

STATEMENT MADE BY THE OBSERVER DELEGATION OF PAKISTAN
AT THE MEETING OF THE WORKING GROUP ON INDIGENOUS
POPULATIONS - 27 JULY 1994.

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Madam Chairperson,

Let me take this opportunity to congratulate you on your election to chair this session of the Working Group on Indigenous Populations.

2. I would also like to congratulate the Working Group for their substantial effort in preparing the Draft Declaration on the Rights of Indigenous People. Our special compliments are due to Mrs. Rigoberta Menchu, for her outstanding contribution to the protection and promotion of the rights and cultural heritage of indigenous people.

Madam Chairperson,

3. There has been extraordinary movement in the area of human rights over the last few years. Despite this, however, we still do not live in a perfect world where human rights are fully protected and promoted. Unfortunately, the same is also true concerning the rights of the indigenous people who have been struggling for their rights courageously and consistently, and whose valiant struggle deserves our admiration.

4. The Government of Pakistan is deeply committed to the protection and promotion of human rights, both at home and abroad. We support the efforts of the indigenous people in achieving their legitimate rights and are looking forward to work with other governments so that the rights of the indigenous people are duly recognized, protected and promoted in an effective way.

to engage in political activities without any discrimination.

Madam Chairperson,

5. My delegation has listened carefully to the statements made by all speakers at this session of the Working Group on Indigenous Populations. There appears to be some blurring of the lines between minorities and indigenous populations, which, if allowed to go unnoticed could undermine the cause of true indigenous populations.

Madam Chairperson,

6. My delegation would now like to comment on some points of interest to us with a view to present the facts and set the record straight.

Firstly, Sind is one of the four Provinces of Pakistan, because the people of Sind in 1947 chose to be a part of Pakistan. This Province has the unique distinction of being the birth place of the founder of Pakistan. It is the home of at least four Prime Ministers and even today one of its most illustrious daughters is the Prime Minister. It has produced innumerable and eminent men of letters, jurists, industrialists and politicians in the country.

Secondly, Pakistan is an ideological state founded in 1947, in the Muslim majority areas of British India. At its birth, in keeping with its ideology, it welcomed all those Muslims who migrated to it from other parts of British India. These people constituted the back-bone of the civil and military administration of the new state. With their vigour and energy, they helped build up a new country that had practically no infrastructure at independence.

Today, Pakistan is a democratic State where the freedoms and human rights guaranteed to its citizens by the Constitution are fully respected and zealously upheld. All political parties, their office bearers, workers and supporters are free to engage in political activities without any discrimination.

No one is above the law, however, and the State readily prosecutes those who violate the law through commission of criminal and terrorist activities, often sponsored and abetted from abroad, regardless of their political affiliations or political standing. Those who break the law cannot be allowed to claim immunity from justice on grounds of alleged political prosecution.

Thirdly, the world is well aware that the right to self-determination of the Kashmiri people has been recognized by the United Nations for over forty years. The U.N. mandated plebiscite in Kashmir was accepted by both the States that emerged from the relinquishment of power by the colonial forces, in 1947. What is more, but is less well known, is that the last imperial Governor General of India, Lord Mountbatten, in accepting the so-called Instrument of Accession of the Maharaja of Kashmir (which in itself is an act against the spirit of democracy, by the people, for the people and of the people), I repeat in accepting the so-called Instrument of Accession, the Governor General stated, ".... it is my Government's wish that the question of the States' accession should be settled by a reference to the people".

7. In the forty seven years that have elapsed since the imperial power left, the people of Kashmir have been brutally denied their right to self-determination. The UN plebiscite remains to be held. This is the real issue in that State.

8. The majority community of that State, distinguished only by their faith from the authors of the statement we have heard, has not only been denied its basic right to self-determination guaranteed to it by the United Nations, but has had its most fundamental human rights trampled upon by the presence of 600,000 troops of the occupying power. Tens of thousands lie dead, other physically and/or mentally maimed for life, and countless women trying to black out the memory of the ultimate indignity and humiliation.