

41st SESSION OF HUMAN RIGHTS COUNCIL

**Remarks by Ambassador Tahir Hussain Andrabi, Acting
Permanent Representative of Pakistan to the United Nations
Agenda Item-4: Human rights situations that require the
Council's attention**

2 July 2019

Mr. President,

The High Commissioner in press statements and oral updates, the Special Procedure Mandate Holders in their communications and the OHCHR in its Kashmir report have regularly raised their concerns regarding the gravity of human rights situation in the Indian Occupied Jammu and Kashmir (IOK). This situation deserves special attention and continued monitoring of this Council, since the magnitude of human rights violations there are wide scale and the impunity enjoyed by the Indian occupation forces is unchecked.

2. Jammu and Kashmir has witnessed one of the highest numbers of internet blockades in the world. Journalists and Human Rights Defenders are tortured and, in some cases, killed, such as extra-judicial killing by Indian security forces of renowned journalist Shujjat Bukhari, after he tweeted in favour of the OHCHR Kashmir Report.

3. Even more alarming is the apparent connivance of Indian higher judiciary with Indian security apparatus and Hindutva leadership for legalizing and justifying the human rights violations in IOK. Not a single conviction of security officials involved in torture, extra-judicial killing, arbitrary detention, rape etc. has ever happened. India is not a party to Convention against Torture. Kashmiris are the worst victims of legalization of torture under draconian Laws such as Public Safety Act and Armed Forces Special Powers Act. These laws are being used in Jammu and Kashmir against minors accused of stone pelting. Amnesty International's report: "Tyranny of A 'Lawless Law': Detention without Charge or Trial under the J&K PSA" was stopped from being published in India. It gives a detailed account of minors like Rauf Ahmed Wagay and Zubair Ahmad Shah who were subjected to electric shocks, tortured and humiliated after keeping them under arbitrary detention. Mother of Zubair Ahmed Shah passed away due to shock and depression whilst he was in unlawful detention under PSA. Every family in Jammu and Kashmir has similar agonizing stories to share of their loved ones.

4. India has martyred over a 1,00,000 Kashmiris in the last 3 decades It has blinded more than 1200 civilians in the last 2 years through pellet

guns which continue to be used as we speak. This has not extinguished the Kashmiri struggle for the right to self-determination through a UN plebiscite. This Council must remain seized of the situation in Jammu and Kashmir both to prevent further atrocities and promote peaceful settlement of this long-standing dispute.

I thank you.