

**Pak Occupied Kashmir: A Trade Unionist Perspective**

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The paper seeks to discuss the legal and constitutional status of the territories of Pakistan Occupied Kashmir, and the people who live in these territories i.e., Azad Kashmir and Gilgit Baltistan.

It tries to situate the Kashmir Crisis in the context of the global crisis of the system of capital, now revealed in all countries—those of western capitalism, those of the so-called 'third world' and those of the ex-USSR and Eastern Europe.

**The Rule of Capital**

After the end of the Second World War, agreements were reached between the leaders of the former USSR and the west, which gave a new, if temporary lease of life to capital. And in those countries where the people demanded, fought for and won their independence from western colonisation, such 'independence' can now be seen to be the continued rule by the western capitalist colonisers through puppet, and often despotic governments.

Under the hegemony of US imperialism, which emerged at the expense of its European rivals, as the dominant capitalist power, the ruling class, in the big capitalist countries was able to come to a relative modus vivendi with the official leaderships of the working-class movement. In the colonial and semi-colonial countries the nationalist leaders of mass movements against imperialism were largely bought off and the people thrown on the mercy of the World Bank and the International Monetary Fund.

**The Crisis is Global**

After 50 years of 'development plans' and the like launched by the World Bank and cognate bodies, the situation gets worse not better.

Towards the end of 1994, the UN issued a series of figures produced as part of the preparation for a World Summit of Social Development held in March 1995. They reveal that of the world's 5.6 billion people, one in five live in poverty, defined by the UN as those in receipt of an income below \$275 per year. Over 1.5 billion lacks access to clean drinking water or basic sanitation. By the end of 1995 half a billion people went to sleep hungry each night and on the basis of present trends, a further 200 million people in the colonial countries alone will be plunged into grinding poverty by

the end of the century. Of the Planet's nearly 3 billion labour force there are 120 billion people actively looking for work- but in the great majority of cases without result or hope.

What is particularly striking about these data is that although, not surprisingly, poverty is concentrated in the colonial and semi-colonial countries, it is growing rapidly in North America and western Europe, where one in six currently live below the poverty line.

Despite claims by both parties in the recent elections in the United States, that they will be legislating a bright future for all, the truth is that millions of ordinary people are becoming alienated by these parties of big business, as wealth distribution patterns rapidly resemble those of the 'third world'. According to the US Congressional Budget Office, the wealthiest 1 percent of US families increased their after tax-profits by 91 percent from 1977 to 1992.

At the same time the poorest 20% of families dropped by 17% in income, while income stagnated for middle-income families during the same period. The Centre for Budget Policies Priorities also reported that in 1992 the income of the top 1 per cent of American families (2.5 million people) equalled that of the bottom 40% (100 million people). The 1992 survey by the Urban Institute found that 4 million low-income children under age 12 in the US go hungry, at least for some parts of the year. Another 9.6 million are at high risk of experiencing hunger.

Technical changes in production, dominated as they are by the needs of capital, far from bringing the 'affluent society' are destroying jobs in the 'rich' and the 'poor' countries alike. The following illustrations may substantiate the hypothesis:

- In the United States newspaper workers in Detroit have been on strike for a year and Mexican truck drivers in Los Angeles took strike action and formed their own union.
- In Bangladesh the National Garment Workers Federation for over a year has carried out a campaign for a day off each week for the 1.5 million workers in that industry, which creates 95 % of that country's exports; and from 1 November decided democratically to take each Friday off despite the resistance of employers and politicians alike;
- Despite the four-year war the Bosnian miners took strike action in defence of jobs and wages, and Russian miners started an all-out strike on 5 November against the non-payment of their wages.

And there are many, many more examples of the fight-back of workers and their allies in defence of rights and for the future of their children and grandchildren.

## **Kashmir**

These facts exemplify not a series of discrete 'area' problems, but the contradictions of post-war capitalism as a whole. The system's overall crisis, in other words, is the real context of what appear as particular local problems. This is true of Kashmir.

On 12 August this year, the ITUSC General Secretary, Keith Standing (the author) presented the case drawn up by the Kashmir International front to the UN Sub Commission on Human Rights in Geneva in the following terms:

‘My purpose is to draw the attention of the world community towards the situation in Pakistan and especially Pakistan-occupied Kashmir, which Pakistan give the names as ‘Northern Areas’ and ‘Azad Kashmir’.

It is great shame, though not surprising, that those who demand a particular kind of behaviour from others are themselves guilty of having a contrary manner. Pakistan blames India for violating various rights of the Kashmiris in the territory under her control. In local, national and international forums Pakistan demands that India should vacate this territory. Pakistan also gives a religious tinge to an issue that is essentially political. Yet Pakistan itself denies to the Kashmiri people, resident in territories under its control, all those rights that it demands for them in India! The population of Gilgit Baltistan is a case in point.

“In this region the population is part of that humanity which has its identity submerged in the political machinations between India and Pakistan. It is almost impossible to call them ‘a people’ because, for all practical purposes they are disenfranchised; dispossessed even of the rights they enjoyed as subjects of the Dogra rulers; they are deprived of any economic development lest such progress should give them a tongue.”

We spoke to the human rights sub-commission, giving the facts of repression and deprivation with which those at this seminar are only too familiar. Our main purpose was to condemn the sham election, which took place in the month of June this year in Azad Kashmir. The candidates who represent the majority of the people refused to sign a loyalty oath to the Pakistan State and were barred from contesting the election. The people staged a peaceful protest and as a result hundreds were detained and tortured. This sham election took place in only 4,000 square miles of territory, whereas the people living in 28,000 square miles of territory in the ‘Northern Areas’ were not even included in this farcical election. On 22<sup>nd</sup> June thousands of people peacefully protesting in defence of their indigenous rights and demanding restoration of fundamental democratic and constitutional rights were fired upon by the occupying Pakistani forces. Dozens were killed and injured. Hundreds were illegally detained.

The number illegally arrested was so high that the army barracks had to be used, and after weeks of torture some were released, but dozens of the top and most popular leaders were transferred to Chellas prison while others remained in Gilgit. Both of these prisons are situated within ‘Northern Areas’ where there is no right of judicial petition (habeas corpus) to challenge illegal detention. After one and a half months of illegal detention, they were charged with high treason and released. How can a land covered by no constitutional rights have charges, let alone punishment for high treason?

Further repressive measures have been taken by the authorities to ban trade union rights. It is mainly through these trade unions that the people have been raising their voice for civil liberties and human rights. It is matter of high concern that by banning the trade unions the Pakistani government has breached the ILO conventions 87 and 98 to which it is a signatory.

But in Pakistan, extra-judicial killings, tortures, state-sponsored and private terrorism are becoming the culture of the society. This is not limited to the occupied territories. Trade union and democratic rights are also under attack in Pakistan itself. The arrest and detention of Mr. Abdul Aziz Memon, Secretary General of the United Bank Employees and seven other leading members of that union is an example of the acts of terror by the military-feudal alliance against anyone who dares to oppose it. In this case the union was acting in defence of 3,000 employees of the United Bank who were dismissed.

We also know of the brutal treatment of the minority Mohajir Nation in Sindh, southern Pakistan by the brutal government.

The army has ruled Pakistan directly for 24 years of the 49 years since 'independence' and has remained heavily involved in politics during the whole period. Now, we witness and condemn the 'constitutional' coup in Pakistan, backed by the army, dismissing the elected government and replacing it with a non-elected caretaker government. Notwithstanding the flagrant and brutal abuses of trade union and other human rights by the government of Pakistan against its own people and the citizens of occupied Kashmir, we strongly condemn the coup. The military-feudal alliance, which has ruled Pakistan since its 'independence' has all too willingly done the bidding of imperialism. The Bhutto Government was no exception, carrying out the policies dictated by the IMF and the World Bank. But this military-feudal alliance can only be replaced by a democratic and representative government through the action of the people themselves through their own mass organisations. Therefore we see this coup as depriving the people of their democratic rights.

### **Unity of the People in the Whole Region**

The ITUSC was greatly encouraged that the Kashmir International Front was able to bring together representatives from the whole region, including India, Pakistan and Kashmir in the discussions and actions in support of democratic rights in Kashmir. We do not visualise that the problems inflicted on the ordinary people by military juntas, fundamentalist regimes or bourgeois governments can be overcome in their separate parts. These forms of administration are all willing tools of imperialism, which impose barbarism on the people everywhere.

In supporting and acting on the demand for free and unfettered elections in the whole of Pakistan-occupied Kashmir, the release of all political prisoners and the democratic right to independent trade unions for all, we believe that these aspirations can ultimately only be achieved through joint solidarity action of the people in the whole sub-continent.

We believe that a programme of action to take forward workers' international solidarity is vital to combat the growing crisis of world capital and its effects on millions of people around the globe. In our own self-organisation and action we workers can build today what humanity needs for tomorrow. It is from that point of view that we unconditionally support the demand for the democratic right to elections in Pakistan-occupied Kashmir, as an alternative to conflict.

