



# PAKISTAN

PERMANENT MISSION TO THE UNITED NATIONS

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**Statement**

**by**

**Ambassador Masood Khan  
Permanent Representative of Pakistan**

**on**

**Agenda Item 68:  
Right of peoples to self-determination  
and**

**Agenda Item 67:  
Elimination of racism, racial discrimination, xenophobia  
and related intolerance**

**Third Committee  
67<sup>th</sup> Session of the UNGA**

**New York  
2 November 2012**

**Mr. Chairman,**

Firstly I would make my statement on Agenda item 68 "Right of peoples to self-determination".

The importance of the right to self-determination has been defined and established by the Charter of the United Nations and the two Covenants on Civil and Political rights and Economic, Social and Cultural rights. This right is the preeminent norm of international law.

The 1993 World Conference on Human Rights declared that the denial of the right of self-determination is a violation of human rights and underlined the importance of its effective realization. Since then, all international human rights forums and summits of world leaders have reaffirmed the validity and significance of this right. The

**Mr. Chairman,**

The exercise of this right is firmly grounded in the following principles:

- i. The right must be exercised freely without coercion or repression.
- ii. It cannot be exercised under conditions of foreign occupation.
- iii. It does not lapse with the passage of time.
- iv. Forceful occupation of the territory of a people, whose right of self-determination has been recognized, is a violation of international law and the UN Charter.
- v. The legitimate struggle of peoples for self-determination cannot be set aside by equating it with terrorism.

Regrettably, the exercise of this right continues to be denied in different parts of the world, most notably in Jammu and Kashmir.

UN Security Council resolutions, which enjoyed the support of both Pakistan and India, clearly pronounced that the "the future status of Jammu and Kashmir would be decided through the democratic means of a free and impartial plebiscite conducted under the auspices of the United Nations".

**Mr. Chairman,**

Upto this day, the people of Jammu and Kashmir continue to wage a peaceful struggle to achieve their just and inalienable right to self-determination. They face repression and human rights violations. Recently, at the Annual Coordination Meeting of the OIC Foreign Ministers, Mir Waiz Umer Farooq, Chairman of APHC, complained that the international community had failed to address the discovery of over 2700 mass and un-earmarked graves in Jammu and Kashmir.

In his statement to the General Assembly, the President of Pakistan said: "We will continue to support the right of the people of Jammu & Kashmir to peacefully choose their destiny in accordance with the UN Security Council's long-standing resolutions on this matter. Kashmir remains a symbol of the failures, rather than strengths of the UN system".

Pakistan supports the ultimate goal of the realization of this right in good faith and through peaceful means. We have taken a major diplomatic stride by normalizing trade relations with India to create an environment of cooperation and dialogue.

**Mr. Chairman,**

The peaceful struggle of the people of Jammu and Kashmir goes on. They want their voice to be heard; their aspirations respected; pledges to them honoured. Young men and women in Kashmir, boys and girls in their teens, are appealing to the Indian civil society, media, and leaders to respond to their calls to speak up for their legitimate rights. They are also appealing to the conscience of the international community to ensure justice for them.

Some are listening. Renowned writer Arundhati Roy has upheld the right to self-determination of the people of Jammu and Kashmir. Kuldip Nayar has asked for end to atrocities in that territory. World statesmen have underlined the need to address the Jammu and Kashmir dispute for durable peace and stability in South Asia.

A positive development in the recent past is that India and Pakistan have agreed to engage each other on a whole range of issues, including the long-standing issue of Jammu and Kashmir.

The two countries owe a peaceful resolution of the Jammu and Kashmir dispute, on the basis of principles of justice and international legality, to the future generations of Pakistanis, Indians and more importantly Kashmiris. Such a historic step would usher in an era of peace, security and harmony in South Asia.

**Mr. Chairman,**

I would now make few remarks on Agenda item 67. Pakistan associates itself with the statement made by Algeria on behalf of the Group of 77 and China.

Pakistan has remained actively involved in the promotion of anti-racism agenda, including the legal fight against the legacy of colonization, at the United Nations and all other forums. Our effort is based on the principle that racism in all its forms and manifestations negates the fundamental values and norms of equality amongst human beings and justice. The malicious practices of racism also undermine social stability, peace and security.

The international community expressed its collective and firm commitment to tackle racism, racial discrimination, xenophobia and related intolerance at the national, regional and international levels by adopting the Durban Declaration and Programme of Action (DDPA) in 2001. This commitment was reaffirmed in 2009 and 2011 by the international community. The UN Declaration of 2011 is aimed at mobilizing political support to expedite the implementation of this commitment and to place victims of racism at the centre of measures to promote equal opportunity, openness and inclusion.

Regrettably these commitments have not translated into real actions as the scourges of racism, racial discrimination, xenophobia and related intolerance continue to persist in their old and new forms.

**Mr. Chairman,**

The increasing instances of intolerance, discrimination and violence on the basis of one's religion or belief are shocking. Discrimination on the basis of religion is the new or contemporary form of racism. Muslims have been a target of this new manifestation of racism and intolerance. Misperceptions have been spread about Islam, a religion that abhors racism and preaches tolerance.

Member States must take effective legal and administrative measures, in accordance with UN GA Resolution 66/167, against acts of religious intolerance, discrimination and incitement to religious hatred.

Pakistan agrees with the Secretary General that stronger political will and urgent measures are needed to reverse the continuing worrisome trends over the past years of increasingly hostile racist acts and xenophobic attitudes and violence.

Inter-religious and inter-cultural dialogue, promoting tolerance and respect for religious and cultural diversity are essential for combating racial discrimination and related intolerance.

We appreciate the work of the OHCHR and encourage them to assist Member States in their fight against racism and related forms of discrimination.

Pakistan would continue to work with its partners to combat racism by furthering measures outlined in the DDPA and its follow up documents. It is most important that we collectively formulate and enforce normative standards that ensure effective response to the new and emerging forms of racism.

**Thank you.**