



General Assembly

Distr.: General
26 February 2020

English only

Human Rights Council

Forty-third session

24 February–20 March 2020

Agenda item 3

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

Written statement* submitted by Jammu and Kashmir Council for Human Rights (JKCHR), 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.

[25 February 2020]

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



There is no pride, only shame when it comes to the treatment on the basis of faith

The world recently commemorated Auschwitz, a dark chapter of human history where between 2.1 to 4 million Jews were killed. Holocaust survivors that lived to give harrowing accounts vividly recall the horrors, troubled by scarring memories to this day. Those that were fortunate to survive said, “never again,” and the rest of the world nodded its head in agreement. But today the same world is forgetting its promise, turning a blind eye to the mistreatment of ethnic minorities throughout the world. It may not be on the same scale, but there is a pattern emerging that is disturbingly similar, with ethnic and religious cleansing of Uighur Muslims in China, and marginalisation of Muslims in India, something that should not be taken lightly.

China, a nation on the doorstep of world superpower status, that continues to rise in economic growth, has many things to take pride in. But there is no pride, only shame when it comes to the treatment of Uighur Muslims. There have been several reports by Human Rights organisations as well as reporting done by international media such as the BBC, of the terrible treatment of the Uighur community at the hands of the authorities, orchestrated at the highest level. If we were to refer to this as the world’s worst Human Rights crisis at present, it would not be an exaggeration.

There have been reports of heavy surveillance in the north-western Xinjiang Uighur Autonomous Region, China, with Uighur Muslims forcibly detained in camps. The government has claimed that these camps are merely voluntary vocational training centres, however, leaked documents labelled the China cables, confirmed that these are actually re-education training centres in which Uighurs are forced to abandon their religion and language. Former prisoners have given accounts of physical and mental torture. Entire families have disappeared, families torn apart, left only with a feeling of uncertainty. This was also supported by the BBC’s investigative programme Panorama in November 2019 which revealed how China was brainwashing Uighurs in these prison camps.

James Leibold, an associate professor in politics and Asian studies at Melbourne’s La Trobe University, referred to this as a “slow-burning act of cultural genocide.” The Chinese government is forcefully moulding Uighur Muslims into someone else. They are stripping them of their religious and cultural identity, brainwashing to abandon their identity, and it is absolutely frightening. But the lack of desire by the international community to act is astounding. It is, however, aptly summed up by Leibold who correctly points out the lack of sympathy for Muslims in the current climate. “There is this spectre of Islamophobia globally that sits behind this issue.” And there is also the issue of trade. World leaders do not want to risk creating friction with China, a huge market for trade.

It is important to note that due to censorship in China, there is an information blackout. So, there is still much more that the world is unaware of when it comes to the treatment of Uighur Muslims, a deeply troubling thought. The United Nations (UN) has extensively highlighted the mistreatment of Uighur Muslims. But it is unfortunate that Secretary General Guterres had attended China for the road and belt forum in April 2019. This was at a time where even the UN High Commissioner Human Rights had requested the Chinese government for access to the Uighur minority. Attending a forum in Beijing at a delicate time like this really sent the wrong message. The UN should collectively in a unified voice, be speaking out against the Chinese government’s appalling designs for Uighur Muslims.

The recent Citizens Amendment Act (CAA) in India is another example of discrimination of a minority group. The CAA has deeply divided India, and people of all faiths, from all walks of life have taken the streets to protest against what they see as a discriminatory act. But it is not just the citizenship act alone that has created an uproar, the aggressive and brutal manner in which the police force has handled protestors has been highly condemnable. Shockingly, the police have been identifying Muslim protestors from their clothing and get up, a clear indication of discrimination. The government’s failure to address the concerns of the protestors, silence over their mistreatment, thus being complicit with the police, has raised eyebrows.

Police brutality was on full display when Delhi police stormed Jamia Millia Islamia University. Students were severely beaten, harassed and arrested, with several eyewitnesses referring to the police as “uncontrollable.” The police were searching for demonstrators that they believed were involved in vandalism. But their approach not befitting of a police force representing the world’s largest democracy. This was sheer brutality and unacceptable behaviour that should have been condemned by the Prime Minister and government.

The bill was passed in the Lok Sabha, India’s parliament, on 8th January 2019, after it was introduced by Home Minister Rajnath Singh. The bill provides citizenship to religious minorities from Pakistan, Bangladesh and Afghanistan. According to the BJP government, the bill will serve as a sanctuary to people fleeing from religious persecution. However, critics both home and abroad argue that the bill has been deliberately introduced to marginalise Muslims.

According to Delhi-based lawyer Gautam Bhatia, by dividing alleged migrants into Muslims and non-Muslims, the bill “explicitly and blatantly seeks to enshrine religious discrimination into law, contrary to our long-standing, secular constitutional ethos.” Historian Mukul Kesavan has suggested that the bill is “couched in the language of refuge and seemingly directed at foreigners, but its main purpose is the delegitimization of Muslims’ citizenship.” But the Hindu nationalist government has vigorously defended the bill, simplifying the argument by stating that no country accepts illegal migrants.

India has always taken pride in calling itself the world’s largest democracy and a secular state. But the route taken over recent years is beginning to challenge the very fabric of its secular society. India today is being governed by a right-wing government under Narendra Modi, a lifelong member of the RSS (Rashtriya Swayamsevak Sangh) The RSS is an organisation that does not believe India to be a secular state.

According to the United Nations High Commissioner for Human Rights, (UNHCR) statement last month, the CAA is “fundamentally discriminatory in nature.” Other institutions such as the European Union (EU) have called upon the government of India to “repeal the discriminatory amendments.” Members of the European parliament have debated over anti-CAA, motion, and the vote has been put on hold until March. The CAA has been passed at a time when the environment for Indian Muslims has been difficult. Mob lynchings and attacks on Muslims over the suspicion of eating beef, which is sacred to Hindus, has been widely reported in the international media.

Many videos that have gone viral are still circulating on social media, where Muslims are either being physically attacked, or forced to chant a religious slogan, “Jai Shree Ram.” These have been testing times for the Muslim community of India and the CAA bill inflames the situation further. It is positive to see the UN and EU take strong positions over what is going on. However, the question does arise as to whether or not this is enough. The answer is a simple no. Much more needs to be done in order to call out Modi’s government not only over the CAA, but the overall treatment of minority groups within India. Modi’s government has been very slow to condemn violence towards ethnic minorities and has arguably done very little to unify his deeply divided country. The secular India of yesterday seems to be moulding itself into a Hindu nation.

At some level, the Citizenship Amendment Act can be loosely compared to what we are witnessing within Indian administered Kashmir right now. By scrapping Article 370, a change of demography and stripping Kashmiris of their identity seems to be the plan. The only difference, however, is that Indian Muslims are fighting for their identity as a part of India, whereas Kashmiris are struggling for their right to self-determination, not with an Indian identity, but one that is their own.

There is a striking similarity with how the global village is responding to both the Chinese treatment of Uighur Muslims, and the Indian government’s new citizenship act, and the treatment of its Muslim citizens. The international community has not been as vocal as it should be, with most countries putting trade and business before humanity. Both China and India are emerging economic giants and hold great potential in terms of the trade market. This explains the deafening silence from world leaders of nations that have championed themselves on being Human Rights defenders. But today the very same leaders have sold their voices for trade incentives.

The United Nations has always served as a platform for those struggling to get their voices heard. But none of us should be under any illusion over the power and authority that the UN can enforce over countries such as China and India that have such a strong foothold on the world stage. It is almost impossible to apply sanctions to countries that will find plenty of support from allies that are keen to back their economic and strategic partners. But the UN, through its work, must continue to remind the world of the situation being faced by ethnic minorities in both China and India, and anywhere else in the world. Furthermore, the UN must engage with the Chinese and Indian governments, exerting as much pressure as possible, within its limited boundaries. We must learn from history, which has taught us that silence and inaction can prove very costly to humanity.
