



## UN Human Rights Council

### 43<sup>rd</sup> Regular Session

#### Item 4 General debate: Joint Oral Statement Delivered by the International Federation for Human Rights Leagues (FIDH)

10 March 2020

Madame President,

Our organizations express grave concern over the human rights situation in Jammu & Kashmir, where the authorities imposed severe restrictions after a decision to revoke constitutional autonomy on 5 August 2019, including one of the world's longest internet shutdowns, which the Indian Supreme Court has said violates the right to freedom of expression.

Hundreds were arbitrarily arrested, and there are some serious allegations of beatings and abusive treatment in custody, including alleged cases of torture. Three former chief ministers, other leading politicians, as well as separatist leaders and their alleged supporters, remain in detention under the Public Safety Act (PSA) and other abusive laws, many without charge and in undisclosed locations outside of Jammu & Kashmir. This violates fair trial safeguards of the criminal justice system and undermines accountability, transparency, and respect for human rights. Journalists and human rights defenders have been threatened for criticizing the clampdown. These violations, as those committed over the past decades, are met with chronic impunity.

We urge the government of India to ensure independent observers including all human rights defenders and foreign journalists are allowed proper access to carry out their work freely and without fear, release everyone detained without charge, and remove restrictions on the rights to freedom of expression and freedom of movement, including where they have been denied the right to leave the country by being placed on the 'Exit Control List'.

We also call on the governments of India and Pakistan to grant unconditional access to OHCHR and other human rights mechanisms to Kashmir.

We further urge the Council to establish an independent international investigation mechanism into past and ongoing crimes under international law and human rights

violations by all parties in Kashmir, as recommended by the UN High Commissioner for Human Rights.

Thank you.

1. Amnesty International
2. Asian Forum for Human Rights and Development (FORUM-ASIA)
3. CIVICUS - World Alliance for Citizen Participation
4. Human Rights Watch
5. International Commission of Jurists
6. International Federation for Human Rights Leagues (FIDH)
7. International Service for Human Rights
8. World Organisation Against Torture (OMCT)

This statement is also supported by the Association of Parents of Disappeared Persons (APDP) and the Jammu Kashmir Coalition of Civil Society (JKCCS).