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41st SESSION OF HUMAN RIGHTS COUNCIL

Remarks by Ambassador Tahir Hussain Andrabi, Acting Permanent Representative of Pakistan to the United Nations

Agenda Item-8

8 July 2019

Mr. President,

The VDPA envisaged a world free from torture, racism and racial discrimination, human rights violations especially against vulnerable groups including minorities, women, children, persons with disabilities, migrants etc. It stressed on the principles of equality, justice, tolerance, fair-play in international dealings and giving equal importance to all human rights, including the right to self determination.

2. Today, the OHCHR has released its Jammu and Kashmir Report 2019. Pakistan endorses OHCHR's reporting process as an important effort for the protection of the rights of Kashmiris. We support the call for the establishment of a 'Commission of Inquiry', which is consistent Pakistan's several calls for investigation into gross human rights violations in the Indian Occupied Jammu & Kashmir (IoK) including mass blinding and deaths by the use of pellet guns, excessive use of force, arbitrary arrest and detentions, attacks on journalists and press freedom, restrictions on peaceful assembly and cordon and search operations etc. We also endorse the call by the report to fully respect right to self-determination of the people of Kashmir.

3. The Report once again recognizes human rights violations in Indian occupied Jammu and Kashmir (IoK). It documents in detail the excessive use of force by the Indian occupation forces and the impunity from accountability enjoyed by them under the draconian Armed Forces Special Powers Act (AFSPA) and Public Safety Act (PSA), the use of torture, lack of credible investigation into human rights violations perpetrated by the Indian occupation forces, restrictions on expression and movement of independent journalists to prevent the voices of Kashmiris reaching the international community and targeting of Kashmiri Muslims outside Indian occupied Jammu and Kashmir.

4. While we appreciate the Report's efforts to document the human rights violations in Indian occupied Jammu and Kashmir, we would like to reiterate that there is simply no parallel between the horrendous human rights situation in Indian occupied Jammu and Kashmir and the prevailing environment in Azad Jammu and Kashmir and Gilgit-Baltistan. Unlike IoK, which is the most militarized zone in the world, AJK and Gilgit-Baltistan remain open to foreign visitors.

5. As in its first report, the OHCHR's second Report has again called for respect of the Right to self-determination of the people of Jammu and Kashmir as protected under international law.

6. After the report, India should answer and address the human rights concerns of different quarters including the OHCHR, UK's All Party Parliamentary Kashmir Group, European Human Rights Commission and civil society. Instead of its diversionary tactics of taking refuge behind fairy tales of cross-border terrorism as the reason for the unrest in IOK, India must make amends and implement the recommendations given in the report.

7. The HRC can show its commitment to VDPA by endorsing the OHCHR Kashmir Report and all its recommendations. This will pave the way for resolution of this long-standing dispute and result in the protection of human lives and promote regional peace and security.

8. More than two decades have passed since the adoption of VDPA, but the full realization of its pronouncements still seems very distant. Though significant strides have been made in a few areas, the record has been below satisfactory in some others. We need to further enhance international cooperation for poverty alleviation and addressing the basic human needs. We need to work together for the realization of the right to development to achieve sustainable and inclusive development, thus improving the conditions of billions of people around the globe.

9. It is time to carry out a stock-taking exercise of our achievements, opportunities, areas of improvement and challenges regarding the VDPA. The Human Rights Council and the OHCHR may devise a plan of action in this regard.

10. Two areas that VDPA aspired international focus and cooperation but progress remained abysmal were resolution of protracted international disputes and the realization of right to self determination of people under occupation. The international community must arduously work for the freedom of all people anywhere in the world. Surely, we cannot let this century be a century of servitude and slavery.

11. Pakistan believes in democracy and democratic principles. We are striving for inclusive sustainable development of our people. We are arduously working for the promotion and protection of all human rights of our citizens, on the basis of values of human dignity and worth of the human person. We believe in regional peace and security and sharing fruits of development within our region and beyond.

I thankyou Mr. President.