



Permanent Mission of Pakistan to the UN

Geneva

National statement, delivered by Ambassador Khalil Hashmi, Pakistan Permanent Representative to the UN, during Item-2: Interactive Dialogue with High Commissioner for Human Rights on her Annual Report at the 44th session of the Human Rights Council

(1 July 2020)

Madam President,

My delegation thanks the High Commissioner for her oral update.

The High Commissioner has been alerting the Council on the dire human rights situation in Indian Occupied Jammu and Kashmir (IOJ&K).

Since the last Kashmir report by Office of the High Commissioner for Human Rights (OHCHR) in July 2019, the scale and gravity of human rights abuses in Occupied J&K has increased significantly. This crisis situation has been unleashed by India's illegal actions of 05 August 2019. The primary goal behind the unilateral actions defying international legality is being operationalized i.e. change the demographic composition of the occupied territory. A country that once boasted fighting colonialism is imposing its signature imperialist policies by granting domicile certificates to non-residents in thousands.

This 21st century version of muzzling fundamental rights, flagrant disregard of democratic principles, and non-compliance of international law, are being carried out by nearly one million military and paramilitary Indian forces.

Three abuses and atrocities in IOJ&K are clearly discernable including during COVID outbreak and have been attested by civil society, international media and some parliaments:

- (i) Arbitrary arrests, detention and imprisonment of political activists and human rights defenders continue unabated. The Kashmir Bar Association reports that over 600 habeas corpus petitions filed before the High Court since last August remain pending. During this period, nearly 13000 Kashmiris remain imprisoned in various jails without recourse to justice.
- (ii) In using excessive force, India has upscaled weapons' caliber, targeting civilian population and their houses in the so called "cordon and search operations". At least 30 Kashmiri youth have been martyred in the last two weeks by Indian military, acting as Judge, Jury and Executioner. Media reports and photographs emanating from Occupied Kashmir reveal that India is using Carl Gustaf M3 (CGM3) Shoulder fired rockets, manufactured by Saab, to demolish civilian homes. We call upon the relevant government to investigate the use of CGM3 in light of ATT obligations and urge India to stop targeting civilians in Kashmir, particularly through heavy weapons.



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- (iii) India has promulgated new” Domicile Law” in Kashmir, designed to settle Indian nationals in Jammu & Kashmir and convert Kashmiris into a minority in their homeland/Parallel to this quasi-colonial project, (India has awarded all contracts for extraction of minerals from water bodies of Kashmir to Indian firms, completely ignoring local companies and business. This decision aggravates risks of environmental degradation and violations of all rights of indigenous people).

This Council and its Special Procedure Mandate Holders should not remain a silent bystander to these human rights crimes in IOJ&K, which are widely reported by the UN and its human rights machinery, including the OHCHR.

We urge the Council to seek implementation of High Commissioner’s recommendations, contained in her two reports on Jammu and Kashmir, in particular the establishment of a Commission of Inquiry.

We also urge the High Commissioner to continue remote monitoring of the human rights crisis in IOJ&K and present an updated report in time for the 45th session in September 2020.

I thank you.