



# General Assembly

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## Human Rights Council

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### 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.

[2 February 2022]

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\* Issued as received, in the language of submission only. The views expressed in the present document do not necessarily reflect the views of the United Nations or its officials.



## **Delimitation; Effort to Divide, disempower and Disable Kashmiris**

The nefarious designs of right-wing extremist Bharatiya Janata Party (BJP) led by Prime Minister Narendra Modi are unfolding in a day broad light. The serious reservations and repercussions shown by Kashmiris in the aftermath of illegally bifurcating state of Indian Administered Jammu and Kashmir are unfolding and turning into a harsh reality. The very move of illegal removing article 370 and 35-A was to deprive Kashmiris of their identity and democratic right by creating a democratic and political deficit.

A delimitation commission headed by a former judge of India's Supreme Court was appointed by Prime Minister Narendra Modi's government and tasked with redrawing the boundaries of the constituencies with the clear intention of paving way for a Hindu Chief Minister or Chief Executive in Kashmir which is a Muslim majority region. After jailing thousands of political activists, and civil society members in Kashmir due to fear of political and civil resistance, BJP has spilled the beans by announcing a controversial delimitation commission which proposed six additional assembly seats for the Hindu dominated Jammu region and only one more seat for Muslim dominated Kashmir region which is majority. The population statistics show around 1.5 million more people living in Kashmir valley as compared to the Jammu which received six additional seats as compared to the one seat for the latter.

This not only triggered widespread criticism from major political forces, but also is seen as an attempt to further communalize the disputed state of Indian Administered Jammu and Kashmir and created misperception and hatred among people of both the region. Since BJP government witnessed strong resistance from the people of Kashmir valley through non-violent movement including protests, strikes, mass uprising therefore it from the inception has been targeting the political centrality and supremacy by disempowering Kashmiri. This is another manifestation of occupational forces to further alienate people of disputed Indian Administered Jammu and Kashmir which from more than seven decades are waiting for their right to self-determination as per United Nations Security Council (UNSC) resolutions passed on Kashmir. According to the 2011 census, Indian Administered Jammu and Kashmir has a population of 12.5 million people, of which Muslims form a majority with 68.31 percent while Hindus are 28.43 percent. The majority of the Hindu population is concentrated in the Jammu region.

Not surprisingly following previous precedent of exclusive politics, and forcing illegal actions, this delimitation commission acting as partisan hardly carried out any consultative process and completely ignored ground sentiments. While the population is the basis of redrawing political boundaries which is universally accepted criteria while this controversial commission considered the "geographical area and accessibility" basis for electoral maps which was unjust. This panel proposed population of 146,000 for a single seat in assembly in the Kashmir region while 125,000 residents for Jammu making it skewed in favor of Hindu dominated region and casting serious doubts on its legitimacy and intent.

The sharp criticism and rejection of such communalization came from all the corners. National Conference and Peoples Democratic Party (PDP) workers and leaders staged a protest against the Delimitation Commission in Kashmir and calling it a well-planned conspiracy to stifle the voice of people of Kashmir. The muzzling of dissent did not stop as Indian forces not only arrested the protesters but also launched a search campaign against protestors and dissenters to silence them by putting behind the bars in the wake of exercising their democratic right. Even the two former Chief Ministers Umer Abdullah and Mehbooba Mufti unequivocally rejected this move alleging that the recommendation reeks of a partisan approach by the commission. While Omer calling it unacceptable, Ms. Mufti calls it a move to justify the illegal & unconstitutional decisions of August 2019 through installing a regime. In the follow up of August 5th illegal abrogation of State, the Indian government has jailed more than 7000 Kashmiris including pro-freedom leadership, human rights activists, and youth activists under the undemocratic and draconian laws like Public Safety Act (PSA) and Armed Forces Special Power Act (AFSPA) to speed up the process of delimitation, division, disabling, depriving, disproportionately empowering a minority and disempowerment of Kashmiris in the majority.

The atrocities of Indian forces against civilians, political leaders reached to a new height as the state-sponsored violence sees no respite. Alone in January 2022, dozens of civilians and unarmed civilians have been killed by Indian forces which enjoy complete impunity and protection against killing, abducting, maiming, and torturing Kashmiris. With over two years passed since August 5, Indian Administered Jammu and Kashmir is far from normalcy, as local resistance against occupational security forces increased exponentially. This further alienated the Kashmiris and their youth. Their efforts to break free democratically from the clutches of occupation are met with an iron hand. The world bodies must stop India from further alienating Kashmiris and push India to ensure implementation of UNSC resolutions on Indian Administered Jammu and Kashmir and save Kashmiris from becoming the fodder of Indian aggression

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