammu and Kashmir and the Union of India.

While we have made our position clear on the question of the basis for future relationship, we want to emphasize that there can be no compromise on the question of the integrity of the State.

We also reiterate our position that all the three regions, Jammu, Kashmir and Ladakh must enjoy autonomy within a broader political structure that will be devised for the State. Not only this, within the three regions, genuine aspirations and interests of different ethnic and cultural identities shall have to be safeguarded. It is nothing new for National Conference. As early as 17<sup>th</sup> April, 1953, the then President (and the Prime Minister) of Jammu and Kashmir National Conference, Sheri-i-Kashmir Sheikh Mohammad Abdullah, had made it abundantly clear in a recorded statement that National Conference always considered religious and regional bias a crime and that the mere thought of domination of one region over the other was an abominable act. He had then also asserted that the autonomy to each one of the regions would be woven into the State's Constitution which was then under preparation. He was not allowed to see that happen as he was dismissed and arrested on August 9, 1953.