

Statement by

**H.E. Makhdoom Shah Mahmood Qureshi, Minister for Foreign Affairs at the
42nd Session of the Human Rights Council**

(Geneva – 10 September 2019)

President Ambassador Coly Seck,

High Commissioner for Human Rights, Madam Bachelet,

Excellencies,

Distinguished delegates

At the outset I express my heartfelt condolence on the loss of life and property in Bahamas due to hurricane Dorian.

I thank you Mr. President and the Bureau for your able stewardship of the Human Rights Council.

I also commend the High Commissioner, Ms. Bachelet, and her office, for their contributions towards protecting and promoting the universal values of human rights.

I am privileged to speak today at the Human Rights Council, which is the custodian of global human rights – the third functional pillar of the United Nations.

Mr. President,

It is in this House that I have brought the plea and the petition of the people of Indian-Occupied Jammu & Kashmir; whose basic and inalienable human rights are being trampled with impunity by India. The people of this occupied land are suffering systematic, and serial, violations of their fundamental freedoms.

For the last six weeks, over 8 million Kashmiris, already in the clutches of decades-long Indian oppression, have been virtually caged by an illegal military

occupation – that has swelled in ranks, within days, from 700,000 to nearly a million troops.

To what end, I ask, Mr. President?

The answer is obvious. And it lays bare the real character of a country that pretends to be a bastion of democracy, federalism and secularism.

For the last six weeks, India has transformed Occupied Jammu & Kashmir into the largest prison on this planet, with virtually no access to basic amenities and means of communication. Shops are running short of supplies, hospitals of life-saving medicines, and the sick and wounded – many of them due to the direct and indiscriminate use of force by the Indian occupation forces – unable to access even emergency health services.

For six weeks and counting, Kashmir's political leadership of all shades has been held under house arrest, imprisoned and gagged.

Over 6,000 people, political workers, activists, students, and professionals have been arrested, without due process of law. Many of them have been forcibly shipped to jails all over India, under draconian laws operative in Indian Occupied Jammu & Kashmir.

Distinguished delegates,

I am not alone in drawing attention to India's outright brutality and blatant disrespect for human dignity.

The world is speaking!

Independent and renowned international media outlets, as well as neutral observers, are regularly reporting horrendous atrocities against the people of Indian Occupied Jammu & Kashmir.

The BBC on 29th August reported gruesome details of torture of Kashmiri youth by Indian Occupation forces. The report quotes helpless victims as pleading "don't beat us, just shoot us". (I have had this article distributed to all of you for your perusal.)

Similarly, the Independent on 2nd September reported horrific episodes of extreme brutality and humiliation of Kashmiris by Indian occupation forces, who have shamelessly tortured people in public, while stripping them naked.

Another report notes that the victims of pellet guns – that have been used with abandon by the Indian occupation forces for years and have blinded scores of innocent Kashmiris for life– are now reluctant to go to hospitals for treatment due to fear of intimidation, arrest and detention by Indian occupation forces.

No, ladies and gentleman, this is not a flashback to medieval times. This barbarism is happening today – in the twenty-first century.

Of course, I do not need to remind a Human Rights Council that all this represents clear breaches of multiple international human rights instruments, that India is party to.

This is the real story of Indian Occupied Jammu & Kashmir, and its people under subjugation, that India is desperate to hide from the world. This is the true face of the so-called “largest democracy of the world”. This is the conduct of a country, which aspires to be a permanent member of the United Nations Security Council.

Mr. President,

At the root of this mayhem is India’s refusal to grant the people of Indian Occupied Jammu & Kashmir their right of self-determination.

This seven-decade-old travesty of justice, has been compounded by the present Indian government’s nefarious and twisted dream – outlined explicitly in the ruling party’s manifesto – to turn, by force of arms, Jammu and Kashmir’s Muslim majority community into a minority.

India’s unilateral actions of 5th August 2019 of altering the status of Occupied Jammu & Kashmir, recognized as a disputed territory by the UN Security Council, are illegal under international law. With these illegal changes, India’s presence is, by its own yardstick, naked foreign occupation.

These measures contravene the Fourth Geneva Convention that prohibits migration to and from an occupied territory. They are also a flagrant violation of several UN Security Council Resolutions.

India’s assertion that these actions are its “internal affair” is patently false.

As a matter of fact, Jammu & Kashmir has been on the agenda of the United Nations for over 70 years now. The meeting of the Security Council on 16th August, to discuss the Jammu and Kashmir dispute, is an attestation of this fact.

What is happening in Indian Occupied Jammu & Kashmir is not a “country specific situation” in this Council’s parlance. The atrocities and abuses are being inflicted upon the people of a disputed and occupied territory, as affirmed by international law. The situation in this occupied territory must therefore be of direct international concern. It is not and can never be an internal matter for India.

Excellencies,

The forlorn, traumatized towns, mountains, plains and valleys of Indian Occupied Jammu & Kashmir reverberate today, with the grim reminders of Rwanda, Srebrenica, the Rohingya, and the pogrom of Gujarat.

The people of Indian Occupied Jammu & Kashmir are apprehending the worst.

Some have said that “Kashmir echoes with the silence of the graveyard”. Others contend that it is a lull before a storm.

I shudder to mention the word Genocide here, but I must. With respect to the Genocide Convention, the Kashmiri people in the occupied territory – a national, ethnic, racial and religious group of people – face grave threats to their lives, way of living and livelihoods; from a murderous, misogynistic, and xenophobic regime. One international civil society organization, based in the US, has already issued a Genocide Alert, proclaiming that the situation in Indian Occupied Jammu & Kashmir has crossed the ten stages of the genocidal process.

Distinguished delegates,

India’s efforts to hide its atrocities in Indian Occupied Jammu & Kashmir, by falsely labeling it “terrorism” and “cross border terrorism”, are shameless and indefensible.

Pakistan has suggested a number of bilateral and multilateral mechanisms that would disprove India’s self-serving claims. We have recently proposed to double the strength of the UN Observers Mission to monitor the Line of Control. India outrightly rejects all these proposals.

I have every fear that India will once again resort to “false-flag” operations, and use the bogey of “terrorism” as a red herring, to divert international opinion, even attack Pakistan.

Another Indian ploy to deflect attention, is its increasing violations of the 2003 ceasefire understanding on the Line of Control; and regular and persistent

targeting of civilians in Azad Jammu & Kashmir. India has used cluster ammunition and heavy artillery, in flagrant disregard of fundamental norms of international humanitarian law. This must end immediately.

Mr. President,

I have regularly sensitized the UN Security Council, about the grave dangers to peace and security in nuclearized South Asia and beyond, as a result of India's reckless posture and draconian measures.

We have welcomed consultations by Security Council members on the unfolding developments.

While the Security Council is seized of peace and security dimensions of the Jammu & Kashmir dispute, the Human Rights Council must pay far greater and immediate attention to the human rights of the people of Indian Occupied Jammu & Kashmir.

In doing so, the Human Rights Council has, for its consideration, the two Kashmir Reports issued by the Office of the United Nations High Commissioner for Human Rights, in June 2018 and July 2019.

Both reports make a clear recommendation to this Council, to constitute an independent Commission of Inquiry, to investigate and report human rights violations in Jammu & Kashmir.

I reiterate from this platform, Pakistan's endorsement of the recommendations of these reports.

We urge focused discussions on the two Reports in the Human Rights Council, and a unanimous decision by this House to implement their recommendations made to India, Pakistan and foremost to the Human Rights Council.

If India has nothing to hide, it should allow unhindered access to the Commission of Inquiry, as recommended by the UN High Commissioner. Pakistan stands ready to allow access to the proposed Commission of Inquiry, or other mechanisms, on our side of the Line of Control; together with similar access to Indian Occupied Jammu & Kashmir.

Mr. President,

The Human Rights Council must pay heed to the plight of the Kashmiri people, and address the warning signs of a looming human catastrophe.

For this, the Council should, immediately, take the following steps:

- I) Urge India to immediately stop the use of pellet guns, end the bloodshed, lift the curfew, reverse the clampdown and communications blackout, restore fundamental freedoms and liberties, release political prisoners, stop targeting human rights defenders, and fulfill obligations under the United Nations Security Council Resolutions and various human rights instruments, as required by International Law. India's draconian emergency laws in Occupied Jammu & Kashmir cannot be allowed to stand.
- II) Take steps to bring to justice the perpetrators of human rights violations of the innocent Kashmiri people, and in this context, constitute a Commission of Inquiry, as recommended by the Office of the UN High Commissioner for Human Rights.
- III) Authorize the Office of the High Commissioner, and the Human Rights Council's Special Procedures Mandate Holders, to monitor and report on India's human rights violations in Indian Occupied Jammu & Kashmir; and regularly update this Council.
- IV) Call upon India to allow unhindered access to Human Rights Organizations, and international media, to the Indian Occupied Jammu & Kashmir.

Excellencies,

Today, I have knocked on the doors of the Human Rights Council, the repository of the world's conscience on human rights, to seek justice and respect for the people of Indian Occupied Jammu & Kashmir.

At stake is our collective humanity, the principles that we all subscribe to, and what makes us human.

We must not let political, commercial, and parochial considerations cloud and impair our thoughts and action.

We must not allow this august body to be embarrassed on the world stage. As a founding member of this Council, Pakistan feels morally and ethically bound to prevent this from occurring. But to do so, we must not remain indifferent to the

tragedy that is unfolding before our eyes. We must act decisively and with conviction.

Distinguished delegates,

Let us not forget that history is replete with failed, barbaric campaigns, to wage demographic wars to change facts on the ground. India's attempt must fail. But this inevitability must occur, without allowing the illegal Indian occupation forces to spill any more innocent blood.

For seven decades, the people of Indian Occupied Jammu & Kashmir have awaited implementation of the UN Security Council resolutions, prescribing a plebiscite to honor their right of self-determination. History would be a most unforgiving judge, if we fail, yet again, the people of this illegally occupied territory, in their moment of greatest peril.

Mr. President,

Let the world not forget the disastrous legacy of appeasement and the great cost of it to Europe. I invite everyone here to join us as we rise for justice.

I thank you.