



J&K Issue Raised at UNSC

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Why in News

Recently, **China** has called India's move in **Jammu and Kashmir (J&K)** “illegal and invalid” and **raised the issue at the United Nations Security Council** (UNSC) in New York (USA).

- On 5th August 2019, the President of India promulgated the **Constitution (Application to Jammu and Kashmir) Order, 2019** effectively abrogating the **special status accorded to J&K** under the provision of **Article 370**.
- **5th August 2020** marks the **one year anniversary** of that move. On its eve, **Pakistan released a new political map** that includes all of J&K, Ladakh, Sir Creek and Junagadh.

Key Points

- **China's Stand on Kashmir:**
 - The Kashmir issue is a **dispute left over from history** between Pakistan and India, which is an objective fact established by the UN Charter, relevant Security Council resolutions and bilateral agreements between Pakistan and India.
 - **Any unilateral change** to the status quo in the Kashmir region is **illegal and invalid**.
 - Kashmir region issue should be **properly and peacefully resolved through dialogue and consultation** between the parties concerned.
- **India's Reaction:**

India has noted the Chinese comments and held that **Beijing has “no locus standi” on the matter** and is advised not to comment on the internal affairs of other nations.

India and China are holding talks over the disengagement along the **Line of Actual Control** (LAC).

- **UN's Response:**
 - The J&K issue has been raised at the UNSC three times in the last one year but there has been no concrete solution to it yet.
 - UN human rights experts have called on India to **take urgent action to address the alarming human rights situation** in the region.
 - **If India fails** to take any genuine and immediate steps to resolve the situation, meet the obligations to investigate historic and recent cases of human rights violations and prevent future violations, then the **international community should step up.**
- **Amnesty International India Report:**
 - **Amnesty International** in its report has urged the **National Human Rights Commission** (NHRC) and the **National Commission for Women** (NCW) to set up offices in J&K to facilitate easy access to the complaint filing process for the local people.
 - NHRC has been asked to appoint a special monitor for the region and to take up cases pending with the erstwhile State Commission.
 - NCW has been recommended to set up a J&K cell for addressing problems faced by women.
 - The report held that people in J&K do not have any way of redressal of the violations of their rights after the closure of the State Commission in 2019.
 - It also **called on the government** to release all political leaders, journalists and activists from detention; restore 4G mobile Internet; decongest prisons and start an independent investigation into attacks on journalists.
 - The report **acknowledged that there may be security concerns** that merit restrictions on the right to freedom of expression.
 - It suggested that **curbs should be for a limited timeframe and as per the International Covenant on Civil and Political Rights (ICCPR)**, to which India is a state party.

Amnesty International

- It is an **international Non-Governmental Organization** (NGO) founded in London on 28th May 1961.
- It seeks to publicise violations by governments and other entities of rights recognized in the **Universal Declaration of Human Rights** (1948), especially freedom of speech and of conscience and the right against torture.
- It also **works with intergovernmental human rights bodies** to expand and enforce human rights protections in international law.
- In **1977**, it was awarded the **Nobel Prize for Peace.**

Source: IE