



INTERNATIONAL CONFERENCE ON "RE- THEORIZING THEORY OF SELF-DEFENCE



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LFOVK

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ABOUT IICR



Islamabad Institute of Conflict Resolution (IICR) is an autonomous, independent research based think tank which believes in ethics of research. Regular research is conducted with the aim of a deep and insight based analysis in order to resolve various issues associated with peace and conflict at the domestic, regional and international level. IICR has a vibrant team of experts, researchers and scholars who have immersed themselves to make the purpose a success.

Mission

Apart IICR believes in conducting in-depth research keeping research ethics into consideration. Our mission is to conduct an independent and unbiased research to propose sound solutions and policy recommendations to deal with humanitarian and security challenges of Pakistan and the region. In addition, we are closely monitoring China Pakistan Economic Corridor (CPEC), its progress and its implications for not only Pakistan but for the whole region.

Goals

- a) To conduct in-depth research on issues concerning Pakistan.
- b) To identify key areas of cooperation especially in the field of security.
- c) To document, disseminate and strengthen peace and conflict resolution efforts through analytical discourse.
- d) To identify, articulate and evaluate conflict issues through research and other academic pillars i.e. round-tables, workshops, seminars, and conferences.
- e) To promote post-conflict rehabilitation while initiating and contributing to local, national, and regional peace and conflict transformation initiatives.
- f) To remain committed to promote core social values, as well as public awareness and practice of constructive conflict resolution.
- g) To enhance socio-economic and security environment through informed dialogue, and debate on key issues.
- h) To critically analyse Pakistan's political, socio-economic and foreign policy challenges and to support efforts to integrate the country.
- i) To integrate youth in research work particularly to conflict resolution and making peace efforts.
- j) To secure friendly and cooperative international system, &
- k) To present actual positive image of Pakistan.

Publications

Monographs, Annual Reports, Monthly Briefs, Special Reports, and Weekly Rundown

ABOUT LFOVK



THE LEGAL FORUM FOR OPPRESSED VOICES OF KASHMIR (LFOVK) IS AN INTERNATIONAL, NON-VIOLENT, AND LEGAL ORGANIZATION. ITS MEMBERS ARE INDIGENOUS PEOPLE OF THE OCCUPIED TERRITORY IN JAMMU AND KASHMIR. THE AIM OF THE ORGANIZATION IS TO DEFEND THE POLITICAL, SOCIAL AND HUMAN RIGHTS OF KASHMIRIS AND TO PROMOTE THE UN SANCTIONED RIGHT OF SELF-DETERMINATION. IN TODAY'S WORLD, THE NOTION OF CONFLICT RESOLUTION NECESSITATES THAT THOSE WHO CONTINUE TO BE DENIED THEIR RIGHTS OR REMAIN EXCLUDED BE GIVEN AN OPPORTUNITY TO PRESENT THEIR CASE. UNFORTUNATELY, IT REMAINS THE CASE THAT KASHMIRIS THEMSELVES CONTINUE TO BE MARGINALIZED, EVEN INVISIBILISED, IN MOST DISCUSSIONS OR NARRATIVES ON THE CONFLICT. LFOVK HAS, THEREFORE, BEEN ESTABLISHED TO FILL THE GAP, PROVIDING AN INTERNATIONAL FORUM THROUGH WHICH ITS MEMBERS CAN BECOME EFFECTIVE PARTICIPANTS AND CONTRIBUTORS IN THE INTERNATIONAL COMMUNITY. LFOVK WORKS TO ADDRESS THE CONSEQUENCES OF MARGINALIZATION, WORKING WITH ITS MEMBERS



“Re- theorizing Theory of Self Defense”

Concept Note

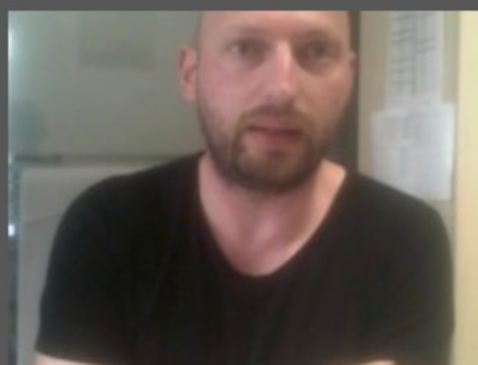
The International Military Tribunal at Nuremberg held that aggressive war is the "supreme international crime". That was affirmed by the United Nations and upheld in many legal decisions. Nazi leaders argued that they acted only in self-defence against a presumed attack by the Soviet Union. Their justification for mass murder was rejected and responsible leaders were hanged after a fair trial.

Article 2(4) of the United Nations Charter defines that "All members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations.

The Charter of the United Nations was thought to establish a normative order, maintain international peace and security. According to the Article 51 of the Charter of the United Nations “Nothing in the present Charter shall impair the inherent right of individual or collective self-defence if an armed attack occurs” However the Article 51 does not propose a legal definition of the conduct which is considered as an armed attack or the commencement of such an attack. It does not propose strict criterions for the use of force for self-defence. As a result different interpretations of this norm have been arising and continuing to change in response to new situations and threats.

Colonial occupiers like India & Israel are claiming a “right” to defend themselves from the resistance of Kashmiris & Palestinians, including by committing mass murder.

The idea that both imperial land grabbers have the right to terrorise, brutalise, torture and murder those whose land they steal under the rubric of “self-defence” flies in the face of UN General Assembly Resolution 37/43 of 1982 which recognised “the legitimacy of the struggle of peoples for independence, territorial integrity, national unity and liberation from colonial and foreign domination and foreign occupation by all available means, including armed struggle”. That resolution specifically reaffirmed this right in the case of the Palestinian struggle



Summary

The Webinar was scheduled to start at 2000 hrs PST. Ms. Dina Abraham moderated the session. Ms. Sabah Aslam, founder Islamabad Institute of Conflict Resolution (IICR), gave her welcoming remarks. Mr. Nasir Qadri, founder Legal Forum of Kashmir (LFOVK) gave his concluding remarks.

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Social Media outreach

Speakers Profile



Assoc.Prof.Dr. Mevludin IBISH

Mevludin IBISH was born in Skopje. He finished his undergraduate studies at the Faculty of Law, Department of Political Sciences at St. Cyril and Methodius University in Skopje, North Macedonia. He obtained his master degree from Bologna University, Faculty of Political Sciences, in Italy and his doctorate degree in the Faculty of Law, University of Novi Pazar, in Serbia.

Mevludin IBISH has won several scholarships during his studies such as: Central European Initiative scholarship, MAE scholarship and five other scholarships received from the Ministry of Education in North Macedonia for his bachelor and master studies.

Since 2010, he has been working at International Balkan University, initially as an assistant (2010-2015) and then as an Assistant Professor (2015-2020). In April 2020, he was given the title Associate Professor at International Balkan University. At this same university, he has acted as vice-Rector (2015-2016).

Currently he is a full-time lecturer at International Balkan University, department of Political sciences, and was a part-time lecturer at Sabahattin Zaim University in Turkey, department of Political sciences and International relations (2015-2020).

His research and analysis expertise is the Balkans and Turkey, with particular focus on the political history, political parties, civil society and the political systems. IBISH has published articles and reports on the political developments in the West Balkan countries and Turkey, and has conducted analyses on the development of euro-integrating policies, democratic processes, political culture, political leadership and political accountability.

He is a member of the scientific board of several scientific magazines, and a participant in the organization of scientific conferences as a member of organizing and scientific boards.

Since 2010 he acts as an advisor in the regional company Dauti and is a member of the executive board of the Albiz Foundation in Skopje since 2012.

He speaks several languages, is married and is a father of three children.



Mr. Ilan Pappé

Ilan Pappé is an expatriate Israeli historian and socialist activist. He is also a professor with the College of Social Sciences and International Studies at the University of Exeter. He was formerly a senior lecturer in political science at the University of Haifa. He is the author of *The Ethnic Cleansing of Palestine*, *The Modern Middle East*, *A History of Modern Palestine: One Land, Two Peoples*, and *Britain and the Arab-Israeli Conflict*.

Pappé is one of Israel's "New Historians" who, since the release of pertinent British and Israeli government documents in the early 1980s, have been rewriting the history of Israel's creation in 1948. He is a prominent supporter of the One State Solution envisaging one state for Palestinians and Israelis. To find out more about the author visit [Ilan Pappé's Exeter University Faculty Page](#).



Dr. Salma Malik

Dr. Salma Malik is an Assistant Professor at the Department of Defence and Strategic Studies, Quaid-I-Azam University, Islamabad, Pakistan. She specializes in the areas of Conflict and Security Studies, and South Asian Affairs. She is an alumnus of the Uppsala University, Sweden,

the Asia Pacific Center for Strategic Studies APCSS, Hawaii and Visiting Research Fellow, Sandia National Labs, New Mexico, USA. Besides being a member of IISS London, she is part of various for a such as the Regional Center for Strategic Studies, Consortium Of South Asian Think Tanks, Social Sciences Research Council, WISCOMP and WDN-USA.

Prior to joining QAU, she worked as a Research Officer at the Institute of Strategic Studies, Islamabad, Pakistan from June 1996 to August 1999. Her publications include an edited volume, “Pakistan’s Security Problems and Challenges in the Next Decade,” (October 2015). RCSS Policy Studies titled “Small Arms and the Security Debate in South Asia,” USIP co-authored study on “Mapping Conflict Trends in Pakistan,” besides articles in research journals, book chapters and monthly columns.

She has also been on the Visiting Faculty list of the Intelligence Bureau Directorate, National Institute for Management, Foreign Services Academy and has rendered lectures as a guest speaker at the National Defence University, Islamabad, PAF Air War College, Karachi, Naval War College, as well as Command & Staff College, Quetta, NUST and Fatima Jinnah Women University, Rawalpindi. In terms of educational qualifications, she holds an PhD in Defence & Strategic Studies, from the QAU, besides fellowships and certifications from abroad.



Dr. Ramzy Baroud

Ramzy Baroud is a US-Palestinian journalist, media consultant, an author, internationally-syndicated columnist, Editor of Palestine Chronicle (1999-present), former Managing Editor of London-based Middle East Eye, former Editor-in-Chief of The Brunei Times, former Deputy Managing Editor of Al Jazeera online. Baroud taught mass communication at Australia’s Curtin University of Technology, Malaysia Campus. Baroud also served as head of Aljazeera.net English’s Research and Studies department.

He is the author of five books and a contributor to many others; his latest volume is *The Last Earth, a Palestinian Story* (Pluto Press, London, 2018). His books are translated to several languages including French, Turkish, Arabic, Korean, Malayalam, among others.

Baroud has a Ph.D. in Palestine Studies from the University of Exeter (2015) and was a Non-Resident Scholar at Orfalea Center for Global and International Studies, University of California Santa Barbara (2016-17). Currently he is a Non-resident Senior Research Fellow at the Center for Islam and Global Affairs (CIGA), Istanbul Zaim University (IZU). He is also a Non-resident Senior Research Fellow at the Afro-Middle East Centre in Johannesburg, South Africa.

He is the author of five books: *Searching Jenin: Eyewitness Accounts of the Israeli Invasion* (Cune Press, Seattle, 2003); *The Second Palestinian Intifada: A Chronicle of a People's Struggle* (Pluto Press, London, 2006); *My Father Was a Freedom Fighter: Gaza's Untold Story* (Pluto Press, London, 2010); and *The Last Earth, a Palestinian Story* (Pluto Press, London, 2018). Baroud is also the co-author, with Samah Sabawi and Jehan Bseiso, of the poetry collection: *I Remember My Name* (Novum, 2016). Baroud's latest book is *These Chains Will Be Broken: Palestinian Stories of Struggles and Defiance in Israeli Prisons* (Clarity Press, 2020)

Conference Proceedings

On Monday June-7, Islamabad Institute of Conflict resolution (IICR) and Legal Forum for Kashmir (LFOVK) jointly organized an International online conference titled ***“Re-theorizing Theory of Self Defence”***. The conference was aimed at highlighting how settlers oppress the people under the rubric of Self Defense to pursue their criminal objectives in Kashmir and Palestine. The eminent speakers included Dr. Ilan Pappé, historian and writer, Dr. Ramzay Baroud, US-Palestinian journalist and media consultant, Dr. Salma Malik, Assistant professor Quai-e-Azam University and Dr. Mevludin Ibish, assistant professor International Balkan University. The session was moderated by Ms. Dina Abraham.

While speaking to the forum Dr. Ramzy Baroud said that Israel engaging in violence has been perpetual throughout the history. The asymmetry between Israel and Palestinians is unmatched yet Palestinians have registered their resistant and effected Israeli economy which Israel use to justify their atrocious acts upon Palestinians. He further added that it is to be understood that Israel is engaging itself in manipulation of terminologies to justify their acts as self defense. He said that Israeli doesn't have right to self determination or self defense. There is a factual basis of it that it is Palestine which is living under military occupation, it is Palestine which is facing horrors of ethnic cleansing for over 70 years. In Gaza people are living under Israeli siege for over 15 years, not just this thousands of people in Gaza have been killed and wounded severely. Then how come it is Israel who has right to self determination and self defense. Dr. Baroud also said that Israel is now facing criminal investigation of its actions in Palestine which is why they are coming up with similar claims of Self determination and self defense. Israel sees Palestinians as threatening and presents tailored narrative to justify its acts as self defense.

The next speaker on the panel was Dr. Ilan Pappé. While addressing the participants he said that it is time to reconceptualize international law and by inference also discuss the law of self defense. Adding more he said that the context in which international law was born and historical context under which it has shaped needs to be examined. The roots of international law are colonial. International law was not a product of discussion of a de-colonized world. it was colonial empires that laid the foundations of international law, said Dr. Pappé. Adding further he said that for centuries International law has worked as a vehicle to implement European imperial and colonial policies particularly in 17th century. The Palestinian and Kashmiri self defense is legitimate and

there shouldn't be any doubt about that. The Palestinian documents also refer to international legitimacy which is not set of rule but international consciousness. Dr. Pappé also said that through displacement and replacement, settlers are changing demography of Palestine and Kashmir and stripping indigenous people from their land. Lastly he said the meaning of de-colonization in 21st century should be the dismantling of settlers colonial institution's occupation and ethnic cleansing both in Kashmir and Palestine.

Dr. Salma Malik, while addressing the participants shared her thoughts on the fact that there has been a lack in indigenous discourses due to which we have to but western ideas. Adding further she said that the concept of Self-Defense is not how it is interpreted by the west today. Throughout the primitive times it has been there, Aristotle through the concept of just war and Cicero respectively defined self defense. She also said that Self defense is not preemptive and is actually defensive in nature anyone who is resorting to self defense is facing aggression and oppression from another entity. The contemporary understating of self defense under the light of League of Nations and United Nations has introduced more aspects to this phenomenon but with little application to be seen today. Addressing the Kashmir issue Dr. Salma said that Kashmir fully suffices the requirements of self defense where people are being stripped from their basic rights, where an occupier force is subjugating by all means the people of Kashmir and it has been happening since 1940's. it was interesting to see that international community was vocal on internet access but paid little or no heed to the fact that people were being persecuted and are still facing cultural and ethnic genocide through systematic means, this holistically defines what is important in the eyes of international community, Dr. Salma said.

The last speaker on the panel was Dr. Mevludin Ibish. While speaking he said that international law is not related to the question of state to state interests but it is related to Individual to state interests. It is so because the construction of the sovereignty of state is not based on state but its developed on individuals and civil society. adding more Dr. Mevludin said that the case of Israel and Palestine should not be only looked through the lens of International law but political context to is also crucial. The position of self defense which Israel is using to justify their acts on innocent people is targeted towards Hamas. Israel projects the case as it is between two political forces i.e. Hamas and Israel. As far as self defense is concerned it is legal for individuals and civil society. Dr. Ibish also said that the methodological shift is needed, and should be redirected towards

negotiations, which is more acceptable for the west. Lastly he added that even if peace and stability is brought it is not sure that there would be any discussion of two state solution because that has broader issues to be addressed. Palestinians have right to self defense, there shouldn't be any doubt on it.

The conference was then followed by question and answer session.

Preass Coverage



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IICR, LFOVK organize Int'l online conference "Re-theorizing Theory of Self Defence"

June 8, 2021

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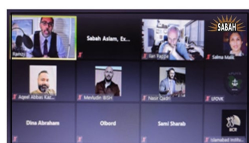


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پاکستان

جموں و کشمیر، فلسطین کے
عوام کو اپنے دفاع کا حق
حاصل ہے، ان لائن بین الاقوامی
کانفرنس میں ماہرین کی رائے

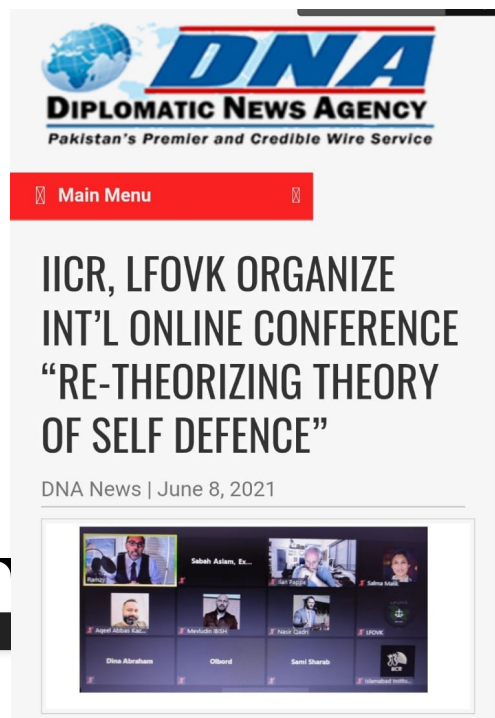
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Conference on Kashmir and Palestine held in Islamabad

The Islamabad Institute for Conflict Resolutions and Kashmir Law Forum held an international online conference titled "Rethorizing Self-Defense Theory".

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International online conference held on Kashmir, Palestine

June 8, 2021

Pakistan's Support to Kashmir, Palestian, World 0

