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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by International Muslim Women's Union, a non-governmental organization in special 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 January 2024]

* Issued as received, in the language of submission only.



Right to Development

The Declaration on the Right to Development of 1986 is an ambitious document of programmatic character, blending principles from international human rights instruments with an aspirational political statement. It introduced the right of every human being to participate in, contribute to, and benefit from economic, social, cultural, and political development into the United Nations human rights agenda. The significance of the right to development lies in its comprehensive approach to realizing human rights, addressing structures, processes, and outcomes of development at both national and international levels.

The International Muslim Women's Union (IMWU), an NGO with ECOSOC status at the United Nations, seeks to highlight the critical challenges faced by the people of Indian-administered Jammu and Kashmir. For human rights and development, we request your intervention and support in investigating the report of the UN High Commissioner for Human Rights on Indian-administered Jammu and Kashmir, which states that the "Indian security forces have continued to carry out arbitrary arrests and detentions, torture, forced disappearances, and custodial killings of suspected militants and their alleged civilian sympathizers, generally enjoying impunity."

The report further criticized the "cordon and search operations" in 2017, which "enable a range of human rights violations, including physical intimidation and assault, invasion of privacy, arbitrary and unlawful detention, collective punishment, and destruction of private property" by Indian security forces. The report also condemned the Armed Forces Special Powers Act, stating that it remained a "key obstacle to accountability."

Following these reports, we have observed that Indian aggression is increasing every day. Gross human rights violations and the attitude of Indian forces are creating an atmosphere of fear and life threat in Indian-administered Jammu and Kashmir. In the name of security, an incredible investment in Indian-administered Jammu and Kashmir has been made. Thousands of army personnel have been deployed to protect Indian pilgrims, and new army camps are constructed for outsiders. This has led to the dilution of culture and identity, an increase in crime, and heightened trauma in the Indian-Administered Jammu and Kashmir, with a documented rise in the symptoms of post-traumatic stress disorder, depression, and anxiety. While the negative psychological impact on life in this conflict area has been well studied, there is a recognized need to understand the role of the United Nations Security Council, Human Rights Council, its mandate holders, and other international institutions in addressing the issue and providing a free and peaceful environment devoid of trauma and psychological distress, ensuring justice for the people of Indian-administered Jammu and Kashmir.

For healthy growth and development, health, education, financial structure, social stability, employment, job security, and family comfort are crucial. According to media reports, the scrapping of the special status of Indian-administered Jammu and Kashmir is New Delhi's most far-reaching move against the disputed region in seven decades. Through this move, there is total disempowerment of the locals, whether it is in land or jobs. Indian policies to have a grip over the population involve the criminalization of socio-economic and political structures.

The unemployment ratio in Indian-administered Jammu and Kashmir is 18 percent – nearly twice the national average, despite promises made by Prime Minister Narendra Modi that the government will end the miseries of the youth. In this challenging situation, the people of Indian-administered Jammu and Kashmir are forced to use drugs, systematically injected to destroy the youth and create moral turpitude. The future of a nation is being systematically destroyed to promote frustration and strengthen occupation.

If the Declaration of the Right to Development establishes equity, equality, and justice based on a new rights approach to development, what steps has the United Nations Human Rights Council taken to ensure the safety and security of all people, individuals, and young children who are facing brutality due to the presence of ten hundred thousand army personnel?

It is said that every child has the right to live in a peaceful and protective environment, where he or she can grow and enjoy all fundamental rights and freedoms, including the right to health and education.

In Indian-administered Jammu and Kashmir, the protection of life is ignored, and children face multiple problems and difficulties. This is now the norm of the political and social structure. On one hand, it is said, “children are the face of God”; on the other hand, due to this unresolved issue of the United Nations, the children of Indian-administered Jammu and Kashmir are facing multiple complex situations that impact their development. The political instability, the human rights situation, and Indian attitude and treatment have adversely affected the health and education of the children. Without basic and fundamental rights, the right to self-determination, which includes all basic rights and guarantees, and the full enjoyment of their rights, how can educational institutions work in the presence of camps in and outside the schools?

We would like to draw the attention of the United Nations Human Rights Council to the right to development. According to Human Rights Watch, the Bhartiya Janata Party (BJP) government continues its systematic discrimination and stigmatization of the people of Indian-administered Jammu and Kashmir. Harassment and arrests have destroyed the lifestyles of young children, and the arrests of breadwinners are resulting in a lower quality of life for most families. The right to development "is an inalienable human right by virtue of which every human person and all peoples are entitled to participate in, contribute to, and enjoy economic, social, cultural, and political development, in which all human rights and fundamental freedoms can be fully realized. The human right to development also implies the full realization of peoples' right to self-determination, which includes, subject to the relevant provisions of both International Covenants on Human Rights, the exercise of their inalienable right to full sovereignty over all their natural wealth and resources." If the Declaration on the Right to Development establishes equity, equality, and justice as the primary determinants of development, why are the people of Indian-administered Jammu and Kashmir not enjoying these fundamental freedoms?

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