



# General Assembly

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## Human Rights Council

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Agenda item 4

Human rights situations that require the Council's attention

### **Written statement\* submitted by World Muslim Congress, a non-governmental organization in general consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[22 August 2019]


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\* Issued as received, in the language(s) of submission only.

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## **Gave situation in Indian Administered Kashmir; a threat to Humanity**

The situation in Indian administered Jammu and Kashmir has moved to an even more perilous state placing the local population at grave risk of further and increased human rights abuse. With the recent illegal annexation of territory by the Government of India, and the already apparent disdain and regard for UN Resolutions, and all attempts by the UN High Commissioner for Human Rights and the Human Rights Council to draw India's attention to the human rights violations through the UN Human Rights Council Report on Situation of Human Rights in Kashmir, June, 2018, and follow-up report of July 2019, the situation has become untenable for the Kashmiri people.

The annexation of Indian administered Jammu and Kashmir on 5 August 2019, saw the imprisonment of approximately 8 million Kashmiris in their homes by 800,000 or more India troops with no access to any form of communication with the outside world, harsh punishment for anyone who attempted to move around, religious and political leaders, activists and business leaders detailed under house arrest, a lack of access to enough food and water, and medical treatment, education or other basic rights for the weeks of their imprisonment. They fear for their future. History tells us that they are right to do so.

The abrogation of Articles 370 and 35A which enshrined the protection and some autonomy for Kashmiris, deprives the Kashmiris of these rights and leaves them at the mercy of a Government determined to change the demographics to dilute and crush the Muslim population by moving in large groups of Hindu settlers. With Hindu nationalism and right-wing extremism, and attacks on Muslims sweeping across India and into Kashmir, the spectre of ethnic cleansing of Muslims and an impending genocide in Indian administered Jammu and Kashmir is a cause for global alarm.

Fascist criminality and violence by the Hindutva movement, and anti-Muslim hatred, strongly supported by It is by the Hindu nationalist volunteer organisation Rashtriya Swayamsevak Sangh (RSS), Vishva Hindu Parishad (VHP) and Hindu Sena, and linked intrinsically to the ruling Bharatiya Janata Party (BJP) and its leadership, is escalating unchecked by the Government who give the strong appearance of condoning violence in the name of a purist Hindu State. Little or no action is taken against such groups and, if due to public pressure, any cases are pursued, they invariably end in acquittal. This has been apparent in all cases of human rights abuses committed by the Indian Army in Kashmir where they operate with impunity. Muslims and other minorities across India have also become victims of extreme violence. Again, impunity from punishment is apparently as has been evident in cases of 'cow-lynching' of Muslims.

In the wake of the abrogation of Articles 370 and 35A and annexation of Indian administered Jammu and Kashmir, the plight of Kashmiri women, often the most vulnerable in the face of oppression, fears are even greater than before with likelihood of Hindu settlers being moved in to change the demographics and impose their authority on Muslims. Politicians from the ruling BJP celebrating the 'conquering' of Kashmiris, have made numerous sexist and threatening comments towards Kashmiri women threatening to bring "white-skinned brides from Kashmir". Supportive and ugly commentary by followers on social media reveal a frightening mentality towards women. Women have suffered greatly under the occupation of the Indian Armed Forces over many years. Rape has been used as a 'weapon of war' and mass rapes, and violence against women including murder, has gone unchecked by the authorities. With ruling party politicians making such detrimental statements against Kashmiri women following the annexation, the already perilous situation for women becomes even more dangerous.

Human Rights Groups such as Amnesty International, Human Rights Watch, and Genocide Watch, have all drawn attention to the plight of the people of Jammu and Kashmir and the escalating threat to their peace and safety.

Failure by the UN Human Rights Council and the Member States to instigate the independent, international committee of inquiry into the grave human rights abuses in Jammu and Kashmir as called for in the UN Human Rights Council Report on Situation of Human Rights in Kashmir, June, 2018 and its follow-up published in July 2019, will continue to leave the

people dangerously exposed to a lifetime of subjugation and human rights abuse at the hands of the Indian State and Armed Forces. The annexation of Jammu and Kashmir and the intention to change the demographics of this Muslim majority region by colonizing it with nationalist Hindu settlers with a hatred of Muslims, and the impunity enjoyed by the occupying Indian Armed Forces, increases the threat of a genocidal massacres being committed against the Muslim in Kashmir. BJP leaders have spoken of a ‘final solution’ in Kashmir, an alarming statement reminiscent of Nazi Germany and the genocide of millions of people.

We call on the UN Human Rights Council and the Member States to take all immediate action to protect the people of Jammu and Kashmir, and to call on the Government of India to revoke the annexing of Jammu and Kashmir, to respect and protect the human rights of the Kashmiri people, as a matter of urgency. Failure by the United Nations and Member States to act and to pressure India will have devastating consequences for human rights in Jammu and Kashmir and increase the risk of genocide against Muslims. The Kashmiri people deserve the protection and intervention of the United Nations to provide them with peace and security, and to retain the right to self-determination.

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