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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.

[25 January 2020]

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



Impending genocide in Indian Administered Jammu and Kashmir

The 1948 United Nations (UN) Convention on the Prevention and Punishment of the Crime of Genocide defines genocide as “any of the following acts committed with intent to destroy, in whole or in part, a national, ethnic racial or religious groups, as such; killing members of the group; causing serious bodily or mental harm to members of the group; deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; imposing measures intended to prevent births within the group, and forcibly transforming children of the group to another group.”

The history of Indian administered Jammu and of Kashmir since 1947 clearly demonstrates that India has been in gross violation of the Genocide Convention. The state has been under the continued onslaught of the Hindutva forces. In mid-1947 thousands of Muslims were massacred in Jammu region by RSS mobs and paramilitaries. It was the largest onslaught of the Hindutva violent predicated upon the total elimination of Muslims from the state. More than 200, 000 Muslims were killed and over half a million displaced into Azad Jammu Kashmir and Pakistan.

The killing carried out by Hindu ruler’s army and RSS members was a “state-sponsored” to bring about demographic changes. Unfortunately, no cognizance was taken by the international community of this human tragedy.

The perpetual conflict of Jammu and Kashmir has its roots in 1947 massacre. “It is deliberately forgotten. Actually, the violence of that massacre in 1947 continues. Those who were forced to migrate to Pakistan have never *been allowed to return*,” said Khrumm Parveez. Noted human Rights defender in an interview to Al-Jazeera

Since 5 August, 2019, when the Indian government unilaterally abrogated of Article 370 and 35A of the Indian Constitution that conferred *special status* to the disputed state of Jammu and Kashmir and cart blanch to the state legislative assembly to define local domicile laws, the Hindu extremist government has deployed extra troops that now stand around 900,000 making the region most militarised in the world. The Hindu administration has imposed internet blockade, strict curfew on public movement, ordered closer of educational institutions and evicted of tourists to block any news of its operation against the people.

The renewed acts of subjugation have spread panic and anxiety. People are angry about the heightened presence of armed forces on the streets, increased number of military camps including inside schools and other public places, amid heightened security protocols that observe apartheid like conditions as people’s movement on roads is blocked on such occasions. The humanitarian crisis is growing immensely as millions of people remained confined. The children are starving due to the continued lockdown with restricted access to food and medical facilities.

The region has been turned into the largest jail in the world while India is planning a well-orchestrated demographic change. It bifurcated the disputed territory into two union territories and plans to depopulate the region and rule through the jackboots. It intends to install new Hindu settlements to decrees Muslims population by massacres, mass detentions and pushing them into to Azad Kashmir and Pakistan like it did in 1947.

The US-based global advocacy group, Genocide Watch invites the UN and its member states to warn India not to commit genocide in Kashmir. In Washington, another global organization issued a Genocide Alert for the occupied territory, calling upon the United Nations and its members to alert India, not to commit genocide in Kashmir. A report issued by the Office of the High Commissioner for Human Rights suggests that the measures imposed after India annulled the constitutionally mandated position of the state of Jammu and Kashmir would spread tensions in the region.

The Washington-based Genocide Watch noted that since Aug 5, when India annexed disputed territory. The organisation also detected 10 early warnings of massacres in occupied Kashmir, which comprises categorizing Muslims as using documents, such as ID cards, to recognize them; Hindu economic supremacy; disarming of Muslims as radicals and secessionist. Prime Minister Narendra Modi and his ruling party BJP instigating anti-Muslim

hatred; social media spreading deception; preparing for genocide by sending troops and BJP leaders talking of the “final solution for Kashmir; persecution of Kashmiri Muslims such as lockdown, subject to detention, torment, rape and slaughter.

The report notes that the destruction of Kashmiri Muslims began in 1990. Prime Minister Modi and BJP deny saying their object was to “bring prosperity” and “end terrorism”; they refuse any carnage. It says no Indian Army troops or police are ever tried for torture, rape or massacre. The report notes that the Kashmir State Human Rights Commission has proof of 2,730 bodies buried in 40 mass graves. The commission reported above 8,000 disappearances. The Jammu and Kashmir Coalition of Civil Society stated that by 2016, there were over 70,000 killings, primarily by Indian forces. The Amnesty International concluded that disappearances, torture and rape by Indian Army units against Kashmiri Muslims are a regular phenomenon.

In the report issued in Geneva, UN human rights experts cited that the Indian government has imposed a curfew across Jammu and Kashmir, bringing in huge numbers of troops to implement restrictions on the freedom of movement and peaceful assembly, specifically in the occupied Kashmir Valley. The report also indicated an increase in the arrest of political figures, journalists, human rights defenders, protesters and others. The specialists stated they were very much concerned about reports that security forces were conducting night attacks on homes leading to the arrests of young people. The experts also voiced serious worries over the use of intensive force against protesters, comprising the use of live ammunition, which could come up to violations of the right to life. Genocide Watch cited that it was India that took its challenge with Pakistan over Kashmir to the UN Security Council, which passed Resolution 47 of 1948. It also called for a plebiscite to determine Jammu and Kashmir’s future. The plebiscite has never been conducted.

United Nations human rights experts appealed to India to lift the curfew and communication barricade it had imposed on Occupied Kashmir as global group support concentrating on genocide issued an alert for the disputed region. The experts appealed India to end what it referred a form of ‘collective punishment’ on Kashmiris. It noted with worry reports of arrests of political figures, journalists, human rights defenders, activists and others, and use of extensive force against protesters. The security forces were conducting night assaults on private homes leading to the arrests of young and innocent people. The arrest detentions could frame grave human rights violations. The accusation must be comprehensively searched by the authorities, and, if true those responsible must be punished with an iron hand.

World Muslim Congress impress upon the international community that the alleged perpetrators of the crime of genocide in the Indian occupied Jammu & Kashmir, who have acted or act at the behest of government of India, must be prosecuted under universal jurisdiction preferably at the International Criminal Court.
