



**National statement, delivered by Ambassador Khalil Hashmi, Permanent Representative to the UN, during General Debate under Agenda Item 2 at the 46th session of the Human Rights Council**

**(26 February 2021)**

**Madam President,**

We thank the High Commissioner for alerting this Council again to India's continued and multiple violations of human rights in Illegally-Occupied Jammu and Kashmir (IIOJ&K).

The High Commissioner's concerns are indeed echoed by numerous reports by global media, independent NGOs and UN human rights machinery.

Just last week, the UN Mandate Holders warned about continuing demographic changes in IIOJ&K on religious and ethnic basis, as over 3 million illegal citizenship certificates have been issued to non-Kashmiris. Clearly discriminating against the rights of the indigenous people to buy property, own land and access jobs, these illegal actions are aimed at transforming the Kashmiri majority into a minority, in continued violation of international law.

Earlier this week, another group of UN experts termed attacks by Indian forces against Kashmiri human right defenders and journalists as "pattern of silencing independent reporting through the threat of criminal sanction".

Last year, the UN Experts had characterized the grim human rights situation in IIOJ&K "in a free fall" and called on the international community to "step up".

India continues to use torture and brute force, including pellet guns and inflict collective punishments through house demolitions as well as cordon-and-search operations in IIOJ&K.

Over a thousand Kashmiri civilians are illegally imprisoned since August 2019. Hundreds of habeas corpus petitions are pending before Indian courts.

Armed with draconian laws AFSPA, PSA and UAPA and facilitated by a pliant judiciary acting as veritable arm of occupation and oppression, Indian forces continue to act with absolute impunity.

Since 2016, IIOJ&K has no civilian government. Even the thin veneer of autonomy and rule of law now stand effaced. Indian military and the deep state rule the occupied territory with a 'license to kill' any Kashmiri daring dissent.



Such gross, systematic and continuing violations meet all the elements of objective criteria for a human rights situation warranting the Council's attention and triggering its "prevention mandate".

Countries endorsing objective criteria and advocating prevention mandate cannot remain silent on Kashmir because doing so will further embolden India to intensify its state-directed repression against Kashmiri civilians. Continued silence will also discredit the lofty human rights principles that countries claim to uphold.

Failure to hold India accountable for human rights abuses in IIOJ&K will erode the credibility of this Council, its members, and the global human rights agenda.

We, therefore, urge the High Commissioner and her office to exercise the prevention mandate and publish an updated report on Kashmir, based on human rights merits and objective criteria.

We also urge this Council to implement recommendations made to it in the High Commissioner's two reports.

**Thank you.**