

40TH SESSION OF HUMAN RIGHTS COUNCIL

Remarks by Pakistan - Agenda Item-2: Interactive Dialogue with the High Commissioner for Human Rights

7 March 2019

Mr. President,

We thank High Commissioner Michele Bachelet for her report and the oral update. Yesterday, the High Commissioner rightly drew our attention to rising inequalities across the world. Pakistan supports her mandate and her efforts to reduce inequalities, seek peaceful settlements of conflicts and ease human rights and humanitarian challenges. We share High Commissioners' assessment that these inequalities impact all three pillars of the United Nations.

2. The conflict of Jammu and Kashmir has indeed impacted all these three UN pillars – development, human rights and peace and security.

3. For the last seven decades, Kashmiris have been subjected to illegal Indian occupation. Their right to self determination, to be exercised through a UN-administered plebiscite, as enshrined in numerous Security Council Resolutions, has been negated.

4. Innocent Kashmiri civilians, protesting for their rights are dealt with brute use of force by India, leading to arbitrary arrests, detentions and disappearances, mass graves and sexual violence.

5. Human Rights defenders, who raise their voices in Indian occupied Jammu & Kashmir (IOK) or in India against this abuse, are silenced through violent reprisal attacks. A case in point is that of journalist Asif Sultan.

6. The OHCHR, which documents these violations, is maligned by the Indian delegation with nasty adjectives that are an unfortunate part of the Council's record. No delegation has the temerity to attack OHCHR from this floor with such vengeance as India.

7. India must reflect on its own operational and policy failures that, according to its own experts, have irreversibly alienated Kashmiri people. Source of unrest in the IOK is indigenous.

8. IOK has no government for nearly a year, not even the puppets it installs in Srinagar, and yet India has the effrontery to call it its integral part.

9. India's abject refusal to see the reality in the IOK not only enhances the plight of Kashmiri people but also threatens peace and security of the region and beyond. India's illegal aggression and Pakistan's exercise of self defence last week are a living testimony of spiralling threats to peace and security from situation in IOK.

10. Given the active nature of armed conflict in IOK, the situation there must also be examined within the international humanitarian law perspective especially within the Geneva Conventions.

11. Pakistan endorses High Commissioner Bachelet's call for urgent implementation of the recommendations of the OHCHR report. In addition to its monitoring and reporting mandate of IOK, we particularly encourage OHCHR to monitor the attacks against human right defenders in the IOK and against Kashmiris and other minorities living in India.

12. The United Nations has a key role to play in the resolution of the Jammu and Kashmir dispute. The UN Security Council is seized of its numerous resolutions as the dispute remains on its agenda. The OHCHR report is a reminder to this Council and to all humanitarian actors of this internationally recognized dispute and the urgency of its settlement both to protect human lives and to promote peace and security.

I thank you.
