Proposed Solution of Kashmir Dispute

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ABSTRACT

Kashmir Dispute has been the bone of contention between the two neighboring countries; Pakistan and India. For a better understanding of the Kashmir issue, one must be well aware of the views of Pakistani and Indian governments regarding this dispute. After having a thorough understanding of the issue, this paper has tried to analyze the viewpoints of both governments. From the very beginning of the Kashmir Dispute up till now Kashmiri nation has been denied to participate in any form of negotiations for solving this decades long dispute. This research paper has tried to find out the view point of Kashmiri nation, as a strongest party to the Kashmir Problem. History about the Kashmir Conflict has been distorted so much that it has become enormously difficult for a common man to differentiate between the aggressor and the victim. This research paper tries to present a true and just picture of Kashmir Conflict by analyzing the viewpoints of all the three parties involved in this issue, namely Pakistan, India and Kashmiri people.

This paper also analyses different prospects of settlement and the existing options to resolve Kashmir Dispute. This paper makes an attempt to formalize a peace process named "Slow but Steady Process" to rid the Kashmiri people of the perpetual miseries and atrocities that they have been facing since 1947; and to save the people of the world from the constant threat of nuclear disaster.

HISTORICAL BACKGROUND

The British had maintained a relationship with 584 Princely states of India, regulating their foreign affairs and defense matters. On the eve of transfer of power, the British advised these princely states to accede to either India or Pakistan, keeping in view the wishes of their masses. Three Princely states had not made their choice until August

15, 1947: Hyderabad, Junagadh and Kashmir. The Muslim ruler of Junagadh, despite the predominant majority of Hindus, decided to accede to Pakistan in 1947. With the opposition among the populace to this move, the Indian army entered the State and conducted a plebiscite that favored its union with India. Similarly in Hyderabad, the Muslim ruler wanted to remain independent but the

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A major hindrance in the formation of an effective and consistent west policy on the Middle East is the varied stand of the EU member states on the conflict and also the traditional prejudices and partialities of the European with regard to the Arabs and the Israelis that the EU have not been to overcome. This makes it difficult for the EU to adopt common positions, for that member states are not often willing to accommodate one another points of view. The credibility of the MEPP needs to be restored by a renewed, concerted and sustained effort by the whole international power particular the EU, which has many interests at stake in this region, should participate actively and forcefully in such an effort. Europe however, it would not be a competitor of the US in the real sense in the contemporary world of the word. Europe's role would be mostly that of a balancer in world politics. Thus, the sensible thing is to highlight those areas where its contribution would make a difference and concentrated on them. Europe, for instance, can play an important role in helping to develop people-to-people contacts in the region, involving the civil society. Journalists, scholars, professionals, and other elite opinion making leaders should be invited and meeting be facilitated.

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commitment to observe the three principles laid out by the Council and the Quartet in their statements of 30 January. These principles were non-violence, recognition of Israel's right to exist and acceptance of existing agreements. The council urged the new Palestinian government to implement these three principles for these would further the Palestinian people's aspirations to peace and statehood.

Regarding to recent situation in Gaza Strip, the European Council adopted the following statement on 27 August 2014, which stated that the EU was seriously worried about the stalling the MEPP and proposed the imperative resumption of talks that should lead, to a two-state solution with an independent, democratic, contiguous and viable State of Palestine and the State of Israel living as neighbour in peace and security. It strongly welcomes the ceasefire which has been in place since 11 August and calls on all the parties concerned to agree on and abide by a durable ceasefire. A comprehensive peace, which is of primary concern for all the stake holders in the region and the EU, must be secured on the basis of the relevant with UNSC Resolutions 242, 338, 1397 and 1402, the principles of the Madrid conference, the Quartet's Roadmap for peace, Arab Peace Initiative and the agreements previously reached by the parties. The EU reconfirmed its support for contribute, together with the international community, to a lasting solution meeting the legitimate security, humanitarian and socio-economic needs of the Israeli and Palestinian peoples. ¹⁹ (The EU and the MEPP Statement no 140827/02)

CONCLUSION

The Middle East Peace Process between Israel and Palestine will always remain one of the most complex dilemmas facing by whole international community particularly the EU since First World War. Among the European countries, Britain and France have the longest history of involvement in the Middle East. The EU's consistent support MEPPsince 1980 for a negotiated two-state solution as the basis for a final and comprehensive settlement of the Israeli-Palestinian conflict has subsequently gained the support of the majority of the international community and, above all, since 2002, of the US. This is one of the major successes of EU diplomacy in the MEPP, particularly in influencing the evolution of US policy. 20 Keeping in views to the current situation in Gaza Strip, the EU is gravely worried about the delaying the MEPP and proposed the urgent resumption of talks that should lead, to a two-state solution. The EU reconfirmed its unendingsupport to a lasting solution meeting the legitimate security, humanitarian and socio-economic needs of the Israeli and Palestinian peoples. The seriousness of the current situation is a major test for the EU which again needs to put its full weight behind the search for a comprehensive resolution. However there are number of issues which must be dealt by the EU in order to solve the Israeli-Palestinian festering issue. These problems have developed since the inception of the conflict, and still present difficulties which have been yet to be resolved. Three of the most significant issues of the conflict are the fate of Palestinian refugees, the nature of the city of Jerusalem, and the issue of Israeli settlements in Palestinian territory. Any solution to the Israeli-Palestinian conflict will need to take these dilemmas into consideration and will require to adequately and successfully hammer out these problems.

many years ago. The earlier attempts to secure clear-cut recognition of a Palestinian state had been rejected by the US. The resolution was important not only in its contents, but also because it was the first American-sponsored resolution on the Middle East in a quarter century and heralded a shift in Washington's previously held position that the UN must not involve itself in the issue

The situation in the Middle East was discussed thoroughly at the Euro-Mediterranean Conference in April 2002. The EU consistently maintained that there was no military solution to the conflict, and it would continue to work with both parties to achieve a political solution to the conflict based upon UNSCR 242 and 338 and the principles of the Madrid Conference, Oslo and subsequent agreements. The EU reiterated that it upheld the objective of democratic, viable and independent state of Palestine and the peace plan of Saudi Crown Prince Abdullah were welcomed as a significant contribution towards a comprehensive peace¹⁶. The EU formed part of the Middle East Quartet(alongside the UN, USA and Russia), which was established in July 2002 to monitor and aid the implementation of Palestinian civil reforms, and to guide the international donor community in its support of the Palestinian reform agenda. In September 2002, the Quartet put forward a three-stage peace plan (the so-called roadmap, which was published in April 2003), including provision for free elections for the Palestinian people, the creation of a Palestinian state and negotiations between Israel and Palestine, aiming at a final settlement by 2005-06.¹⁷The process reached a deadlock early in phase I and the plan was never implemented.

In 2005, the European Commission allocated funds of around €280 million to support further steps towards the creation of a viable Palestinian state. The Commission stressed that it considered the following to be the priority areas for Palestinian reform: a well-functioning judiciary, a democratic and independent election process, and public financial transparency. An EU Police Mission for the Palestinian Territories commenced operations in January 2006, with a threeyear mandate to support the PNA in establishing sustainable and effective policing arrangements. When fully deployed, the mission was to comprise some 33 unarmed personnel. EU observation missions monitored Palestinian presidential and legislative elections in January 2005 and January 2006, respectively; EU support to the Palestinian electoral process amounted to €18.5 million. In February 2006, the EU announced the disbursement of some €120million in emergency aid to the PNA, which was suffering a financial crisis following Israel's decision to halt monthly payments of some US \$50 million in tax revenues in response to the victory of the militant Islamist group Hamas in the Palestinian legislative elections. In April, the EU decided to suspended direct aid to Palestinian government formed by Hamas in late March 2006, owing to the new administration's failure to commit itself to non-violence, to recognize the right of Israel to exist and to accept existing peace agreement. The Union, however, was continued to provide some humanitarian assistance¹⁸.

The Council adopted a position for the MEPP on April 10, 2006. It noted with grave concern the failure of new Palestinian government (Hamas-led) to make a

Accord and committed € 33 million in immediate humanitarian assistance for the Palestine. In addition, a five year assistance program for the period of 1994-98 was financed by EU's member states amounted to 1.5 billion euro. Since then the EU became the largest donor of non-military aid to the Palestinian Authority and providing nearly half of the total external aid it receives 12. In April 1994, the European Council adopted a joint action in support of the Middle East Peace decided that, in order to work for the conclusion of a Process.the EU comprehensive peace in the region based on the relevant United Nations Security Council resolutions, use its influence to encourage all the parties to support the peace process unconditionally on the basis of the invitations to the Madrid Conference (1991) and work for the strengthening of democracy and respect for human rights¹³. In April 1998, the EU and the PNA signed a security cooperation agreement, which provided for regular meetings to promote joint efforts on security issues, in particular in its efforts to counter terrorist activities emanating from the territories under its control. The EU approved an assistance program for the Palestinians in November 1998, totaling ECU 500m; this was to cover the period 1999-2003. In March 1999, EU heads of states and governments urged Israel to fulfill within one year the unqualified Palestinian right of independence. Israel was strongly critical of what it perceived as an ultimatum and stated that the EU had reduced its scope as a mediator in the Middle East peace process¹⁴. Also, from the mid-nineties onwards the EU has perceived its political role in the Middle East as focused on conflict prevention and promotion of Confidence Building Measures (CBMs) between two parties, rather than trying to resolve the conflict directly. Since the Oslo Accords, the EU has, on various occasions, issued a number of statements and declarations on the Middle East peace process. These include the Berlin, Cologne and Helsinki Declarations issued in 1999, and the Feira, Biarritz and Nice statements of 2000.

The EU's Role of Post 9/11 in Palestinian- Israeli Issue

In the aftermath of September 11, the Palestinian-Israeli conflict escalated, resulting in a marked deterioration in relations between the EU and Israel. This resulted in disagreements between the US and the EU over the conflict in the Middle East. Some of these differences had already surfaced before 9/11. The EU was apparently keen that the MEPP must pick up momentum so that the crisis may not escalate. Thus in the aftermath of September 11, the European Council in Ghent emphasized that the crucial need to re-launch the Middle East peace process without pre-conditions. It reiterated that UN resolutions 242 and 338 must remain the foundation for a political settlement, based on the establishment of a Palestinian state and the right of Israel to live in peace and security. The idea of Palestinian statehood was given international endorsement, when the UN Security Council adopted Resolution 1397on 12March 2002, which affirmed "a vision of a region where two states, Israel and Palestine, lived side by side, within secure and recognized borders." The resolution, passed by 14 votes, with Syria abstaining. The UN body for the first time approved the need to setup an independent Palestine state. Here it is relevant to point out, that the UN General Assembly, where the majority of the members are third world countries had already endorsed the idea

The Venice Declaration on the Middle East marked the most fundamental and most far-reaching common policy statement on the Arab-Israeli dispute for many years. The declaration received a mixed reaction in the Middle East. Israel and the United States were highly critical of the declaration for its reference to the PLO, and accusing the Europeans of trying to appease the Arabs and dubbed the Declaration as 'another Munich'. Though the PLO welcomed the Declaration, it was not happy about the EC withholding official recognition of the organization as the representative of the Palestinian people. The Arab world welcomed the Declaration and considered it a step in the right direction. Besides this declaratory common diplomacy within the EPC framework, the EC used other instruments as well to persuade Israel to change its policy towards the Palestinians. However, The EC in this period, by and large adopted a passive stand to resolve the conflict. Owning to American and Israeli pressures, the Lebanese civil war and other developments, the European states found safety in reverting to bilateral relation with the Arab states. The European countries did not condemn the Israeli attack on Iraq's nuclear reactor in Osirak in June 1981. During the military intervention of Israel in Lebanon on June 6, 1982 which was aimed at the destruction of the PLO infrastructure in that country, the European Community's ten member states called for an immediate withdrawal of Israeli troops. The EC imposed an arms embargo on Israel and as a punitive measure delayed the implementation of the EC-Israel Financial Protocol. In 1980s, all plans for an Israeli Palestinian settlement came to by Israeli inflexibility and the failure of the US and other powers to pressure Israel to change its attitude. In utter frustration at Israeli policies, the Palestinian began their first intifada in 1987. Israel's brutal repression of the Palestinian intifada, resulted in a strong reaction in European media, and Israel faced strong condemnation for its action.

After Iraq's invasion of Kuwait in 1990 and the Palestinian intifada that followed, there was realization in the West that to ignore the Palestinian issue would be unwise. International diplomacy become active, the US and the Soviet Union decided that it was time to address the conflict. The Arab-Israeli peace conference was held in Madrid in October 1991 sponsored by the US and the Soviet Union. The EC participated in the conference, but was not part of the ensuring peace process. The president of the EC in his address to the Madrid conference, called specially for Israel to accept the "land for peace" proposal reiterated that Israel must stop building more settlements in occupied territories¹¹. Meanwhile, with the end of the cold war and the dismemberment of the Soviet Union, the international strategic and political environment was completely transformed, and Europe once again felt that it must update its policy on the Middle East. The EC, now replaced European Union (EU) since 1993, began to realize that it must adopt a more proactive approach towards the Middle East and the Palestinian-Israel conflict, which was now becoming a source of new threats to peace.

In September 1993, the PLO and Israel signed the Oslo Peace Accord, which established the Palestinian National Authority (PNA) with limited autonomy to administer the West Bank and the Gaza Strip. The EU welcomed the Oslo

considered an act of aggression. Britain and Germany maintained a neutral stand and rejected the American request for using their military facilities to supply Israel with ammunition. The Netherlands and Denmark did not wince in declaring support for Israel, and Portugal, which was not part of the European community at that time, allowed the Azores to be used for American supply operations for Israel. However, the then nine members of the EC issued a statement in Brussels on November 1973, which called for a negotiated settlement of the Arab-Israel conflict based on Security Council Resolution 242. The statement went beyond the resolution, stressing Israel to put an end to the territorial occupation which it had maintained since the 1967 conflict. It acknowledged that "the legitimate rights of the Palestinians must be taken into account in the establishment of a just and lasting peace". This declaration resulted in a decision by the Arab oil exporting countries to exempt all of Europe, except the Netherlands, from the oil embargo. Since then, the EC's relations with the Arab countries showed a marked improvement. The Euro-Arab Dialogue began on May 20, 1976 in Luxembourg. Recalling the historical and geographical links between the two regions, both sides emphasized that European security could not be delinked from peace, stability and security in the Mediterranean and Arab regions. The European and the Arab sides agreed that to secure a just and lasting solution to the Arab-Israeli conflict, it was essential to recognize the legitimate rights of the Palestinian people. They also called for the withdrawal of Israel from the occupied territories and the participation of the PLO as the main representative of the Palestine in any international efforts to bring peace into the region¹⁰.

THE VENICE DECLARATION

The Ninth member of EC produced another common declaration during a meeting of the European Council in Venice (Italy) on 12-13 June 1980, which included the following principles:

- The recognition and implementation of the right to existence and security of all the states in the region, including Israel and justice for all the peoples, which implied the recognition of the legitimate rights of the Palestinian people;
- United Nations guarantees for a peace settlement, in which the EC member states would be prepared to, participate;
- A just solution of the Palestinian refugee problem and the exercise by the Palestinians of their right to self-determination;
- The application of the above principles to all the parties including the Palestinian people and to the PLO, which would have to be associated with the negotiations;
- The rejection of any unilateral initiative designed to change the status of Jerusalem;
- The need for Israel to put an end to the territorial occupation which it had maintained since the conflict of 1967; and the renunciation of force or the threat of force by all parties.

economic interests. France, under the leadership of General de Gaulle (1958-1969) wanted to modify the former French policy and, thus be in a better position to defend her economic interests in the region. Being a fiercely independent-minded person, he also wanted a different policy from United States. Other members of the European Community (EC) had different views for various reasons. Germany and the Netherlands in particular, favored Israel more openly and therefore prefer to follow the line set by the United States. Owing to the divergent position of member states and the lack of mechanisms for consultation, the European Community could not hold concluding discussions on the situation or reach a common point. By the time of the Arab-Israel war in 1967, owing to the strategic needs of the cold war the American role in the Middle East had relegated Europe's role to a secondary position. There was then no doubt that Israel was the protégé of the United States. The latter entered into close military cooperation with Israel. Europe's role was now focused on the diplomatic field.

During the 70s, West European powers had become well aware of economic significance of the Middle East, since the region held the world's biggest known oil reserves, on which their own industrial economies were dependent. In 1970, the European Community had launched European Political Cooperation (EPC), envisaging inter-governmental foreign policy cooperation between them. At the first Ministerial meeting under EPC in Munich in 1970, the top most items on the agenda was the Middle East. It had been placed there at the request of France. Paris was determined to bring its partners closer to the French position and to strengthen European support for the Arab cause, which would in addition express European independence of American foreign policy. The following year, the EC adopted the 'Schuman Declaration' which favored Israeli withdrawal from the occupied Arab territories, the return of refugees, or compensation for those unable to return, and internationalization of Jerusalem⁹.

By the early 1970s, European powers realized the necessity of developing common policies towards the Arab-Israeli conflict. First of all, the process of European integration required common position on international issues and secondly, but as important was the need to ensure oil supplies especially after the Arabs imposed an oil embargo on some European countries during the Ramadan war of 1973. It is noteworthy that at this time Europe was importing 80% of its oil from the Arab oil exporting countries and Iran, therefore European statesman knew that they must get rid of some of their biasness toward Israel and became more even —handed in their Arab-Israeli policy. Further, adopting a "European" approach to the Arab-Israeli conflict gave them the advantage of separating controversial political issues from economic cooperation with the Arabs and the Israelis.

During the third Arab-Israeli war in October 1973, the European countries had different stands on the conflict. Spain and France appeared sympathetic to the Arab cause; the French Foreign Minister Jobert emphasized his country's preference for a peaceful and negotiated settlement, but raised the question whether Arab efforts to regain territories occupied by Israel should be

recommended the division of territory into separate Jewish and Palestinian states. The UN partition plan gave 56.47% of Palestine to the Jewish state and 43.53% to the Arab state, with Jerusalem as international enclave. The Palestine Partition Plan was approved by the UN General Assembly resolution 181(11)on 29November 1947. It was supported by all European powers. The Arab world rejected the resolution completely and collectively attacked on newly establish Zionist state Israel on 15 May 1948. The armies of Iraq, Syria, Lebanon, Trans-Jordan, Saudi Arabia, Yemen, and Egyptattackedthe Israeli army but they were defeated. The war was not only won by Israel but she also captured far more territory that it had originally envisaged under the UN partition plan. (See the Map)⁷



During the 50s and early 60s, European stance towards the Arab-Israeliconflict was based on bilateralism. Because of the limited nature of the process of European integration at that time, Europe could not develop a coordinated multilateral approach towards the conflict. In this period, there was no "European" policy towards the Arab-Israel issue. Nevertheless, the major European states did have some common interests, the most important of which was to prop up Israel militarily. Israel was given large scale military assistance. The main sources of arms supplies to the Zionist state were Britain, West Germany and France. In fact, France helped Israel to launch its nuclear program during the 1950s. That had a negative impact on the European's relations with the Arab countries. This support was to be given in area of conventional and nuclear weapons. Significant economic concessions were also given to Israel in the realm of trade.

By the mid-1960s, European role was eclipsed by the role of United States in the Arab-Israel conflict. This change became obvious in the Arab-Israeli war of 1967. During this War and in its aftermath the Anglo-French attitude towards the Arab-Israel issue was quite different from their previous stand. They somehow toned down their pro-Israel policy and reached out to the Arab states. This was owing to their dependence on oil imports from the Arab countries. The Arab oil exporting countries and the ones which were transporting oil through pipelines running through their territories had threatened to impose an oil embargo on states siding with Israel. Thus for European countries, it was important to safeguard their

predominant religion of the region. More than 90 percent population of this region is Muslim. Christians form the next largest group, with almost 4 percent of the population, and Jews make up about 2 percent of the population. Europe is geographically and historically close to the Middle East and Islam is the second religion in three leading European countries- France, the UK and Germany². Millions of Arab immigrants are living in Europe. So due to vital economic, political, and religious factors, the European countries are deeply concerned about peace and stability in the region. Despite its geo-political significance, the Middle East is an area of constant conflicts, largely for reasons embedded in its recent past. To understand the present western policy towards the Palestinian —Israeli conflict, we have to delve into history.

ORIGINS OF THE CONFLICT

The Israeli-Palestinian conflict has a complex phenomenon. The roots of the conflict can be traced back to the convening of the World Zionist Congress in Basel, Switzerland in 1897. At this Congress, Theodore Herzl (the founder of modern political Zionism) launched the case for the establishment of a Jewish state in Palestine. The area of Palestine was an integral part of the Ottoman Empire since 1516. With the defeat of the Ottoman Empire after First World War (1914-1918), control of Palestine shifted from Muslim to Western powers. At the end of the War, Britain sought and received a mandate from the League of Nations to rule Palestine. This gave her an opportunity to promote the cause of the Jews, as promised in the Balfour Declaration. Britain promised autonomy to both the Zionist Jews and Arabs who were under Ottoman domination on condition of support in World War. The Arabs were promised independence from the Ottoman Empire. By the Balfour Declaration of 1917, British promised the Jews 'the establishmenta national home in Palestine for the Jewish people".

In interwar period, Britain facilitated Jewish immigration to Palestine. Between 1919 and 1929, almost 100,000 Jewish immigrants settled in Palestine. There were already 50,000 Jews in Palestine. This increased the percentage of Jewish population in Palestine to almost 20%. The influx of Jewsdisturbed the Palestinian Arab. According to 1922 census 78 percent were Muslim and 11 percent were Jews. This ratio was changed in 1947 and Jews were increased up to 31 %⁴. The Zionist movement supported Britain during the war and the reward it received was the tacit approval of London to bring more Jewish immigrants into Palestine and also to build its institutions in the hapless country. After the end of the Second World War (1939-1945), the Zionist movement intensified Jewish immigration and began to create more military and political institutions in Palestine. The Jews took advantage of the stories those poured in about the holocaust and international community became sympathetic towards Jewish aspirations to create an independent Jewish state⁵.

Britain, which had ruled Palestine under the mandatory system since 1920, handed over the responsibility of solving the Zionist-Arab problem to the newly formed United Nation (UN) in 1947. The UN set up a special committee which

The Role of Western Powers in Middle East Peace Process (MEPP) Palestinian-Israeli Perspective

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ABSTRACT

The Middle East Peace Process (MEPP) between Israel and Palestine always remains one of the most vital strategic significance and complex dilemmas facing by international community. For more than the past sixty years, Israeli-Palestinian or Arab conflict has been giving rise to regional instability and wars. The enduring confrontation has resulted in at least five major wars and a number of minor controversies and the source of two major Palestinian intifadas (uprisings). Many concrete international and regional attempts have been made to achieve a ceasefire and eventual negotiations on a more permanent peace. However, despite the international involvements, the deadlock in peace process is still there, due to frequent clashes between two nations. The main purpose of this theoretical research paper is to provide historical political background of Israeli-Palestinian conflict and to identify the main obstacles which hinder the smooth functioning of MEPP. On the basis of reviewed literature, the paper is divided in three sections; first part focusing on the brief but comprehensive back ground of the research problem, the second part deals with role of western powers in the MEPP, while a summary of findings for the process of peace would be discusses in the last section of the study.

INTRODUCTION

The Middle East region occupies a significant geopolitical strategic position, located in South-Western Asia and North-Eastern Africa. The region is themeeting point of three continents. It is a tri-junction of Asia, Africa and Europe. It is an international cross road. Naval and air ways from the east to the west pass through this area. The Suez Canal connects the Mediterranean Sea and the Red Sea. It is the shortest air route from Europe to Asia. In the twentieth century, this regiongained significance due to the discovery of its vast oil reserves. Presently, it contains the single biggest reserve of oil and gas. The Middle East is the lifeline of Europe and other industrialized region. This region supplies 60-70 percent of Europe's needs, 66 percent of Japan's and about 25-30 percent of the United States. During the Cold War, the both super powers- the US and the former Soviet Union who produced sufficient quantities of oil- were interested in the control of the oil resources of this region to maintain their supremacy as well as preserve their own limited and exhaustible resources for the future. So oil is the backbone of the industrialized western economies, and the wielding of influence and involvement in the Middle East has been of paramount importance for the former and current imperial and super powers, including France, Britain, USA and the former Soviet Union¹.

The Middle East is also the birth place of three Abrahamic religions; Islam, Christianity and Judaism. Important religious centers like Mecca, Medina, Jerusalem and the Wailing-Wall are situated in this region. Islam is the

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