



# General Assembly

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## Human Rights Council

### Forty-fourth session

15 June–3 July 2020

Agenda item 2

**Annual report of the United Nations High Commissioner  
for Human Rights and reports of the Office of the  
High Commissioner and the Secretary-General**

## **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.

[24 May 2020]

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

GE.20-08057(E)



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## **Locking the Caged; story of Indian administered Jammu and Kashmir**

Unprecedented curfew and lock down in Indian administered Jammu and Kashmir since 5<sup>th</sup> August 2019 crippled the life of every citizens of this disputed territory. Indian state denied statehood to Kashmiris, deprived them of their fundamental political rights, used unlawful means to curb the dissent and ensured unabated arbitrary detentions of young, old, women and children, across the society. From educational institutions to health facilities, from communication to basic supply of food, society was brought on its knees by Indian State by locking, depriving, severing and choking every possible aspect of life.

In an environment where fear, anxiety, occupation, lawlessness, state brutality, rapes, torture are state apparatus and means to kill dissent, crush resistance, and pandemic like Corona Virus proved a last nail in the coffin. Internet which is a major support for people who are locked down was already scrapped in Kashmir for long time, is facing ban on high speed. Despite courts orders and pressure from international world, Indian State is denying people from 4G internet access under different pretext. Medical doctors are unable to communicate with their patients online, and even people are unable to receive information on COVID-19 precautions, or safety measure issued by World Health Organization (WHO) or other institutions. The very obvious aim of Indian State to impose curfew and lockdown on August 5, 2019 was very to deprive Kashmiris and society in every aspect of life, be it education, health, economy and social development. The trend continued as the entire world has switched to online mode and Kashmir with only 2G limited services are unable to resume education, or any other sector online. Communication and movement blockade impeded dissemination of information flow regarding COVID-19, provision of medical supplies and relief efforts. COVID-19 pandemic which has killed more than 40 people in Kashmir so far is proving more dangerous for Kashmiris than for the rest of the world. Indian state has already incapacitated Kashmiris by caging them, denying them basic health, and other facilities. More than 8 months lockdown crippled the life of Kashmiris; they lost financial capacity and dried modes of livelihood. The recent lockdown proved a devil in the deep blue sea as Indian State has heightened repression under the garb of COVID-19 pandemic, including raids, setting house on fire and killing civilians. Most recently, Indian forces killed civilian Kashmiris which resulted in massive protests and outrage from public which raised the chances of exponential spread of COVID-19 in Kashmir. This is deliberate on the part of State as any serious government would never have imposed curfew without allowing people to buy essential food items. They want to starve them to death. A new wave of people with physiological and emotional issues have come up due to previous lock down which was extended after COVID crises. For them it was deliberate effort to further isolate Kashmiris from the world.

The bellicosity of state apparatus is so anti Kashmiri people that the behavior of occupational forces despite COVID-19 crises became more hostile, and barbaric. Scores of houses were set ablaze, looted and plundered during so-called siege and search operations on the account of search of “militants”.

When the world was preparing for the global response against the COVID-19, Indian state apparatus showed their true anti Kashmir face by introducing New Kashmir Domicile Law to change the demographic status of Kashmir.

Under this law those who have resided for a period of 15 years in Indian-administered Kashmir or studied for a period of seven years and appeared in Class 10/12 examinations in educational institutions located in the region are now eligible to become permanent residents. The new design is to change the population statistics of Kashmir by granting domicile to non-Kashmiri Indian citizens. Over the period of time, it will deprive local Kashmiris of jobs, and cripple them economically and will be easy to curb resistance. COVID-19 was used to further occupational design as this new controversial and illegal move was made during the 21 day of Lock down in India which reflects the state of mind which has used global crises to further their communal and ethnic agenda in Kashmir.

While the world was busy in preparing response to COVID-19, people living near Line of Control (LoC) were fighting various wars other than COVID-19 imposed by Indian security

forces. Unprovoked ceasefire violations of international law can escalate the situation along the LoC. Civilian population has been targeted indiscriminately and this firing has increased potential of spread of COVID-19 cases, as most of the people take refuge in bunkers during shelling and firing, which no option of maintaining social distancing. This really enhances their vulnerability and chances of spread.

This all is taking place in a disputed territory, which is already classified as world hotspot for a nuclear flash point. Indian government has failed to oblige its international obligations and United Nations (UN) Security Council resolutions on Kashmir calling for a free and fair plebiscite in Jammu and Kashmir under UN auspicious to decide their political future. United Nations High commissioners report on the human rights situation in Indian administered Kashmir and Azad Kashmir in June 2018, and July 2019 has reiterated the right to self-determination of people of Jammu and Kashmiris protected Under International laws and has also asked the human rights council to appoint a commission of inquiry to investigate the past and ongoing human rights violations in the disputed state.

World Muslim Congress calls upon human rights council members to establish a commission of inquiry in light of the UN high commissioners reports and prevail upon Indian government to allow this fact finding mission to area under its occupation.

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