



General Assembly

Distr.: General
6 March 2024

English only

Human Rights Council

Fifty-fifth session

26 February–5 April 2024

Agenda item 5

Human rights bodies and mechanisms

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.

[23 January 2024]

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



Establishing Effective Accountability Mechanisms and Enforcement of Human Rights Framework

The signing of the Universal Declaration of Human Rights (UDHR) took place amidst the aftermath of the profound human and material losses inflicted by World War II, the deadliest conflict in history involving over 50 nations. This three-year-long war left a devastating impact on the world, marked by the loss of millions of lives, widespread trauma, displacement, and unparalleled economic and infrastructural destruction.

Against this grim backdrop, the UDHR was drafted, driven by a collective yearning for peace, a compelling need to prevent future conflicts, and a resolute determination to safeguard the planet for future generations. The document aimed to establish a global bill of human rights, obligating each state to uphold the fundamental rights and freedoms outlined in the UDHR.

Representatives with diverse legal, cultural, and religious backgrounds collaborated on this historic document, proclaimed by the General Assembly as a universal standard for ensuring the basic freedoms entitled to every individual. Subsequently, the UDHR paved the way for the adoption of more than seventy human rights treaties, conventions, and protocols, including the International Covenant on Economic, Social and Cultural Rights (ICESCR) and the International Covenant on Civil and Political Rights (ICCPR). Together, the UDHR, ICESCR, and ICCPR constitute the cornerstone of the International Bill of Human Rights, acknowledging various basic rights and recognizing the right to self-determination, allowing people to freely determine their political status and pursue their economic, social, and cultural goals.

The collective impact of the International Covenant on Economic, Social and Cultural Rights (ICESCR) and the International Covenant on Civil and Political Rights (ICCPR) establishes a robust foundation for safeguarding the dignity of every individual, transcending regional, religious, color, and creed distinctions within the global community. Serving as a universal code of conduct, these covenants offer a guiding template for nations to foster a culture of humanity within their domains.

Ratification of these covenants by an overwhelming majority of United Nations members signifies a commitment to championing and upholding human rights and freedoms universally. The United Nations Human Rights Office and Human Rights Council have played a pivotal role in deepening understanding and ensuring the global protection of people's rights.

Initiatives such as the Universal Periodic Review (UPR) and the Complaint Procedure (CP) systematically assess and examine the human rights records of all UN Member States, ensuring the full respect and protection of individuals' rights and freedoms. The Human Rights Council (HRC) coordinates efforts for the promotion and protection of human rights through educational and awareness campaigns. These campaigns, structured around specific themes, have proven instrumental in fostering global awareness of the existing human rights framework. Through these collective endeavors, the international community strives to create a world where human rights are universally acknowledged, respected, and protected.

This year's celebration of the Universal Declaration of Human Rights centers on "Consolidating and Sustaining Human Rights Culture into the Future." The chosen theme underscores our collective duty to uphold and protect human rights, emphasizing the shared responsibility of individuals, groups, communities, and political leaders.

While education and awareness play crucial roles in fostering a human rights-centric society, they alone are insufficient to realize the objectives outlined in human rights agreements. The aspiration to establish a robust human rights culture, prioritizing respect for these rights, necessitates holding human rights-violating states, governments, and rulers accountable for their actions.

Regrettably, the current absence of effective means and mechanisms to ensure accountability for human rights violations hampers the fulfillment of the human rights system's noble promises.

The system's perceived inefficacy is largely attributed to the lack of sufficient authority to hold powerful entities accountable, hindering the genuine achievement of a society where the primacy of human rights prevails over all else. Efforts should focus on addressing this accountability gap to fortify the foundation of a lasting human rights culture.

The escalating conflicts, particularly in regions like Indian-Administered Jammu and Kashmir, have exacerbated the challenges faced by inhabitants, particularly those living in conflict zones. In this region, marked by heightened conflict and a substantial presence of over 900,000 Indian troops, lawlessness, persistent bloodshed, and violence have inflicted significant hardships on the lives of the people. Unfortunately, the residents endure severe violations of their rights and global regulations, perpetuated by the Indian government, resulting in one of the world's most egregious human rights records.

Despite being a signatory to international conventions advocating for the respect and protection of fundamental human rights, the Indian state has regrettably set unprecedented records of brutality and ruthlessness. The suppression of dissenting voices, censorship of the media, criminalization of independent journalism and journalists, crackdowns on human rights and political activists, persecution of civil society, and unwarranted restrictions on people's right to movement, freedom of speech, and expression reflect the colonial tactics employed by the Indian government as a state policy to advance its agenda in the region. These oppressive measures starkly contradict the spirit of international agreements and contribute to the region's tumultuous human rights situation.

India, despite portraying itself as a democratic secular state on the global stage, faces severe criticism for its troubling human rights record. The government has been implicated in the killing, maiming, and violence against individuals not only in the Indian-Administered Jammu and Kashmir but also in various states and territories on the Indian mainland.

India's actions in the Indian-Administered Jammu and Kashmir blatantly violate every article and provision of the Universal Declaration of Human Rights (UDHR) without facing any discernible accountability or concern for corrective action from the international community. Distinctive violations, such as mass killings, involuntary disappearances, staged encounters leading to the killing of youth, and the use of rape as a weapon of war, are extensively documented. Reports from the UN Human Rights Council (UNHRC) and other global human rights watchdogs serve as indictments against the Indian state, presenting undeniable evidence of New Delhi's destructive role in the region. The absence of adherence to international law has shielded the Indian government and military officials in the Indian-Administered Jammu and Kashmir from facing charges of war crimes.

Regrettably, the current human rights mechanism lacks the authority to hold violators and perpetrators accountable. Meanwhile, nations with substantial political and diplomatic influence exploit the human rights framework, weaponizing it to achieve their political and strategic goals. This selective application of human rights standards allows states with dubious records to evade consequences. In an ideal scenario following international law, the Indian government and its military officials would be held accountable for their actions, but the current human rights framework falls short of delivering justice.

Eleanor Roosevelt, the inaugural Chairperson of the UN Human Rights Commission and a key architect in crafting the Universal Declaration of Human Rights, aptly proclaimed, "The time has come... when we must recognize that our mutual devotion to our land must never blind us to the good of all lands and of all peoples. In the end... we are 'One World,' and that which injures any one of us injures all of us. Only by remembering this will we finally have a chance to build a lasting peace."

Influential world governments must heed this undeniable reality, understanding that lasting global peace is intricately tied to resolving longstanding disputes and acknowledging the universally accepted principle of the right to self-determination. Recognizing that a sustained human rights culture cannot emerge in isolation is paramount. Selective justice, uneven law enforcement, and the infringement upon citizens' rights serve as destructive instruments, fostering anarchy, lawlessness, instability, and political disorder.

Effective implementation of international law and the enforcement of the rights framework necessitates several critical measures. Firstly, strengthening the United Nations system is crucial, providing a robust platform for collective action. Secondly, enhancing the teeth of existing UN mechanisms and instruments is essential to hold powerful entities accountable for their actions. Thirdly, introducing rigorous and unyielding accountability at the highest level is indispensable in fostering a culture of responsibility.

Furthermore, concerted efforts for peace-building and the mobilization of political will are vital to resolving deep-rooted conflicts, which are both a cause and consequence of rights violations. Lastly, ensuring effective monitoring and comprehensive documentation of human rights violations and abuses, whether perpetrated by individuals, groups, or states, is imperative. This comprehensive approach underscores the multifaceted nature of addressing human rights concerns, requiring global cooperation and unwavering commitment to foster a world where justice, equality, and respect for human rights prevail.
