

### 1. Contents

### 2. Commons Chamber

### 3. Text only

[Previous](#)

## Kashmir

[Next](#)

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11.51 am

- [Mr David Nuttall \(Bury North\) \(Con\)](#)

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I beg to move,

That this House notes the escalation in violence and breaches of international human rights on the Indian side of the Line of Control in Kashmir; calls on the Government to raise the matter at the United Nations; and further calls on the Government to encourage Pakistan and India to commence peace negotiations to establish a long-term solution on the future governance of Kashmir based on the right of the Kashmiri people to determine their own future in accordance with the provisions of UN Security Council resolutions.

Let me start by thanking my fellow members of the Backbench Business Committee for allowing me to stand down from the Committee briefly in order to apply for the debate, and for agreeing that it could take place today. I should also declare that I am the current chairman of the all-party parliamentary Kashmir group.

I thank all the groups who have campaigned so steadfastly on this issue for so many years. I particularly thank Raja Najabat Hussain of the Jammu and Kashmir Self Determination Movement, who works tirelessly to keep up the profile of the issue of Kashmir with MPs, but I also thank Fahim Kayani and the Kashmir Movement UK, Sabiya Khan and the British Muslim Women's Forum, Azmat Khan of the Jammu Kashmir Liberation Front, Najib Afsar and the Jammu Kashmir Liberation Council, and Dr Syed Nazir Gilani and the Jammu and Kashmir Council for Human Rights.

- Robert Ffello (Stoke-on-Trent South) (Lab)

I congratulate the hon. Gentleman on securing the debate. May I ask him also to put on record his thanks to all the ordinary Kashmiris, in this country and back in Kashmir, who fight time and again, in a peaceful manner, to ensure that this issue is high on the agenda so that we take some action?

- Mr Nuttall

I am grateful to the hon. Gentleman for making that point. I certainly put my thanks to those people on record.

Let me explain why the motion was tabled. Essentially, it was tabled because this issue matters to thousands of my constituents who are of Pakistani and Kashmiri heritage, and I know that it matters to the constituents of a number of other Members who are present today. Many of my constituents have families in Kashmir, and in some cases they have personally lost loved ones, or seen loved ones scarred for life as a result of violence.

Some Members may not be familiar with Kashmir. It is an area of territory that runs across the border between Pakistan and India. The root causes of the conflict can be traced back to 1947, when the colony of India was granted independence by Britain and was partitioned into two separate entities, India and Pakistan. The state of Jammu and Kashmir, with a predominantly Muslim population but a Hindu leader, shared borders with both India and West Pakistan.

The area has a long and complex history. Obviously there is not enough time for me to go into all of it, but suffice it to say that the argument over which nation would

incorporate the state led to the first India-Pakistan war, in 1947-48, and there have been several further upsurges in the conflict since then. I do not need to remind the House that both countries are now nuclear powers. Just to complicate matters further, some of the historic territory of Kashmir is now under the control of China.

I am pleased to see my hon. Friend the Member for Reading West (Alok Sharma), the Minister for south Asia, in his place and I am grateful to him for taking the time recently to meet members of the all-party group on Kashmir. I know he will be aware that the fact that Britain was responsible for the partition leads many in the Kashmiri community to believe this country could and should be doing more to try and help resolve this matter. The fact that partition was 70 years ago demonstrates the intransigence of this problem, and I am under no illusion that there are any easy solutions.

I wish to cover two areas: the recent increase in violence and human rights abuses, and the longer-term issue of trying to resolve this long-running conflict. The most recent increase in violence began last year when, on 8 July, 22-year-old Burhan Wani was killed by the security forces in Indian-administered Kashmir. Tens of thousands attended his funeral, at which clashes broke out between the security forces and protestors. Security forces fired live ammunition into the crowd, killing several people and a police officer was also killed.

Since then the authorities have declared a succession of curfews and closed down mobile phone services and media outlets. Attendance at mosques and adherence to religious practices has been restricted. Protestors have organised a series of general strikes and there have been regular public rallies. Schools, colleges and universities have also been closed. The economy has been badly hit. Funerals have often led to further clashes between protestors and the security forces. Critically, scores of Kashmiris have been killed and many thousands of civilians have been seriously injured.

- Imran Hussain (Bradford East) (Lab)

I thank the hon. Gentleman for securing this important debate. He rightly points out the recent escalation in human rights violations, but does he agree this is a much longer-term problem and that human rights violations have happened in that region for decades?

- Mr Nuttall

As I have said, there is a long and complex history to this issue and, as the hon. Gentleman says, there have been many upsurges in violence over the years and many human rights abuses that have been catalogued and recorded.

- Tom Brake (Carshalton and Wallington) (LD)

Does the hon. Gentleman agree that it is imperative that an international investigation into those human rights abuses is carried out as soon as possible?

- Mr Nuttall

Yes, I do agree, and that is something I will mention briefly later in my speech.

The use of pellet guns has left thousands of people, including children, injured and in many cases blind. Armed militants have increased their attacks on the security forces. In September 2016 an attack on an army base killed 19 Indian soldiers, the army's worst loss of life for well over a decade. There has also been a serious flaring up of tension between India and Pakistan, with regular exchanges between their forces along the line of control. These have led to significant military casualties. Senior figures on both sides have been ratcheting up the hostile rhetoric, leading to growing fears of another major escalation in the conflict between the two countries.

I know the Government are concerned about any allegation of human rights abuses—Ministers have said so many times in answer to both oral and written questions—but I urge the Minister to condemn the attacks and the use of pellet guns. The fundamental human rights that are enshrined in the Indian constitution must be adhered to. There must be an end to the use of pellet guns on innocent civilians. The United Nations High Commissioner for Refugees and other interested parties must be allowed free and complete access so that they can make an objective assessment.

I turn now to the role of the United Nations in securing a long-term settlement. There has been 70 years of inaction since the original resolutions requiring the conflict to be resolved by peaceful democratic means were passed, so it is easy to see why so many in the Kashmiri community think that the United Nations has lost interest in their problem. I have often said that the dispute is all too frequently ignored by the media. There is always some other conflict elsewhere in the world that grabs the headlines. I know that the United Kingdom, as a member of the United Nations, supports all UN bodies and wants to help them to fulfil their mandate, but there has surely been a failure on Kashmir if the resolutions have gone unfulfilled for so long. I appreciate that the Government have to tread a careful path and that we

want to be friends with both India and Pakistan, but a candid and true friend is one who sometimes says things that the other friend may find unpalatable.

- Philip Davies (Shipley) (Con)

I support my hon. Friend's motion. This is not a question of supporting either the Indian Government or the Pakistani Government; it is about supporting the people of Kashmir. He and I campaigned for many years for a referendum to decide whether our country should be part of and governed by the European Union, and the people of Kashmir should be afforded the same liberty of deciding how they want to be governed in future.

- Mr Nuttall

My hon. Friend is absolutely right. In a few lines' time, I will mention the historic decision that this country took on 23 June last year.

- Mr Khalid Mahmood (Birmingham, Perry Barr) (Lab)

I concur with the hon. Member for Shipley (Philip Davies) that this issue is about Kashmir, but it involves not just India and Pakistan, but China, so we have to concentrate on all of them to ensure that the civil and human rights of the Kashmiri are the priority in this debate.

- Mr Nuttall

The hon. Gentleman is absolutely right that the matter involves more than one nation and, crucially, is about the rights of the Kashmiri people.

We have to make it clear to both India and Pakistan that we want to help them find a permanent, peaceful solution to the conflict. Of course, this country cannot impose a solution, but we may be able to do more to bring the parties closer together. I want to be absolutely clear that this is not about taking sides and saying, "If you are a friend of Kashmir, you are not a friend of India." The problem must be resolved by peaceful means. I want the people of Kashmir to be given the right to decide their own future through self-determination, a right which was so historically exercised by the people of this country on 23 June last year when a majority voted to leave the European Union.

No one believes that there is an easy answer, but anything has to be better than having a military-controlled line of partition between the two neighbouring countries. I suspect that there will always be a rivalry between India and Pakistan,

but that rivalry should be contained on the field of sport. In responding to the debate, I ask the Minister to set out not only the Government's position on Kashmir, but what more this country can do.

- Robert Flello

While I agree that we need a long-term solution that is in the hands of the Kashmiri people, does he agree that there is an important step to be taken beforehand? The Foreign Office and the Government can play an active role in getting both sides round a table to negotiate peace, stability and a calming of the situation, so that children's lives are not ruined or lost in the meantime. Let us get a summit for peace going and then we can focus on the longer-term solution.

- Mr Nuttall

I entirely agree. Perhaps I should have finished my sentence, because that is exactly what I was saying. I ask the Minister to set out not only the Government's position on Kashmir but what more this country can do, either through the United Nations or by working directly with India and Pakistan, to bring the two nations together to find a lasting and peaceful solution to this conflict.

I commend the motion to the House.

12.04 pm

- Mr Khalid Mahmood (Birmingham, Perry Barr) (Lab)

I declare that I am privileged to be the first Member of Parliament of Kashmiri heritage. I also have a significant number of Kashmiri constituents, who have a significant interest in this issue. I am sure that many other Members have been contacted by constituents with such an interest.

The key issues when discussing Kashmir are Kashmiri geography and Kashmiri self-determination, and many people are very concerned about that. For me, the key issue today is the violation of the human rights and civil liberties of the Kashmiri people—that is the most important thing. There have been violations of the Geneva convention by Indian armed forces.

As other Members have said, Kashmiris are having their human rights violated and abused. That has gone on for at least the past six decades, since Indian forces unlawfully invaded Kashmir in 1948. Kashmir was then an independent state under the reign of Maharaja Hari Singh. In 1953-54, a resolution was presented to the

United Nations by the then Prime Minister of India, Jawaharlal Nehru, to allow the Kashmiri people the right of self-determination. To date, to the shame of the United Nations, such resolutions have not found their way to the General Assembly. People still wonder—certainly the Kashmiris are still wondering—whether the plight of the Kashmiris is worth its salt; it certainly seems not to be worth hearing in the General Assembly of the United Nations. That is very significant.

A number of Members wish to speak, so I will try to be as brief as possible. I recognise the work of the shadow Foreign Office team, particularly my hon. Friend the Member for Heywood and Middleton (Liz McInnes), who has responsibility for south-east Asia, and the shadow Secretary of State, my hon. Friend the Member for Islington South and Finsbury (Emily Thornberry). They have both made recognising human rights and civil liberties a significant policy issue for the Labour party. The shadow Secretary of State has written to the Foreign Secretary, ahead of his second visit to India, asking him to raise the issue of human rights and civil liberties in Kashmir when he discusses trade. I hope that, on his return, he will report to the House that he has raised those issues with the Indian Government.

There are currently more than 500,000 Indian troops in Kashmir, and they are protected by the Armed Forces (Jammu & Kashmir) Special Power Act 1990, which allows them complete free rein to abuse and torture people. There is no accountability when people go missing, and there is no court in India that can hold Indian troops to account. It is a clear violation of the Geneva convention for any military to be able to do such things, and I am surprised that we still do not raise it. I hope the Minister takes note and raises it with the Indian Government.

- Lilian Greenwood (Nottingham South) (Lab)

I congratulate the hon. Member for Bury North (Mr Nuttall) on securing this debate, and I congratulate him and my hon. Friend the Member for Birmingham, Perry Barr (Mr Mahmood) on their powerful speeches. Does my hon. Friend agree that there is a particular concern about the use of pellet guns in Kashmir? Does he agree with me and Amnesty International that there should be a ban on the use of such guns, which are causing such serious injuries to so many people?

- Mr Mahmood

I thank my hon. Friend for that. I will deal with that issue later in my speech, but I wholly agree with what she is saying.

I was talking about half a million soldiers in Kashmir who have no control over how they behave and how they abuse the people. There are serious concerns in Kashmir, particularly about the situation of the civilian population. We are very concerned that when a woman leaves the house, whether she be a mother, a daughter or a wife, we do not know what state she will return in—if indeed she will return at all. There have been gang rapes by the military—an absolutely atrocious act by any individual or community.

- Ruth Smeeth (Stoke-on-Trent North) (Lab)

I am sorry to interrupt such an incredibly passionate speech. One thing the Government fail to recognise is the passion, worry and fear that our constituents, British citizens of Kashmiri and non-Kashmiri extraction, have about this issue. Does my hon. Friend agree that the Minister and the Government really need to listen and start paying attention to the needs and demands of their citizens?

Mr Mahmood

I wholly concur with my hon. Friend, who makes a very valid point, particularly on the issue of the abuse of women. We do not allow and accept that in any way at home or in any other country, so why should we allow it to go unchecked when we are talking about the Indian forces in India and in Kashmir? Why should this be allowed to continue? I find it absurd and we should be making far stronger representations—I urge the Minister to do that.

When a man goes out of a house, whether he be a father, a husband or a son, there is no guarantee that he will come back and what state he will come back in. We have seen beatings taking place. We have seen videos on YouTube, Facebook and other social media of people being summarily beaten up in the streets—they are held by a disproportionate number of military personnel and beaten to within an inch of their life. They are tortured and taken away; people go missing. In some instances, when they go missing, they do not come back. That is a serious issue.

Children in Kashmir have no stake in their normal community or society. We expect our children to have a proper education in normal society, but Kashmiri children do not have an ounce of the protection needed in order to have that. As my hon. Friend the Member for Nottingham South (Lilian Greenwood) said, when they go out into the streets they are greeted with pellets and such like. They have no proper education facilities and no healthcare. They have no real stake in the society that they are part

of, and the generations go forward: this is the sixth generation of Kashmiris growing up under this tyranny and they have no protection whatsoever.

The pellet gun issue that my hon. Friend raised is about a horrendous act by the military. They have not just fired these guns to warn off crowds; they have specifically targeted the upper body of individuals. They have aimed at the face and at the eyes, and a number of people have lost their eyesight. Aiming these guns at the upper body means that people cannot even receive medical treatment, because the medical people will not use a scan on them as magnets are used when a body is scanned and so a scan would further assist the movement of the metallic pellets inside the person. That might lead to further injury, be it in their head, eyes or upper body, including their heart, arteries and so on. That would cause a significant problem for most people.

Those are the issues involved with the use of pellet guns. When someone is penetrated by these pellets and they go through a security barrier, it is easy to assess that they have been involved in these sorts of activities and so they will be pulled out, again to be held accountable. We are talking about torture of a whole community and of a whole society. A report entitled “BURIED EVIDENCE: Unknown, Unmarked, and Mass Graves in Indian-Administered Kashmir” has been produced by the International People’s Tribunal on Human Rights and Justice in Kashmir. It was written by Angana Chatterji, a well-known human rights activist, whose report deals with a significant number of mass graves that she has found, through her organisation. Unfortunately, no notice is taken by anybody. No notice is taken by any Government—our Government in particular. If this was to happen anywhere else, there would be a huge outcry, with people clamouring for international war crimes tribunals to be held and for these things to be dealt with.

I appreciate that we have an urgent debate to come after this and that a significant number of colleagues wish to speak, so I wish to conclude by saying that this is about the abuse of human rights and civil liberties, and the contravention of the Geneva convention. I would like the Minister to take note of those three important things when he sums up, and to say what he is going to do about it and how he will have an interaction with the Indian Government to hold them to account. If India wants to be a serious trade partner with the UK, these are the responsibilities it must carry. These issues are very important to my constituents and to all of us in this place, so it must ensure that that is considered and taken forward.

- Several hon. Members rose—
- Mr Deputy Speaker (Mr Lindsay Hoyle)

In order to give everybody equal time and a fair crack of the whip, will Members please just take up to eight minutes?

12.16 pm

- Nusrat Ghani (Wealden) (Con)

First, I wish to congratulate my hon. Friend the Member for Bury North (Mr Nuttall) on securing this debate and on being such a strong advocate for Kashmir and Kashmiris in the Chamber.

In 1947, India and Pakistan partitioned, bringing about the largest migration of people in history, with more than 14 million people—refugees—crossing the newly formed India-Pakistan border for safety. One border disputed to this day is Kashmir, a small piece of land in the Himalayas which today is an unstable home to 12 million Kashmiris. On 24 January 1949, the first group of United Nations military observers arrived in Jammu and Kashmir to oversee a ceasefire between India and Pakistan. Almost 70 years later, India and Pakistan have evolved but Kashmir is still a region beset by political disagreement, violence, and human rights violations. Its population is just 12 million, yet more than 3,000 people have disappeared during the past 70 years and the conflict has left more than 47,000 people dead, including 7,000 police personnel. The death toll continues, with both India and Pakistan at an impasse, as was depressingly noted in a House of Commons Library research paper on Kashmir. It stated:

“Currently, the two governments”—

those of India and Pakistan—

“are engaged in a process of rapprochement. This is not the first such process, but it has given rise to optimism.”

That paper was written in 2004, and India and Pakistan have still got nowhere. Optimism has run dry, and bloodshed and bullets in Kashmir have taken over.

UN observations have taken place at various times since 1949, at considerable cost, but to what effect? Resolutions have been passed calling for ceasefires, for security forces to be withdrawn, and for a plebiscite giving Kashmiris the opportunity to

decide whether to join India or Pakistan, or even to determine their own future—that is the cornerstone of any civilised democracy.

- Nigel Huddleston (Mid Worcestershire) (Con)

The UN clearly has a pivotal role to play in Kashmir, but does my hon. Friend believe it has sufficient skills, resources and political will to do what we are expecting of it in securing peace?

- Nusrat Ghani

My hon. Friend makes a good point. I would say that the UN has considerable skill and considerable resources, but it is falling down on political will. Seventy years have been lost and Kashmir pays the price with lost lives and livelihoods. Last year, it saw an unprecedented level of violence and curfew, with 68 civilians killed and more than 9,000 people injured during months of unbroken violence. This was the bloodiest episode in Kashmir's recent history. The shame of the international community in failing to recognise the violence and offer support to Kashmiri civilians is a bloody stain on all our history books.

The UN High Commissioner for Human Rights emphasised the importance of an “independent, impartial and international mission”

within the conflict-ridden region, with “free and complete access”. Top UN officials have said that they continue to receive reports of Indian forces using excessive force against the civilian population under India's administration, yet India has refused the United Nations High Commissioner for Refugees access to investigate allegations of human rights abuses. I fully accept that Pakistan, not just India, has to allow the UN access to Kashmir so that it can evaluate the damage that the conflict has caused before it becomes another footnote in Kashmir's history.

The UN has had 70 years to help Kashmiris, but instead has for too long wilfully sidelined the dispute. We need a renewed effort for honest UN involvement to resolve the current crisis, with the UN using all its powers to investigate the crimes committed. What pressure can the UK, by taking advantage of our privileged position on the Security Council, put on the UN? The UN has to show some humility and give some backbone to its statements. No resolution or reconciliation can resume until there is acceptance, not dispute, over the lives lost and damaged. Unlike at any other time in history, we have a real role to play, offering our hand of

friendship and partnership. Pakistan is one of the biggest recipients of our aid funding and a partner in tackling terrorism.

Only last year, the Prime Minister visited India to secure a substantial trade deal. During that trip, what discussions took place on Kashmir? Will the Minister update the House on his discussions on Kashmir with his counterparts in both Pakistan and India?

Prime Minister Modi of India said that

“any meaningful bilateral dialogue necessarily requires an environment that is free from terrorism and violence”,

and he is absolutely right. The recent escalation of violence creates terror where no authority is trusted, not even those that are meant to offer protection.

In Kashmir, pellet guns are being used by security forces. The Indian Government have advised that pellet guns should be used rarely, and only in pressing circumstances, yet the Central Reserve Police Force continues to use them persistently. These guns cause life-threatening injuries and brutally blind people—so far, more than 9,000 people have been injured. By their very nature, these pellet guns are the antithesis of targeted precision. They spray and maim through a 6-foot circle. It is impossible to limit the number of casualties with a 6-foot fan of pellets. These are not precision weapons or defensive weapons, and their use in open public places must constitute a human rights violation.

With a pellet gun, anyone and everyone within that 6-foot circle is a target, even children sitting at home. Twelve-year-old Umar Nazir was in the courtyard of his home—he was not protesting—when his eyes were hit by pellets. Both his eyes are injured, with little vision left. He is recovering in Srinagar, where the ophthalmology department has stated that it lacks the medical supplies to proceed with surgeries for injured retinas because the demand is so high. Depressingly, a former Chief Minister of Jammu and Kashmir was forced to tweet Prime Minister Modi to ask for eye surgeons and eye trauma experts to be sent to Kashmir to help those with injuries. People’s lives are being lost and people’s vision is being removed for life, and the best way to get help from Government agencies seems to be by sending a tweet. That is how desperate the situation has become.

Will the Minister ask his Indian counterparts what their justification is for using pellet guns in public spaces? I can see none. Does he agree that the indiscriminate

nature of such weapons constitutes a crime when they are used in public spaces? The Central Reserve Police Force has refused to share its operating procedure for this lethal weapon. Will the Minister put pressure on India to disclose its justification? Perhaps the Indian authorities can share with us which other liberal democracy uses such a weapon on its own people. Will the Minister tell the House what aid or medical support is being provided to Kashmiri hospitals?

The human rights violations I have described should be argument enough for UN access for observation. Human rights violations will not disappear without observation; they will just be disputed. If the UN takes the Vienna declaration seriously, it must step up its activity and willingness to be involved.

This is not just a regional issue. India and Pakistan both have nuclear weapons, so the stakes in the dispute are high. Pakistan is reputed to have the 11th strongest military in the world; frighteningly, it is also ranked as the 14th most fragile country. This regional dispute is not so regional: when two nuclear powers fail to resolve such a volatile dispute, it affects us all and has the potential to threaten us all. That is especially true as the terror has taken a new, violent form.

Access to books and education is key to building a strong community. For the first time, schools and educators have become targets. Village schools are being targeted for destruction, with at least 24 being burned to the ground last year. In one incident, the principal of a school in Bugam, Mohammed Muzaffar, rushed to the school as it was burning to the ground. He cried out that it was like his home being burned. It was no ordinary school: built in 1948, it housed 3,000 books.

With schools on fire, teachers fearing for their lives and books burned to ashes, the future is bleak for both young and old in Kashmir, as is its economic security. It is in all our interests that the crisis in Kashmir is recognised, that the full force of our international community is marshalled to support the UN in gaining access to Kashmir, and that all our diplomatic relations are focused on providing a resolution and respite for Kashmir.

12.25 pm

- Mr Virendra Sharma (Ealing, Southall) (Lab)

First, Mr Deputy Speaker, may I send through you my good wishes to Mr Speaker on his birthday? There is a long queue of people wanting to wish him a happy birthday, and it is important to do so.

Two and a half years ago this House last debated Kashmir, and this is only the second debate in nearly 20 years. I declare that I am the chair of the Indo-British all-party group, and a person of Indian origin who was born in India, studied there, and then came here. I do not know how many Members have visited Kashmir; I think that, between my schooldays and now, I have visited Kashmir 14 times in my life, so I am quite familiar with the economic, social and political conditions there. I am not going to say anything that is hearsay; there will be no vested interests or ill-informed information here. I say that because I have seen practically what is happening and has happened, and the political situation over there.

Having listened to previous speakers, I feel sad that we are bringing together issues that are not linked at all and that are not happening in the way they are being presented. Let us look at the political situation. I strongly condemn any violation of human rights. For the past 45 years I have canvassed and campaigned on human rights issues. When India has violated human rights, I have criticised it—I have criticised India for many other traditions that the Indian Government or people have failed to tackle. That is why I feel strongly about the way we are debating the Kashmir issue today: the questions that are raised are untrue and not relevant to the situation.

- Simon Danczuk (Rochdale) (Ind)

My hon. Friend mentioned that he has visited Kashmir 14 times, but does he accept that the Indian authorities make it exceptionally difficult for British Members of Parliament to visit that part of the world?

- Mr Sharma

I am sure that happens. The reason is that when someone wants to visit a place, they must be free of any prejudices before they go. If they have declared beforehand what they think is happening and publicly denounced it, no Government would allow them to visit. Give me one example of a Government who have allowed people to visit who have previously criticised their country.

- Imran Hussain

I thank my hon. Friend, who is well respected in this House, for giving us his expertise. Does he at least accept that by speaking up against human rights violations in any country, one is not necessarily against that country?

- Mr Deputy Speaker (Mr Lindsay Hoyle)

Order. Can I help Members who are going to speak shortly? There is a danger that their interventions will take time away from somebody else. I do not mind having the debate, but Members must recognise that I want to treat everyone equally.

- Mr Sharma

I am not saying that that is not the way one presents the argument or that that is not right. I am saying that no Government or authority would allow people to visit if they are not free of prejudice.

- Robert Flello

Will my hon. Friend allow me to intervene?

- Mr Sharma

No, I will carry on. I am sure that my hon. Friend will be speaking later. *[Interruption.]*

- Robert Flello

I am very grateful to my hon. Friend. I am chair of the justice for Colombia group in Parliament. I criticise the Colombian Government time and again, and they let me into their country where I criticise them again.

- Mr Sharma

Let us look at what has been happening since 1947. In 1948, after a line of control and a ceasefire were declared, India and Pakistan advocated that they should be part and parcel of the negotiations. In 1965 and 1971, India was attacked in an attempt to change that line of control. Again, in 1999, Pakistan tried to seize an opportunity to redraw the internationally accepted line of control. In total, that happened three times: in 1965, 1971 and 1999.

Having been unsuccessful in full-scale military manoeuvres to take control of more of Kashmir, subversive elements within the Pakistani Government have, since the millennium, turned towards terrorism to further their ends. In 2004, Pakistan made a public commitment to prevent terrorist groups from using its territory to plan, prepare or launch attacks against India. Since then the Pakistani spy agency, Inter-Services Intelligence—ISI—has been heavily implicated in India's most notorious terrorist incidents, most notably the 2008 Mumbai attacks which left nearly 200 dead.

That behaviour—*[Interruption.]* I will come on to Kashmir, but I am giving some background. That behaviour is regularly seen across Kashmir. Although the line of control is demarked, fighters from Pakistan launch attacks across the state. Those terrorist atrocities are perpetrated only to destabilise the region. They do not help the people of Kashmir or make anyone stronger. All they do is further the misery of millions.

Since the 1948 riots, there has been an attempt to cleanse the region of native people opposed to Pakistani intervention. In the 1990s, we saw the most sustained civil activity aimed at driving Kashmiri Pandits from the Kashmir valley. In 1947, a quarter of a million Pandits lived in Kashmir, now only around 20,000 remain. The majority live in squalid camps in Jammu, desperate to return to their homelands. They are unwilling to settle elsewhere and prejudice their right to return.

The threat of communal violence looms large—an ever present threat for millions. That is why we see images of soldiers across Kashmir: they are there to protect citizens of all stripes. People who want to go to work, school, or university are allowed to do so only under the protection of the Indian army. Without the protection of Indian troops, we can see all too easily what happens. The horrifying stories of brutality from the Peshawar school attacks that left more than 132 schoolchildren dead or the assassination attempt on Malala would not be so uncommon. Very few Members of this House would have done anything but affirm the actions of the British Army in trying to maintain the status quo in Northern Ireland. The army is there to protect the border, just as it did in Ulster, and, just as it did in Belfast when it made sure that young boys and girls from Catholic and Protestant families could continue to live the lives that they wanted.

The National Human Rights Commission of India has freely criticised and called for punishments when the rule of law has not been upheld to a rigorous standard. That is not a level of freedom allowed to those residents in Pakistan, which is recognised as the world's leading sponsor of terrorism.

The European Parliament observers had this to say after the state elections in 2014—

- Mr Deputy Speaker

May I just say to the hon. Gentleman that he has now been speaking for nearly 11 minutes? I did suggest eight minutes; we are now well over. I know that this is a very important matter, but I want to ensure that everyone's voice is heard.

- Mr Sharma

By working every day for a safer, more prosperous Kashmir, the Indian Government are fulfilling their commitment. The people desire a life unblemished by random acts of terror, where they are free to pursue their own dreams of education, employment and a peaceful life. Why must we again listen to hyped media accusations rather than look at the evidence of patterns of peaceful elections?

12.36 pm

- Mr Steve Baker (Wycombe) (Con)

I rise to support the motion. I congratulate my hon. Friend the Member for Bury North (Mr Nuttall) on securing this debate and on the spirit with which he moved the motion. I am very proud that we are having this debate—the second one since I was elected—and that I am rising in support of the position that I took in the previous debate on 15 September 2011.

I should also say that I am very proud of the Kashmiris in the United Kingdom, and in Wycombe in particular, for the dignity and determination with which they pursue this issue, despite the difficulty of doing so and in the context of the seriousness of the issues involved. I wish to make three points to the Minister: the first is about the intractability of the issue; the second about some lessons from our own referendum; and the third about how we might make progress.

It is the long-standing position of the Government that this is a matter for the two independent nations of India and Pakistan to resolve. I have reliably found that in the Foreign Office gallows humour is applied to this issue, which is known as the graveyard of Foreign Secretaries. That is a matter of very considerable regret. This issue of self-determination, which we have seen in the United Kingdom, is not one to be thought of as impossible to meet. We have just met it, and this is a moment when the Foreign Office should know that self-determination is not an issue on which no progress can be made in the 21st century. It is not good enough to adopt such a view. I am acutely aware, as is everyone here, that this is a long-standing policy, which Governments of all colours have held, so I mean no criticism of this Government or this Minister. However, it is not good enough to continue this policy for two reasons: first, it is incumbent on all of us in this House to represent the many thousands of people in our constituencies whose family origins will be in India, Kashmir or Pakistan, and they deserve to have their voices heard in this place and internationally.

- Vernon Coaker (Gedling) (Lab)

The hon. Gentleman is making a very important point. What Kashmiris say to me, particularly those in Nottingham but also from across the country, is that there needs to be a much greater urgency from everyone to tackle this problem. It has been going on for decades. The worry is that, in 10, 20, 30 or 40 years' time, people will still be discussing the same issue.

- Mr Baker

The hon. Gentleman is absolutely right, and that is why I begin with the point about intractability. The other reason it is not good enough to adopt the current position is that this is a legacy of the British empire and we should acknowledge our historic responsibility. There is a conversation to be had about world views and the willingness of individuals to accept ancestral responsibility, but that is perhaps for another day. Just because it is difficult to make a stand on this issue does not mean that it is not the right thing to do. It is right for the British Government to make a stand on this question.

Secondly, I have some questions about lessons that we might learn from our own referendum. Those of us who are asking for a referendum for the fulfilment of United Nations mandates have to ask ourselves, what if we win, what if we make progress and what if a referendum were held? I want to make two points in particular. The first question is about the collective basis on which a referendum could be held. What would be the demos? Who would vote and on what basis would the result be enforced? We know that in the UK there are those who do not wish to accept the national referendum result; we know, for example, that the Scottish National party picks up on the point about how Scotland voted. These will all be live issues in the event that a referendum is held in Kashmir.

I appeal to all Kashmiris who work on these issues to give serious thought to what the demos would be and on what basis the result would be considered legitimate by all parties, because the other issue—which is of foremost seriousness—is that we saw passions run extremely high in the United Kingdom, where politics generally proceeds no further than harsh language. Given that we are dealing with a region of the world where live conflict among major nuclear-armed powers is a risk, we must ask ourselves how a referendum in Kashmir would proceed peacefully not just during the campaign but afterwards.

Finally on this point let me say something about unity and division. I know that in Wycombe there are British Kashmiris who voted remain, and perhaps many who did not vote at all, who supported the fundamental principle that we should have had a referendum. I am pleased and proud to stand with them, united that as we go forward we should have a referendum for Kashmir.

The third point is perhaps the most contentious: how should we make progress? The hon. Member for Ealing, Southall (Mr Sharma) described as untrue some of the things that the House has already heard in the course of the debate, and this is a very important point. At different times, we have heard Pakistan accused of state-sponsored terrorism, and India accused of using inappropriate weapons, of gang rape and of murder. I do not wish to see either nation slandered and, of course, the crucial difference between a valid charge and a slander is truth. When it comes to making progress, I appeal to everyone to focus relentlessly on objective fact, and to the Government to facilitate that.

I know what I have seen with my own eyes in the videos that have been shown to me. I have seen what is purported to be Indian soldiers beating a confession from a man and what is purported to be Indian soldiers killing a man in the rubble of his own home in Kashmir. They are images that I would prefer never to have seen and that I would never wish to see again, but the crucial question is whether they are a set-up, or propaganda, or whether they are true.

- Stella Creasy (Walthamstow) (Lab/Co-op)

*rose—*

- Mr Baker

Will the hon. Lady bear with me a moment?

If the videos are true, Kashmir is a matter for the whole world. The most commented on videos on my YouTube channel are from the beginning and end of the 2011 debate on this subject. The overwhelming consensus is that we should stay out of Indian affairs, but if these allegations are true the whole world cannot stay out of Kashmir and of India and Pakistan's affairs.

- Stella Creasy

*rose—*

- Mr Baker

I will not give way, because I am being encouraged to wrap up.

I understand that the Foreign Office thinks that this issue is intractable, but we have seen in our own country that it need not be. Yes, there are lessons to be learned and the Government can facilitate them, but for goodness' sake let us recognise that if even a fraction of the allegations being made are true this is an urgent and pressing issue for the whole world.

12.44 pm

- Shabana Mahmood (Birmingham, Ladywood) (Lab)

The House will know of my long-standing interest in Kashmir. Many thousands of British citizens of Kashmiri extraction have made their home in my constituency, and I take an interest on their behalf, but I have a more personal interest as my family originates from Kashmir. All four of my grandparents were born in Kashmir before my family moved to this country, so this debate has very personal resonance for me.

The hon. Member for Bury North (Mr Nuttall) has already set out the background to this long-standing dispute and I pay tribute to him and to others who led the charge to secure today's Backbench business debate.

We have heard already that this is a long-standing dispute between two nuclear-armed powers in one of the world's most heavily militarised regions. It does not receive enough attention anywhere outside the region, and certainly not in our own country given the size of our British Kashmiri population; it certainly has a lot of from that population, but not enough from those outside it. I therefore pay tribute to all the doughty campaigners from all parties who have taken every opportunity available to raise this serious matter in the House of Commons and to press both our current Government and previous Governments to do more to help to build a resolution to this long-standing crisis.

The further push for debate on Kashmir has come as a particular result of the upsurge in violence and fighting in Indian-administered Jammu and Kashmir since last summer. We see the unacceptable failure of the whole world, the refusal to give effect to UN resolutions and the denial of respect for the self-determination of the Kashmiri people playing out in the worst possible way. People have lost hope and are rising against that loss of hope to try to force to have their rights be respected.

That significant upsurge in violence has elicited a brutal response from the Indian authorities. I am afraid that I wholeheartedly disagree with my hon. Friend the Member for Ealing, Southall (Mr Sharma). I do not believe that it is possible to minimise the extent to which the Indian authorities have acted in a disproportionate manner that has significantly harmed and, indeed, created great tragedy for the Kashmiri people in the region. This is the biggest uprising in two decades and the brutality of the response of the police and security services cannot be ignored. The fact that that is the case is upheld by human rights organisations across the world, including Human Rights Watch, whose world report for 2017 found clear evidence that the police and security forces have acted with impunity, that there have been extra-judicial killings and that mass rape has occurred. All those things are not acceptable.

I concur with the comments made by the hon. Member for Wycombe (Mr Baker). Of course, there will be questions about the veracity of the videos we will see on YouTube, on Facebook and elsewhere on social media, but there should be an open investigation to prove the veracity of the videos. If they are true—I believe that they will be found to be true—there are big questions for the Indian Government to answer.

I have to say to my hon. Friend the Member for Ealing, Southall that the big difference between the Indian Government and other Governments that commit human rights abuses is that India is the largest democracy in the world. Being a democracy is not simply about giving people a vote to decide their Government. It includes much more. It is about fundamental respect for the rule of law and for basic human rights that must be protected and that sit alongside the ability of the people to elect their Government.

- Nusrat Ghani

Will the hon. Lady give way on that point?

- Shabana Mahmood

I am afraid that I would be doing other Members out of their time if I gave way. I apologise.

The use of pellet guns has been mentioned. This is a significant issue for the Indian Government, and our Government must press them more on it. The Indian defence for the use of pellet guns to see off protestors who they say are throwing stones is

that pellet guns are non-lethal. Of course, a pellet gun will probably not kill, but I defy anyone to see the pictures of the victims of pellet gun attacks and say that that is a proportionate response against civilians in a democracy. It is not, and I do not believe that anybody would stand up in this House and say that it is.

When we debate Kashmir, people who speak more in favour of the Indian Government's stance will often say that the position of those who live in Jammu and Kashmir is better because they are able to vote, they are free to take part in the democratic process and they are basically free, and that self-determination is not necessary because they are a free people, freely electing their own local leaders with a significant devolution of power. Nobody—not one person—in Jammu and Kashmir has voted to be hurt, injured, beaten up, raped, blinded or killed. Pellet wounds are brutal. They are a brutal response by the Indian authorities and send a brutal message to the Kashmiri people. They leave brutal scars, which are not just carried by the individuals who bear the physical scars but are borne by the whole community in Jammu and Kashmir itself and all around the world by those of us of Kashmiri extraction. They are a symbol of the population's repression, its desire to resist that repression and its cry to be heard.

That cry is falling on deaf ears in the largest democracy in the world, which wants to do more business with the rest of the world and play a greater role in world affairs. That position is simply not acceptable and our Government must not shy away from making that plain, especially in relation to the use of pellet guns. Tremendous, appalling, sustained and deliberate misery has been visited on the people of Kashmir for too long. The stories of disappearances and the discovery of mass graves have brought no official UN-led investigation whatever. The police and the security forces have impunity, especially given the implementation of the Special Powers Act of 1990. If a people are humiliated, abused and allowed to lose hope, and offered only despair in turn, and given no answers and no rights, there will an uprising. It is inevitable.

None of us as responsible legislators, also working in a democracy, can watch these events unfold and sit on our hands. We can do more. The legacy of empire demands that we do more. We have a duty to speak out more regularly. We have a duty to challenge as well as to encourage both the Indian and the Pakistani authorities. I have to say to the Minister that the written answers to the questions tabled, particularly last summer, are so bland it is as though these matters are a daily

occurrence that can be ignored. That is not good enough. There are other disputes in this world that elicit much stronger responses from the Government when Members of this House table written questions. That has not been the case in relation to the dispute in Kashmir. In particular, there has been no definitive answer on whether the Prime Minister specifically raised the issue of human rights abuses with the Indian Government. It is not enough to tell us that the issue of Kashmir was raised. We need to know whether the human rights abuses and the use of pellet guns were raised.

I believe that it is now incumbent upon the British Government to make a clear call to raise this issue at the United Nations and to ask for an independent, UN-led investigation into human rights abuses, so that we can at least demonstrate that although some parts of this world see this as a forgotten conflict, or a conflict they want to be forgotten, we will never forget it and will keep fighting.

12.53 pm

- Bob Blackman (Harrow East) (Con)

It is a pleasure to follow the hon. Member for Birmingham, Ladywood (Shabana Mahmood). I commend my hon. Friend the Member for Bury North (Mr Nuttall) for the calm and measured manner in which he introduced the debate. I hope that we can continue that throughout the debate.

No one in the debate has yet mentioned that 19 January 1990 was an evil day in the history of Jammu and Kashmir—the day when 65,000 Hindus were forcibly expelled from the Kashmir valley by Islamic jihadists, under the slogan, “Die, convert or leave”. They forced only the men out. They said, “Leave your women. We will convert them, we will rape them and we will make them all Muslim.” One of the sad facts of this largely forgotten area of conflict is that it has a religious element as well as the aspect of where people wish to live.

I had the opportunity in February last year to visit Jammu and Kashmir. I went to Srinagar and to Jammu. I was heartened by the fact that when I met people from all walks of life in Srinagar, particularly those from the chamber of commerce, they came with a series of opportunities, including trade, hydro-electric power, agriculture, canning goods to be sold across the world, as well as using the beauty of the Kashmir valley to attract tourists to the area. It is an area that we would all love to go and visit and that we would all love people from across the world to be able to

go and visit. The one fundamental issue that they all raised was that of safety and security.

The reality is that when we talk about the suffering in Jammu and Kashmir, we have to concentrate on the human rights abuses and violations against Hindus, Sikhs and minority Muslims. The sad fact is that this has been used as a means of ethnically cleansing this part of the world.

I hope when the Minister replies he will comment on the fact that the European and Indian authorities identified terrorism as one of the major sources of concern to both the European Union and India. Jointly, in their communiqué, they condemned the terror attacks in Brussels, Paris, Pathankot and Gurdaspur and recalled the November 2008 terror attacks in Mumbai. They called for the perpetrators of these attacks to be brought to justice. Leaders called for decisive and united actions to be taken against ISIL, Lashkar-e-Taiba, Jaish-e-Mohammad, Hizb-ul-Mujahideen, the Haqqani Network and other internationally active terrorist groups such as al-Qaeda and its affiliates. Those terrorist groups all operate from Pakistan. They are along the international line of control. They are infiltrating terrorists into the sovereign state of Jammu and Kashmir.

We should remember that the fundamental element of this is when Britain ceased to be the colonial power. The decision on whether states opted either for Pakistani control or for Indian control was left to each independent state. The Maharaja Hari Singh, who was the last ruling Maharaja of the princely state of Jammu and Kashmir, signed the instrument of accession to India, bringing the state under India on 26 October 1947. We should be clear that under international law, the whole of Jammu and Kashmir is an integral part of India. It is the crowning glory of India. As such, every other aspect that has gone on after that date has been a violation of international law.

Several hon. Members have alluded to the United Nations resolution, and we must remember the detail: Prime Minister Nehru took the issue to the United Nations in the first place, seeking to get the Pakistani forces that illegally occupied part of the sovereign state of Jammu and Kashmir to leave. The UN resolution calls—this is the first element—on the illegal occupying forces of Pakistan to leave Jammu and Kashmir, then for the Indian forces to reduce to what is required for security purposes and then, and only then, for a decision to be made on a plebiscite for the people of Jammu and Kashmir on what should be their destiny. Pakistan has never

accepted or complied with that UN resolution. That is one of the fundamental reasons why we have this challenge and problem today.

- Mr Baker

My hon. Friend is making an articulate case, as always. Does he think there is any chance of India engaging in confidence-building measures with Pakistan on this point so that that element of the resolution might ever be fulfilled? Is India willing to give appropriate assurances?

- Bob Blackman

Clearly, I cannot speak for the Indian Government and the UK has ceased to be a colonial power. We are not the power that will tell India or Pakistan what to do and, in that respect, I am concerned that the motion could be misinterpreted in other parts of the world—*[Interruption.]* I think that Mr Deputy Speaker will hold me to account if I give way.

There have been numerous violations of the ceasefire along the line of control, and a recent upsurge in violence, which my hon. Friend the Member for Bury North mentioned. Studies have found that the shells, GPS units and everything else that emanated from the site where those Indian troops were killed and murdered came from Pakistan military use, so it is quite clear that Pakistan was behind that conflict. The number of violations across the line of control has been frequent and well documented, and that needs to be understood. The recent upsurge in violence resulted from the Indian forces eliminating Burhan Wani, the Jihadi John poster boy of jihad.

The use of pellet guns and other human rights abuses have been taken up by the state Government of Jammu and Kashmir, who have had four debates on the subject. Those human rights abuses have been called to account and will be fully investigated, and any proven perpetrators will be suitably punished. I think we can say that the sovereign state is looking after those aspects. We want a peaceful resolution to the situation so that the people of Jammu and Kashmir, and Ladakh, can live in peace and harmony.

1.02 pm

- Imran Hussain (Bradford East) (Lab)

I congratulate the hon. Member for Bury North (Mr Nuttall) on securing this extremely important debate that, as vice-chair of the all-party parliamentary Kashmir group, I assisted in bringing to the House. I am privileged to take part because the issue matters deeply to many of my constituents and to me personally, as my family originates from the state of Kashmir so I know the region well. Although the seriousness of the issue means that I could talk at great length, time does not permit so I will try to keep my contributions to several key areas.

I believe that the most pressing matter is the longstanding and ongoing human rights abuses taking place in the region. Last summer and long after, we saw the devastating deployment of pellet guns that resulted in the indiscriminate maiming and blinding of hundreds of Kashmiris, and the horrific photos of the aftermath of their use, with pellets embedded in the bloodied faces of demonstrators and children—images we would all like to forget. But security forces did not stop there. Thousands were injured, phone lines were cut, internet access was constrained and the region was placed under a strict curfew. We would expect such moves under a repressive regime, not one with the hallmarks of a free, open and liberal society.

The abuse then turned deadly, with the illegal use of live ammunition by security forces on unarmed demonstrators resulting in their deaths. Unfortunately, however, this is nothing new. The reality is that human rights abuses have gone on, largely unchecked, for decades in the region, as is well documented by many well-respected human rights organisations. Unaccountability for these crimes is rife. If we are to address the abuses, we must first look at the draconian Armed Forces (Jammu and Kashmir) Special Powers Act, which allows the security forces to escape justice and accountability. It was only ever intended to be invoked on a temporary basis, but has continued in force since 1990. It has been widely criticised by well-respected human rights organisations, with numerous calls for it to be repealed. I repeat those calls today because the Act grants security forces in the region heavy-handed powers to kill, arrest and search. It is because of the Act that there have been near unspeakable horrors and abuses of human rights including extrajudicial killings, forced disappearances, tormented and tortured civilians, mass rapes, widowed wives and orphaned children.

According to recent figures published in the *Journal of Law and Conflict Resolution*, between 1989 and 2010 there were almost 7,000 custodial killings. Some 118,000

civilians were arrested, almost 10,000 women were raped or molested, and as many as 10,000 Kashmiri youths were forcibly disappeared. There is no doubt that such abuses are taking place—I disagree with my hon. Friend the Member for Ealing, Southall (Mr Sharma)—as they are well documented. To deny that they are well documented is to go against many well-respected human rights organisations and the evidence, including video footage and photographs, that we have seen with our own eyes.

- Nusrat Ghani

Will the hon. Gentleman give way?

- Imran Hussain

I may come back to the hon. Lady, but she knows that time is very limited.

As has been mentioned, we must not turn a blind eye to abuses that take place. We must not ignore them or just stand by. We must send a clear message today that wherever it takes place, injustice is injustice, and it will never be tolerated.

The second important issue is that of self-determination, specifically the right of the sons and daughters of Kashmir to self-determination and the urgent need for them to be able to exercise that right. A lot has been said about UN resolution 47, calling for a plebiscite on the future of the region. The resolution is crucial to the story of Kashmir, past and present, but it is non-binding, which is why the plebiscite has not yet taken place. However, I call again for the implementation of that resolution, whether it is called UN resolution 47, a free and fair plebiscite or whatever we name it. The ultimate choice must be for the sons and daughters of Kashmir to determine their own destiny. They have waited for more than 70 years for their voice to be heard and to make a decision on their future to determine their lives. For more than 70 years, they have been denied their birth right to self-determination. The international community must do what is fair and proper, allowing the sons and daughters of Kashmir their birth right.

I am passionate about the subject and could go on, but time is not permitting, so I will conclude. I have previously asked the Minister in this House to condemn the human rights abuses in the region. I ask him again today to use this opportunity on behalf of the Government to condemn those abuses. At the very least, Minister, please accept that the abuses are taking place, and assure us that the Government are doing everything they can to allow for a peaceful resolution on the basis of the sons

and daughters of Kashmir determining their own destiny—something that is very much overdue.

1.09 pm

- Naz Shah (Bradford West) (Lab)

I congratulate the hon. Member for Bury North (Mr Nuttall) on securing this timely and important debate.

It is said that in war there are no winners, only losers. If so, the people of the Kashmir region have surely paid too great a price. The UN resolution was passed in 1948—almost 70 years ago—and we seem no closer to self-determination in the Kashmir region than we did then.

As we know, and as many have said and will say in this debate, the last six months have seen nothing but backwards steps. We have curfews; censorship; the wounding, maiming and killing of civilians; the death of military personnel on both sides; the economy crumbling; food shortages; a refugee crisis caused by tens of thousands of displaced civilians; and skirmishes along the line of control. We have seen international pacts under threat, water shortages, deep divisions on both sides of the line of control, and progress well and truly in reverse.

As we all know, it has been the position of this Government and of successive Governments that the issue of Kashmir is for India and Pakistan to resolve at a pace they see fit, and in a way they see fit, and that it is not for our Government to intervene, suggest solutions or mediate. But what, then, do this House and this country stand for? We have loss of life, widely reported human rights abuses and a United Nations that cannot gain genuine access to the Kashmir valley. To our shame, although we raise this issue with both sides, every time any member of the Government has been challenged to raise it directly at the United Nations, that request has, as far as we can tell, been politely declined, politely deflected and politely ignored.

Those who live in the region and those of us who follow events in Kashmir closely know that a deep underlying tension has scarred one of the most beautiful places in the world. We have all seen the pictures and reports of the oppressive and aggressive tactics that have been used to silence dissent and squash civil unrest. But the people are restless, and rightly so—it has been nearly 70 years since partition, and they are no closer to being in control of their own destiny.

The reports that have come out of the region have been tragic and disturbing. Estimates put civilian deaths at somewhere between 85 and 120. The number of civilian casualties is estimated to be over 13,000, due to the action by security services. We have seen communication —internet and telephone services— restricted. We have seen an attack on the free press, and particularly the *Kashmir Reader*, which was banned from publishing for months.

Many have talked today about the use of pellets. How a standard operating procedure of firing below the knee can be used for a shell of pellets that have a 6 metre dispersal range is a question for the ages. That is, by any definition of the term, an indiscriminate use of force when used in a crowd, and reports have shown that that is the case in practice, with many civilians losing their eyesight due to this modern form of crowd control.

One widely reported story that struck me was that of a 14-year-old girl who died of respiratory illness. She died as a result of inhaling PAVA chili gas. For six days, she lived with burns to her throat and lungs, and she eventually passed away in a hospital on a ventilator.

The motion raises a number of issues that need further consideration by the House. One is that the Government need to do more at the United Nations to encourage the de-escalation of tension, to encourage both sides to give the UN access to the Kashmir valley and to assess the reports of human rights violations.

- Stella Creasy

Does my friend agree that one of the more constructive things the Government could do is press for an independent UN inquiry into human rights abuses? That has helped in other situations around the world.

- Naz Shah

I absolutely agree that we need to push for an independent inquiry.

We are not asking the Government to prescribe how Pakistan and India resolve the entrenched issue of peace in Kashmir, but everyone here will recognise that, with the situation as it is on the ground—with civilians being killed, oppressed and impoverished—there can be no progress towards peace or a resolution. We have an obligation to do everything in our power to help the region return to a level of normality—I use that term loosely—before any progress can be made towards peace.

The motion also recognises that, for there to be any meaningful and lasting peace in the region, the people of Kashmir have to have the freedom and security to make a decision for themselves. We have long talked about the self-determination of the Kashmir people, but under the current occupation, and without robust and lasting local representation, can we truly expect to reach a position where the will and wishes of the people in this region are not only heard but truly listened to?

When uprisings like this are met with excessive force, that only further entrenches differences. These things have played out many times since the 1990s; at the end, the bodies of civilians are counted, and the people who survive and who struggle to live in this region become further embittered towards those they hold responsible for their oppression.

It is in the interests of Pakistan and India to improve relations, for the security and prosperity of the over 1.4 billion people who live in those countries and the region as a whole. The situation requires strong international leadership—not to force India and Pakistan into a solution but to invest in the foundations that can lead to a lasting peace and to the self-determination of the Kashmir people, and I call on the Government to take the lead.

We have a responsibility 70 years in the making. We as a nation have a vested interest in both these countries. We are intrinsically linked to both of them. We have had a major impact on their history, and we must help them to create a future. We have just signed a massive trade deal with India. The China-Pakistan economic corridor will have an impact on the wider world in terms of trade, growth and prosperity. There is an international perspective, and it is to our benefit.

I spent my teenage years in what is known as Azad Kashmir. Azad, means “free”: free to go to the shops, free to play, free to go out into the street, free to visit—free to go wherever I, or my family, want. My family remain in Azad and continue to enjoy the freedoms of Azadi, but the children in occupied Kashmir do not have those freedoms. They might not return if they go out. A son might not return with his eyesight, and that will affect 70% of his abilities as a human being—I know that from my experience of working with disabilities. A young girl might not return, and if she does, has she been raped and violated? These things—these disabilities—are the reality of the occupation in Kashmir. We cannot and must not abdicate our responsibility. It will be quite frankly shameful if the Government continue in their inaction.

I ask Members to support the motion and to call on the Government to use the current climate to help push Pakistan and India into more prosperous diplomatic relations. I finish with the words of Martin Luther King:

“Our lives begin to end the day we become silent about things that matter.”

This House and this Government cannot remain silent on the issue of Kashmir anymore.

1.17 pm

- Chris Leslie (Nottingham East) (Lab/Co-op)

It is a tragedy in some ways that we are still here debating this issue, although I am grateful to the Backbench Business Committee and hon. Members for securing the debate. Here we are again—I think it is a couple of years since we had a substantive discussion of this matter.

As we heard from my hon. Friend the Member for Bradford East (Imran Hussain), it is 70 years since the partitioning of the region, where Britain, of course, had an integral responsibility and role. It is for that reason that we cannot wash our hands of this problem, just ignore it or sweep it under the carpet. The UK has a long-standing duty and responsibility to take an interest and to be involved in this issue.

We have heard, of course, about the United Nations resolution and the call for a plebiscite to solve the issue, but nothing really moves forward. The frustration of many of my hon. Friends in the Chamber is palpable. We do not particularly relish having to come here to talk about this issue time and time again, but we find ourselves having to do so.

Decades on, we find ourselves talking about some of the tragedies that are occurring. Yes, there are occasionally brief spells of calm, but those are then broken by rising tensions, by conflict and by the flare-up of issues. Often, that is because funerals breach curfews that are put in place, which in turn escalates the conflict in this heavily militarised part of the world—and on and on the cycle goes. We have heard a lot about the effects of pellet guns, for instance; I am glad that many hon. Members have raised that. The UK Government must make it clear that there are appropriate and inappropriate ways to address civil issues that arise on the streets.

Lots of different organisations and parts of the community have a role to play, as well as the UK. The United Nations clearly has a role. This issue should not be

parked and hidden away, often because there is very little media coverage and not much information about what is happening in this part of the world. India and Pakistan do not just have a role—they have a responsibility to do more to move away from the heat and the conflict in this situation to find a better path to the future. Perhaps a wider regional approach to finding peaceful solutions should be explored, given that we see this in other conflict zones around the world. Often where there are bilateral disagreements between two countries in a region, trying to find ways of saving face on either side is incredibly difficult, as we have seen in the middle east, so there is an argument for involving other parties and nations in that part of the world to think about ways of breaking the deadlock.

The Kashmiri community themselves clearly want to have a role, and they do have one: they are a very vocal community in many of our neighbourhoods. As I have said to many groups that press for attention to be given to human rights and for self-determination in Kashmir, it would help massively if they could all co-ordinate and work together. That includes communicating with Members of Parliament, because we are not getting information about what is happening in that part of the world. Much more could be done in the new ways in which we operate, even on social media, to make sure that the wider community and policymakers are aware of issues that arise, and effective co-ordination would make a difference in that regard.

We need to start to think laterally about how to crack this problem so that we are not here again in two years' time. What different mechanisms could be available to try to find peaceful solutions? The UK has a role and should think about promoting peacekeeping, which means encouraging Governments to demilitarise and stop the attacks to take out the tension and the heat; promoting peace-building, which means reversing some of the destructive steps that have been taken in recent years; and promoting peacemaking, which means searching for negotiated resolutions where possible. All these things can and should be taking place simultaneously.

Leaders in India and Pakistan must all dial back on aggression and not be provoked by individual attacks, although that is of course difficult if they feel that different governmental forces are behind, or alleged to be behind, certain attacks.

Normalisation of the situation in Kashmir is absolutely essential so that we can open the routes and channels for dialogue. As my hon. Friends the Members for Bradford East and for Birmingham, Ladywood (Shabana Mahmood) said, we must go back to

the rule of law as a matter of urgency, and have the accountability for the police and the armed forces that has been lacking in many ways.

I know there is a long-standing position in terms of the Foreign Office's policy on this, but I call on the Minister and the UK Government to think about ways of promoting conflict resolution and confidence-building measures between the different sides—for example, a summit to learn lessons about peacemaking tactics in areas where the UK has been involved in times past. The conflict in Northern Ireland was lengthy, and it took a lot of time to get people around the table, sometimes not even in the same building or the same room, but the UK Government have expertise in this field and they should find ways of applying it. It is also worth thinking about the potential role of economic development and regeneration in reciprocation for dialogue that we might want to have, because that has worked in other situations.

I thank those from the Pakistani and Kashmiri community who have made strong representations to me. On Friday 24 February, I will host a Nottingham roundtable on Kashmir, trying to bring together, as independently as I possibly can, all those with an interest in this issue to try to drill down into what the community is looking for and the solutions that might be viable, and then to make representations to the Government. I am grateful for the opportunity to make that point directly to the Minister this afternoon.

1.25 pm

- Simon Danczuk (Rochdale) (Ind)

It is a pleasure to follow my hon. Friend the Member for Nottingham East (Chris Leslie), who made a very good and solution-focused speech. I thank the hon. Member for Bury North (Mr Nuttall) for securing and leading this debate.

I first visited Kashmir in 2011 just after I was elected to serve Rochdale, a town with a vibrant Kashmiri community. Kashmir was just as beautiful, and the people just as welcoming, as I was told would be the case. Yet I knew that this wonderful part of the world was wrought with fear and tension. While I was there, I heard from people on the ground about the human rights abuses regularly carried out by the Indian army, and ever since I have kept a close eye on the situation. The brutality of the Indian army was seen in full force last summer when unrest broke out in the region. The use of live ammunition and pellet guns against crowds was entirely disproportionate, as a number of speakers have described. I thank my colleagues, in

particular, for having already raised those issues with our Government. Tensions are still simmering away, manifesting themselves in small clashes that could escalate in the foreseeable future.

In such circumstances, Britain really does have to step up to the mark. We all know the old Pottery Barn rule: “You break it, then you have to fix it”. Thanks to our long imperial history there are plenty of broken pots all across the world, from Palestine to Hong Kong to Kashmir. It is therefore unacceptable for the British Government to wash their hands of the matter, as they are currently doing. While I accept that Pakistan and India must be at the forefront of striking a deal, there is no reason why Britain cannot play a more active role in mediating the conflict by bringing people round the table and monitoring the human rights situation in Kashmir. I understand that during the Prime Minister’s meeting with Indian Premier Modi last November, the issue of human rights abuses in Kashmir was not even raised. Can the Minister confirm this? If true, what does it say about Britain’s place in the world?

Earlier this week, the Prime Minister outlined her vision for a “global Britain” that is confident across the world. I welcome this ambitious vision for our country, but I have my reservations. This new outlook cannot solely be about forging trade links across the world. The promotion of human rights and liberal democratic values must be at the heart of British foreign policy if we truly wish to be a positive global player. I worry that in the coming years human rights will be pushed even further down the agenda as the Government seek to secure Britain’s economic future. We have a vastly expanded team working on international trade, who I am sure will be keen to strike some sort of free trade deal with India. I wonder what this will mean for the people of Kashmir. It is perfectly reasonable for a Prime Minister to raise sensitive issues like human rights and territorial disputes behind closed doors, as many Prime Ministers have done with their Indian counterparts previously, but I am not confident that this will happen in future. I would like the Government to provide me and Britain’s Kashmiri diaspora with reassurances that settling the issue of Kashmir will remain a substantive part of the UK’s dialogue with India and Pakistan.

This is not just about India and Pakistan finding a solution; Kashmiris must also be part of any future dialogue. Britain should promote their voice in this debate—a voice that is too often shut out. While we talk about human rights today, it is important to remember that the most important right for a people is the right to self-

determination. It is therefore incumbent on the British Government to help the people of Kashmir to determine their own future.

1.29 pm

- Gill Furniss (Sheffield, Brightside and Hillsborough) (Lab)

I thank the hon. Member for Bury North (Mr Nuttall) for securing the debate. The political situation in Kashmir continues to be a long drawn-out conflict, ranging back to 1947. Since then, there have been occasional surges in violence, leading to the deaths of hundreds of civilians in the area. Although attempts at dialogue to resolve the conflict have been made by both the Pakistani and the Indian Governments, ultimately those attempts have amounted to nothing substantial for the people of Kashmir and their calls for self-determination.

In 2010, Kashmir saw one of its most brutal episodes of violence when 120 civilians, most of them teenagers, were killed at the hands of the Indian military. However, the violence of 2010 was overshadowed by the tragic series of events that we witnessed in the summer of 2016, which appear to constitute a violation of human rights. The killing of a rebel leader in Kashmir who was revered by the Pakistani population and known as a terrorist by the Indian state resulted in hundreds of Kashmiri citizens flooding to the streets in protest against the killing.

Undoubtedly, such events are but triggers in this long-standing conflict, which is perpetuated by a feeling of frustration and anger among the Kashmiri community, who have often found themselves restricted by curfews and limits to their freedom of speech, and who have been, at times, bullied and humiliated at the hands of Indian officials. The protestors threw stones when confronted by the Indian military, and the retaliation by the Indian military was staggering: they used pellet guns in an attempt to disperse the crowds, although the use of live bullets and CS gas was also noticeable. By the end of August, after six weeks of violence, some 6,000 civilians had been injured. Almost 1,000 of them suffered injuries to their eyes.

Let us be clear: pellet guns are seen as non-lethal crowd control weapons, but they have devastating and long-lasting consequences. In a report entitled “Lethal in Disguise”, the International Network of Civil Liberties Organisations and Physicians for Human Rights made it clear that pellet rounds cause

“an indiscriminate spray of ammunition that spreads widely and cannot be aimed”

and that they are

“likely to be lethal at close range, but are likely to be inaccurate and indiscriminate at longer ranges”.

The report goes on to state that most countries

“prohibit the use of metal shot as excessively dangerous but several countries, including Egypt and Bahrain, use it regularly.”

It appears that we should add India to that list of states.

India is the largest democracy in the world, with a thriving economy and an increasingly educated population. I am therefore appalled by its attitude to the use of such methods, which have such damaging and, at times, life-threatening effects. In the long term, such methods only sow feelings of anger and resentment within the Kashmiri community that will no doubt spill over when something else triggers a reaction.

In answer to a question that Lord Ahmed tabled on 14 December in the other House, Baroness Anelay of St Johns assured us on 23 December that the Government of India are reviewing the use of pellet guns in Kashmir. A recent report in *The Independent* suggests that India will swap this non-lethal method for alternative mechanisms. Although that is welcome, India must make a clear commitment that it will not use pellet guns, and that any alternative crowd control mechanisms will be used proportionately and in line with human rights laws and international legal obligations.

India and Pakistan are both friends of the UK, but we should use that friendship to drive forward a policy of dialogue between them on the issue of Kashmir, and to encourage respect for human rights, freedom of speech and freedom of expression. I strongly condemn the violence in Kashmir, and in particular the use of pellet guns, which have devastating effects on civilians. Although we welcome the review of the use of those weapons, it may fall short of a clear commitment. As the UK is a member of the UN Security Council, I urge the Government to raise these human rights abuses at the UN and to call for an investigation into them. As touched on by my hon. Friend the Member for Walthamstow (Stella Creasy) in her intervention, a wider review of human rights throughout the world would be very welcome.

It is in everybody’s interest that dialogue between India and Pakistan continues on the issue of Kashmir so that a long-term sustainable solution can be found to the conflict, which has already gone on for too long. I therefore support the motion.

- Several hon. Members rose—
- Madam Deputy Speaker (Natascha Engel)

Order. Because of the number of Members who want to catch my eye for this debate and the following debate, I am going to drop the unofficial time limit—there is no official limit on this—to five or six minutes, with 10 minutes each for the wind-ups. Then we will come in just on time. If Members could keep to that time, that would be great.

1.35 pm

- Paul Blomfield (Sheffield Central) (Lab)

I rise to support the motion and to congratulate the hon. Member for Bury North (Mr Nuttall) on securing the debate.

Like many hon. Members present, I represent a richly diverse constituency, the people of which owe their origins to more than 120 countries. Those whose family roots are in Kashmir are one of the largest groups. One of the many advantages of having so many diaspora communities in my constituency is that when we see issues around the world, we feel them back home. For example, when the devastating earthquake hit northern Pakistan and Azad Kashmir in October 2005—killing around 90,000 people, leaving 3.5 million homeless, and destroying vital infrastructure—we felt the pain in Sheffield, through friends and neighbours whose families were in the region, and the city responded. As well as offering immediate support, we set about raising funds to rebuild the infrastructure. As a result of those efforts, seven years later Sheffield College opened on a wooded hill overlooking the city of Bagh—a community at the heart of the quake that lost 10% of its population. I pay tribute to my constituent Abdul Assim and all those who led the fundraising.

Just as that link through the diaspora community gives us a special responsibility for natural disasters beyond our control, so it gives us a special responsibility for events that we have shaped and that we can influence. The UK clearly has a special responsibility, dating back to our occupation of Jammu and Kashmir and the terms of our withdrawal after independence in 1947, so events of the sort that have occurred since last July should focus us all again on seeking a settlement to one of the most long-standing post-war grievances. The basis for that settlement should be, as others have mentioned, UN Security Council resolution 47, which was agreed almost 70 years ago in April 1948, calling for a plebiscite to enable the people of Kashmir to determine their own future.

The wave of protests and their suppression in the Kashmir valley following the killing of Burhan Wani have been a tragedy for the people of Indian-occupied Kashmir, and they should have prompted a concerted effort by the international community to reach a political solution. The Indian authorities have responded to the wave of strikes, rallies, protests and demonstrations with what looks to the whole world like disproportionate repression. In November the BBC estimated that more than 85 protesters had been killed and thousands more had been injured.

As many Members have said, of particular concern has been the use of pellet guns by the Indian authorities. Those are guns that fire shrapnel directly at protestors. As the BBC reported, despite Indian soldiers supposedly being required by their own standard operating procedure to target only the legs, and to do so only in extremely volatile conditions—the hon. Member for Wealden (Nusrat Ghani) and my hon. Friend the Member for Bradford West (Naz Shah) have described the nature of those weapons, which make that standard operating procedure irrelevant—90% of those who were injured received injuries above the waist. Those were horrifying injuries, and many children were blinded. That simply cannot go on.

I hope the Government will make the strongest possible representations to the Indian authorities and support the Amnesty International call for a ban on the use of pellet guns, but we need to go further and actively seek a political solution. When I tabled questions to the Minister, for whom I have high regard, in September, he confirmed that

“The longstanding position of the UK is that it is for India and Pakistan to find a lasting resolution to the situation in Kashmir”.

**Of course that is right, but it is not enough. In other situations around the world, where we see the sort of injustice that exists in Kashmir, and we see it exploding, as it has recently, the international community tries to bring pressure to bear on the protagonists to seek a solution, and to engage all the key stakeholders in realising that solution. That is why I asked what the UK Government were doing within the United Nations and the Commonwealth to seek action. Frankly, the Minister’s reply that he had had no discussions and that:**

**“The United Kingdom does not intend to support an international conference or a plebiscite on Kashmir in line with UN Security Council Resolution 47”**

**Is unacceptable.**

**I ask the Minister to think again. The UK played a part in creating the problem; let us now play a part in finding a solution.**

1.41 pm

- Tracy Brabin (Batley and Spen) (Lab)

I thank the hon. Member for Bury North (Mr Nuttall) for bringing the debate to the House today. I also congratulate my hon. Friend the Member for Birmingham, Ladywood (Shabana Mahmood) on her detailed and passionate speech and my hon. Friend the Member for Bradford West (Naz Shah) on the determination and clarity in her speech.

Like many other hon. Members, I have been horrified at the ongoing violence in Kashmir and I know that trying to get peace for the region is enormously important to a great number of my constituents. A couple of months ago, my hon. Friend the Member for Islington South and Finsbury (Emily Thornberry) came to Batley and Spen in her role as shadow Foreign Secretary. Speaking to a packed hall in our Pakistani Kashmiri Welfare Association centre, **we heard heart-breaking stories from my constituents, who were stressed and anxious about friends and loved ones in the region. Their anxiety was intensified by frustration at the seeming lack of political will to resolve the crisis. If the Minister had been in the hall that afternoon, he would have been left in no doubt of the urgency of the situation.** A number of constituents have also contacted me in the lead-up to this debate, all stressing their desire that peace be agreed in the short-term and that self-determination for the people of Kashmir be negotiated in the long-term.

As we know, the UK's long-standing position on Kashmir is that it is for India and Pakistan to find a genuine political solution, while respecting the wishes of the Kashmiri people. **The Prime Minister has previously stated that it is not for the UK to prescribe a solution, or act as a mediator. That said, we cannot ignore the urgency of the situation. We are considering two nuclear powers with a volatile history of mistrust, violence and brinkmanship.**

**As the Minister will know, under the partition plan of the Indian Independence Act 1947, Kashmir was free to accede to either India or Pakistan. Time does not permit me to give a full history of the Kashmiri conflict, but we cannot avoid the fact that there is a very clear link back to the conflicts there and the**

**decisions made here. We have a moral duty to encourage Pakistan and India to commence peace negotiations to establish a long-term solution on the future governance of Kashmir, based on the rights of the Kashmiri people to determine their own future in accordance with the provisions of the UN Security Council resolutions. So far, we have not done enough.**

**For example, the Prime Minister had a unique opportunity to raise human rights abuses in Kashmir when she met Prime Minister Modi in November. We have heard in a reply to a parliamentary question that the Prime Minister discussed Kashmir with the Indian Prime Minister, but sadly we have no information about what was said or agreed.**

However, we know that the Prime Minister engaged in a charm offensive to secure a lucrative trade deal with India. My concern is that the Prime Minister's anxiety to secure a trade deal may have diluted her comments on Kashmir. With that in mind, I would be grateful if the Minister expanded on what the Prime Minister raised with her counterpart and the responses she received.

**Did the Prime Minister raise the arbitrary and excessive force carried out by the Indian security forces? Can the British Kashmiri people be assured that their Prime Minister took meaningful steps to leave Modi in no doubt that the recent conflict is completely unacceptable? Amnesty International has stated that the excessive use of violence violated international standards and worsened the existing human rights crisis in the region.**

**The flare-up of violence that the world has witnessed since July 2016 has shocked us all: a devastating loss of civilian life and injuries counted in their thousands; closure of universities and schools; general strikes; curfews and the closure of media outlets and mobile phone services.** As we have discussed, the authorities' use of pellet guns has left people blind and with other severe injuries. Lives have also been lost. I wholeheartedly support Amnesty International's call for a ban on the use of pellet guns against stone-throwing protesters.

The injuries that pellet guns leave are devastating. Insha Mushtaq who, at just 14 had dreams of being a doctor, is now blind, possibly for the rest of her life. When hit by the bullet, Insha was sitting by a window. She wants to know what she did wrong. My constituent, Amjed, told me of the state of anxiety his family live in every single day. Some are lucky enough to have made it out of Kashmir to Pakistan, others are

left living in fear. The women and girls in his family do not leave the house for fear of being raped or attacked. The menfolk have to tell family members precisely where they are going in case they never return.

**It is no wonder that women and girls do not leave the house. According to Asia Watch and Physicians for Human Rights, rape by Indian police and the armed militia is commonplace throughout Kashmir. The victims are generally poor women and those who are vulnerable and low caste, and tribal minority groups. Vicious acts routinely go unpunished.**

The British Kashmiri community in my constituency has been at pains to stress that they want a peaceful solution. The lives of their friends and families in the region rely on it. We must continue to call on all parties to engage in meaningful dialogue to break the cycle of violence and breaches of international human rights on the Indian side of the line of control in Kashmir, and seek a lasting bilateral resolution. The wishes of the Kashmiri people must be at the forefront of those negotiations, because the world is watching.

1.47 pm

- Kelvin Hopkins (Luton North) (Lab)

It is a great pleasure to speak in this important debate. I congratulate my hon. Friend the Member for Batley and Spen (Tracy Brabin) on a fine speech. She is a great addition to the House and I welcome her to it.

Much has been said that does not need to be repeated, but I commend so many of the serious, weighty and important speeches and I hope that the Government are listening. Like many hon. Members here today, **I represent several thousand Kashmiris in my Luton North constituency. Many came to Luton decades ago, but they have not forgotten the painful experiences of their fellow countrymen and women, which continue to this day. Indeed, in recent months, those experiences have got worse, and we must all stand against the violence and human rights abuses that are being inflicted on the people of Kashmir.**

The Government must be pressed to do more in international forums to secure an end to those abuses. I have spoken in previous debates on the subject in the Chamber and have been with other hon. Members to the Foreign Office to make representations to Ministers and to press them to use their influence to help eliminate

the human rights violations as a first step to resolving the Kashmir dispute once and for all.

I have visited Kashmir. I have been to Mirpur and the town of Kotli, where many of my constituents come from. The region is therefore not just a distant continent to me. **As the hon. Member for Bury North (Mr Nuttall) pointed out, India and Pakistan are nuclear powers, and Kashmir is prime source of tension between the two countries. It is therefore of the greatest interest and concern to the wider world to find a solution to the Kashmir dispute to make the world a safer place.**

I have had many meetings in Luton with Kashmiri constituents. Although all are united in wanting freedom for the people of Kashmir, there is a range of views about what its future should be. Some believe that Kashmir should simply become part of Pakistan, and doubtless others will want it to remain to part of India, while yet others want it to be an independent state. However, **the concept that unites all of them is that Kashmiris should decide their future for themselves; that there should be self-determination. I support the Kashmiris in that aspiration.** They should determine their future and we should support them.

1.49 pm

- Lyn Brown (West Ham) (Lab)

**According to Reuters, at least 80 civilians were killed by Indian forces between July and December last year, many of whom were participants in protests. The protests began on 8 July after the death of Burhan Wani, the popular leader of the largest Kashmiri independence group. The authorities imposed a curfew, and disabled internet access and mobile phone networks, but this did not prevent an escalation. Both tear gas and live ammunition were used to disperse large crowds and groups of stone-throwers.**

There have been expansive contributions in the Chamber **about the indiscriminate use of pellet guns to disperse protesters. Pellet guns have the predictable effect of blinding those they hit. At close range, the hundreds of projectiles they fire can carry enough kinetic energy to penetrate skin and organs. They can therefore be fatal if fired at much of the body. A very large number of pellet injuries have been to the face, with 570 people seeking treatment for eye injuries at the main hospital in Srinagar on 8 November. According to**

**hospital's figures, more eye surgeries were performed in the three days between 10 July and 12 July than throughout the whole of the previous three years. That cannot be right.**

**Many children are among those who have lost their sight as a result of such tactics. In the case of 13-year-old Mir Arafat, the pellets penetrated deeply enough to become embedded in his blood vessels, neck, oral cavity, lungs and heart. In the case of Junaid Akhnoon, also 13, the pellet injuries to his head and chest were severe enough to kill him. At a minimum, this is evidence that insufficient care is being taken to ensure that civilians are not seriously injured by security forces' tactics. It is also suggestive of something far more serious: that the security forces in the region are intentionally using tactics that blind civilians to discourage protests against Indian rule. According to a spokesperson for the state Government, the use of pellet guns is "a necessary evil". But it is not. It will never be necessary for security forces to blind children to ensure the restoration of order.**

Both India and Pakistan have been responsible for deaths from army shelling and military raids across the line of control in recent months, in a cycle of retribution that regularly claims civilian lives in addition to those of soldiers. There are accusations that Pakistan has used the popular unrest of ordinary Kashmiris as cover for renewed attempts by proxy groups to enter and further destabilise the border regions under Indian control. I am sure that the Minister, like me, is deeply troubled by these recent reports, but equally disturbing is what goes on behind the scenes.

**Amnesty International cites the example of Khurram Parvez, a prominent Kashmiri human rights defender who was arrested repeatedly and held without proper process for a total of 75 days last year. Eventually, his detention was ruled to be arbitrary and illegal by the Jammu and Kashmir High Court, and his release was finally secured following international pressure on 30 November. I am pleased the Minister is in his place and I beg him to hear that international pressure does have an effect. The case of Khurram Parvez is part of a pattern that human rights organisations have been detailing for years, most comprehensively in Amnesty International's 2015 publication, "Denied".** Amnesty's view is that the dire situation the report describes remains largely unchanged. Due process is still frequently denied both to those accused of militant

activity or support, and to those victims—along with their families and communities—of state security abuses. They never see any progress towards justice and peace.

As we continue to work on these issues, we must ensure that humanitarian concerns remain at the forefront of our minds. It is clear that this conflict has gone on far too long. The individual stories we have heard today are really nothing new. Much of the conflict goes on away from the eyes of the western world. I hope this debate will begin to change things. I further hope that the Government will renew their efforts: to create opportunities for productive dialogue between India and Pakistan; to discourage escalation and exert pressure against policies that allow or encourage human rights abuses; and to facilitate, wherever they can, a permanent settlement that gives Kashmiris a genuine voice. To quote Mandela:

“It is so easy to break down and destroy. The heroes are those who make peace and build.”

1.55 pm

- Tom Brake (Carshalton and Wallington) (LD)

I welcome this debate. I hope our Government, who in a post-Brexit world are now very outward-looking and want to develop their foreign policy, use Kashmir as a good example of where they can use their new clout in a way they have failed to do, I am afraid to say, in relation to Israel and Palestine. I had assurances from the Foreign Secretary last week that the Government were involved in all forums when it came to Israel and Palestine, and were actively seeking a solution to that conflict. What hon. Members did not realise was that he meant the Government were not in fact going to be sending any Ministers to the Paris conference. That will no doubt be a subject of a future debate and it would be inappropriate of me to focus on it in this debate.

We have heard many eloquent contributions from Members with significant Kashmiri communities. **They have run through the historical analyses of the situation, and set out distressing and harrowing descriptions of the injuries and deaths that have occurred in Kashmir, and the human rights abuses that Kashmiris have suffered. I will not repeat them, but in the few minutes available I would like to put some questions to the Minister.** I hope he will be able to, either off his own bat or through the inspiration of those who assist him, provide answers to the questions during the course of the debate.

**Does the Minister accept that this is an international conflict that requires the international community, and in particular the United Kingdom, to assist in its resolution? Does he support the idea of an international investigation into the human rights abuses committed by the Indian army or any other alleged perpetrators? Does he accept that as long as the Indian army presence remains at its current scale throughout towns in Kashmir, such allegations will continue to surface regularly? Do the UK Government challenge the Indian Government on the immunity granted to its army? Do the UK Government challenge the use of the pellets many Members have referred to? Do the UK Government regularly raise the issue of human rights in Kashmir?** In the House of Lords on 12 December, my noble Friend Lord Hussain asked whether the Prime Minister had specifically raised the issue of human rights abuses in Kashmir in her discussions with Prime Minister Modi, but he did not receive an answer. Finally, what exactly is the role of China? We have not heard much about China, but it is clearly one of the occupying powers, albeit in perhaps the more sparsely populated areas. What is China's role in this conflict?

The hon. Member for Rochdale (Simon Danczuk) suggested that the hon. Member for Nottingham East (Chris Leslie) had made a solution-focused speech. I, too, want to put to the Minister a possible way forward: the opening of the line of control, so that family and cultural ties can be re-established; the formation of a Kashmir forum to negotiate what powers can be ceded by India and Pakistan to an autonomous elected authority; the retention of Indian and Pakistani bases; and, some years after that, a treaty to guarantee everything from water to power provision for India and Pakistan, as well as the strategic regional defence needs of the two countries. That might be a way forward. I hope that the Minister will set out the Government's precise approach.

**As others have stated, Kashmir is just another long-standing dispute in respect of which the UK played a central role in creating the conditions that led to conflict and where it must now play an equally critical role in finding a resolution. We must now hear from him how he sees our role developing, what our role in the peace process will be and how peace in Kashmir will be secured.**

2.00 pm

- Liam Byrne (Birmingham, Hodge Hill) (Lab)

It is a pleasure to follow the speech from the right hon. Member for Carshalton and Wallington (Tom Brake), and I, too, congratulate the hon. Member for Bury North (Mr Nuttall) on securing this debate. I am proud to have been a member of the all-party group on Kashmir for the 12 years I have been in the House and to have been a secretary to it in the past. I also pay tribute to the speeches from my hon. Friends the Members for Birmingham, Perry Barr (Mr Mahmood) and for Bradford East (Imran Hussain), who spoke with particular power.

When I look back on the 12 years I have campaigned on this issue in the House, I am afraid it is the lack of progress on which I have to remark, not on progress that is worth celebrating. Of course, there have been advances around border controls, trade and transport, but the truth is that today we are not one step closer to honouring that basic requirement set out in the UN mandate all those years ago to grant the right—not the privilege—of self-determination to the people of Kashmir. Over the 12 years, among our most urgent calls have been those for the free movement of human rights observers and the media throughout the area of Kashmir, and my goodness the events of the last six months have underlined why we were so right to call for that. The abuses perpetrated—with pellet guns, rape, chili powder—have maimed, scarred and destroyed lives, and not just among this generation; the memories of the abuse will cascade down the generations, and that will not make the solution or the arrival of peace happen any sooner; it will make it tougher and slower.

**In particular, we have to ask ourselves why we have learned so much about these abuses not from the mainstream media but from social media. I pay tribute to those who had the courage to post news about the atrocities so that the world and we in this House could not look away. We could see it on our phones and on our screens. The BBC has at least started to produce some coverage, but it is of no comparison to the kind of coverage we used to see from South Africa when I was a teenager or of the kind we see from Israel and Palestine week in, week out. We have to call on our media organisations to give us the benefit of transparency so that the world might be forced to look at what is happening.**

The moral arguments for a solution are pretty clear and have been well articulated this afternoon, and my hon. Friend the Member for Birmingham, Perry Barr alluded to some of the geopolitical demands for a solution too. China's new silk road strategy will see \$4 trillion to \$6 trillion of investment poured into the business of integrating the Eurasian landmass. Indeed, yesterday in Dagenham we celebrated the

arrival of the first train direct from China. This great continent is changing, and relations between China and Pakistan are changing. If we get this right, there is a tremendous economic prize ahead, and the principal beneficiaries could well be India and Pakistan, but not if they continue to pour money, arms and troops into the most heavily defended and dangerous border on earth. That is why both sides now surely have an interest in a solution and why we in this House have a moral obligation to help push that solution forward.

I have been part of a group of people in the House who have argued for change for the last 12 years. It is time now for some honesty and candour about whether that political strategy is going to produce any more change or further advance in the 12 years ahead. I do not think it will. We in the House now have to look to other Parliaments around the world—in Europe, the developing world, the US—and begin to think about how we might construct an international alliance of parliamentarians to call for change. We all know about the limitations of the United Nations. It has not made a lot of progress in the last 50 or 60 years. Do we really believe it will make any more in the years ahead? Let us take direct action now, as parliamentarians, not on our own but in alliance with others who believe in the same things we do, and let us together campaign for some basic changes that we all want: the repeal of the special powers Act, which is in clear breach of the UN obligation to which India has signed up; a ban on pellet guns, which many hon. Members have called for this afternoon; free movement of human rights groups throughout Kashmir; an investigation into the 2,200 mass graves that we know are there; and, yes, finally, self-determination for the people of Kashmir.

**We have to make a choice in this House about whether we stand on the side lines of this debate, as impotent bystanders, or whether we are to be protagonists for change, just as we were in South Africa and Burma. One of my constituents put it to me like this:**

**“People of Jammu Kashmir seek a peaceful resolution of the issue and want their country to become a bridge of peace not a bone of contention between India and Pakistan.”**

**We in the House should support the motion and that basic instinct.**

2.05 pm

- Holly Lynch (Halifax) (Lab)

It is a privilege to follow that incredibly articulate speech from my right hon. Friend the Member for Birmingham, Hodge Hill (Liam Byrne). This has been an excellent debate, and I pay tribute to all those who have made contributions, particularly my colleagues from neighbouring constituencies in west Yorkshire, which all have significant Kashmiri communities. I also congratulate the hon. Member for Bury North (Mr Nuttall) on securing this debate and on the broader contribution from the all-party group on Kashmir, which has sought to keep Kashmir on the political agenda in the UK—with varying degrees of success, despite its best efforts.

In preparation for today's debate, I watched the recording of the last debate on Kashmir, secured by David Ward, the then Liberal Democrat MP for Bradford East, back in 2014. That, too, was a Back-Bench business debate. It is a testament to the Backbench Business Committee that it finds time for debates on issues often overlooked in the day-to-day business of the House, so I thank it for allocating time for this debate.

As I have already mentioned, many of my constituents are of Kashmiri heritage, and so Halifax will always keep a close eye on what is happening in that part of the world. Before Christmas, I met a number of local residents at the local Madni mosque for a constructive discussion about the deterioration of the situation in Kashmir and to consider what practical steps we could take locally. I mentioned that one of the challenges was accessing the latest information directly from the region—my right hon. Friend the Member for Birmingham, Hodge Hill just made this point too. We know that this is a consequence of the restrictions on the ground, but I also worry that because this conflict has gone unresolved for so long, it is overshadowed and goes largely unreported by the mainstream media. It is a challenge for us all to get it back on to those media platforms. **Even the Foreign Office, in a written response to my hon. Friend the Member for Stoke-on-Trent South (Robert Ffello), said we had limited access to the Kashmir valley, which made it challenging to obtain accurate information on the situation there.**

The House will appreciate, however, that, as others have said, for some of those families in Halifax and other communities throughout the UK, the problem is not that they cannot access information—information comes directly from their family and friends still in Kashmir; rather, the challenge is their sense of helplessness on hearing just how desperate the situation has become, feeling unable to protect loved ones and unable to bring about the civil protections and stability we need in order to

keep people safe and to work towards a long-term sustainable resolution to the conflict.

Among other issues, we discussed at that meeting the role constituents could play in securing a debate, so once again, although we are all frustrated at how long this conflict has gone on unresolved, that we are having this debate in the main Chamber is a sign that a little progress has been made. The Member who led the 2014 debate outlined that the conflict was long standing and complex; as we have heard today, he was not wrong. **Kashmir is one of the longest-running territorial disputes in the world, and the region sits between two nuclear powers, so it is astonishing to think that the world does not pay more attention. Not only have we failed to make any progress since that debate in 2014; the situation has deteriorated. As the motion indicates, we have all grown increasingly alarmed by the recent escalation of violence on the Indian side of the line of control. Depressingly, progress seems to have gone backwards.**

I could spend a long time describing the incidents and the timeline that have brought us where we are today, but a number of Members have already done so, and **I want to focus, once again, on the human rights violations that are taking place in the region.** I am fairly confident that the Minister will tell us that it is the UK's

“long-standing position...that it is for India and Pakistan to find a lasting resolution to the situation, taking into account the wishes of the Kashmiri people. It is not for the UK to prescribe a solution or act as mediator.”—[*Official Report, 18 October 2016; Vol. 615, c. 652.*]

After all, that is what I have been told on a number of occasions in response to both written and oral questions.

I appreciate the complexity of the issue, and I do not believe that anyone here is asking the Government simply to prescribe a solution to the problem of either India or Pakistan. Along with many others, I believe in self-determination for the Kashmiri people, and believe that only by empowering those who actually live in Kashmir to determine their own future through the ballot box will we bring about a long-term solution. However, **as a responsible member of the international community, we have a responsibility to seek to put a stop to human rights abuses, and that is the work that I am asking the Government to undertake today.**

**When tensions escalated dramatically last summer, we saw a sharp rise in the use of pellet-firing shotguns by the Indian forces as a means of controlling crowds. I will not go into that particular horror, and the damage that those pellet guns have caused, because other Members have already done so very articulately.**

**Back in 2008, Doctors Without Borders—MSF—published a report.** Although the research was undertaken a number of years ago, the report makes the most comprehensive attempt that I have found to map the health requirements of Kashmiri people living in close proximity to the line of control, in terms of both their physical and mental wellbeing. **I found it a harrowing read, and given that the situation has only deteriorated since 2008, I felt that it was worth sharing some of its findings.** **The research involved household surveys, conducted in person, in two districts in the Indian-controlled region of Kashmir. Of the 510 people who were interviewed, a staggering 86% reported frequent confrontations with violence including exposure to crossfire, 67% said that they had witnessed torture, and 34% said that they had had personal experience of forced labour. The report found that violence affects nearly everyone living in Kashmir: 40% of interviewees said that they had witnessed somebody being killed, and a horrifying 13% said they had witnessed rape.**

Inevitably, MSF concluded not only that the requirements of the region were high in terms of physical injury as a result of the conflict, but that the prevalence of insecurity and prolonged violence had substantial implications for mental health. A third of those interviewed had contemplated suicide, and over a third had symptoms of psychological distress. Within that, the level of psychological distress among women was significantly higher. The prospects of any economic regeneration of the region are hopeless in those circumstances and in the face of such conflict. **Fifty-three per cent. of those interviewed had had no formal schooling, and 24% reported high or total dependence on financial assistance from authorities or charities.** I am struggling to find evidence that the position has improved substantially since 2008.

Given that the sustainable development goals are high on the world's agenda this year, may I ask the Minister to work with his colleagues in the Department for International Development to explore all the ways in which we can improve the situation in Kashmir? There is no way that we can make progress in terms of

education, health and the alleviation of poverty, or support economic recovery, unless the violence stops. Both Pakistan and India are world players and have obligations in relation to the sustainable development goals. How can we ensure that Kashmir does not get left behind? I am one of the co-chairs of the all-party parliamentary group for Fairtrade. One of the things that we discussed at our meeting in Halifax was the role that it might be able to play, and the direct link that my local town could establish in supporting little independent businesses in Kashmir that might stimulate economic recovery.

I see that I am being encouraged to wind up my speech, so I will leave it there. I look forward to hearing what the Minister has to say in response to my contribution, and those of other Members.

2.14 pm

- Jim Shannon (Strangford) (DUP)

It is always a pleasure to speak about human rights issues. I congratulate the hon. Member for Bury North (Mr Nuttall) on setting the scene so well. Members have made some incredible speeches today about an issue that has clearly fired them up.

**It is well known in the House that I speak passionately about human rights and the treatment of people in places such as Kashmir and, indeed, places throughout the world. Human rights in India are fundamental rights that should include freedom of religion and freedom of speech, but it is clear that they fall short of that on many occasions. Although every individual has those rights in India, Kashmir often experiences violence, and the Indian army, the Central Reserve Police Force and various separatist militant groups have been accused of and held accountable for severe human rights abuses against Kashmiri civilians. The problem is that they have not been held accountable enough for some of the things that they have done, and that worries us considerably.** I firmly believe that we in the House have a role to play, and that we should use any diplomatic influence that we have to bring about change. Indeed, part of our role is to influence and ask for change.

Human rights are often defined as principles to which any human is entitled, and the individuals who were targeted with violence were therefore entitled to express their religion, but because their religion was seen as a threat, that turned upon them. The attackers are rarely charged, and perhaps the Minister will give us an idea of how we

can make them accountable. With a strong nationalist leader and Government, it is incredibly hard for justice to be brought. It is also clear that the Government have little interest in speaking out about atrocities. They are almost like Nelson, closing one eye and seeing nothing that is happening.

**Certain ethnic minorities in areas of India, like Kashmir, are often exposed to all sorts of human rights abuses. Smaller religious groups such as Christians are often targeted. Christianity is seen as a threat to Hinduism, and despite the existing human rights policy that exists on paper in India, Christian minorities assert that the authorities do not do enough to stop the brutal violence against them. That violence is often perpetrated by Hindu nationalists who harass, intimidate and attack Christians to prevent conversions from Hinduism and Muslimism, which they would see as a major threat in destroying the Hindu faith and promoting Christianity. That concerns me greatly.** I have spoken about it before, and I have taken the chance to do so again today.

The human rights policy does refer to freedom of religion, but it also asks Christians in Kashmir if they feel free to share their faith. No, they do not: when they are asked that question they feel threatened and fearful, and they need help. **In August 2016, the BBC reported violent actions taken against Kashmiri civilians and smaller minorities. That violence included arson attacks on Christian churches, and forced re-conversions from Christianity to Hinduism which often involved violent assaults. Other reported instances included sexual abuse and the rape of nuns and young Christian girls. Members have already referred to the systematic rape, abuse and sexual attacks on women and girls in an awful, violent fashion, which is totally unacceptable. Christian priests and other key religious figures have been murdered. We in the House who engage in the democratic process and have influence cannot sit by and idly watch murders being carried out with no redress without at least attempting to do something about it. There must be thorough investigations, and there must be accountability for these atrocious murders and the genocidal campaign against Christians in Kashmir.**

**During 2008, anti-Christian riots perpetrated by Hindu nationalists killed at least 50 Christian people, and arson attacks were made on some 730 houses and 95 Christian churches. These are not just statistics; they are the facts of life for many people. Stones were often thrown with force through people's windows, and**

still very little was done on their behalf. **The police turned a blind eye. Violent attacks against minority groups have been an ongoing issue in Kashmir. I strongly believe that the discrimination must come to an end, and that we must play a part in that. It is often said in the House that evil triumphs when good people do nothing,** but that does not make the point any less important. We must not ignore this issue. Through the House, through the debate and through our influence and our Commonwealth ties, we must do something. We must stick up for those who cannot speak for themselves. We must be a voice for those who look to us to speak on their behalf.

**The innocent people of Kashmir have faced murder, forced disappearance, brutal attacks and the destruction of their own homes.** India and Pakistan have called curfews to try to restrain the violence. General strikes and protests have also been called to halt violence for a limited time, but without success. Senior figures have encountered an escalation of tension, which increases fear of an escalation of conflict between both sides. That is a fear that we have: we fear things could get worse. The steps that have already been taken are not enough; we must do more.

We must speak for all those whose cries are ringing today in our ears. We in this greatest seat of democracy are duty-bound to respond; we have the greatest opportunity to speak on behalf of those people. Our voice has been, and must continue to be, very clear from all parts of this Chamber and all parties. We look to our Minister today to outline action that will bring about change now. We must change the policies in Kashmir. Those people need us to speak for them, and I believe we are duty-bound to do so.

2.20 pm

- Ms Tasmina Ahmed-Sheikh (Ochil and South Perthshire) (SNP)

I congratulate the hon. Member for Bury North (Mr Nuttall) on securing this important debate. We have heard some magnificent contributions, some from those of us with roots in India and Pakistan who speak from a hugely personal perspective, and some from others who are clearly speaking strongly and with such determination and passion on behalf of constituents. I hope the feeling in the Chamber will be hugely instructive to the Minister in terms of the direction that Members would like the Foreign and Commonwealth Office to take on future relations with India and Pakistan and the issue of Kashmir.

**The Scottish National party fully supports this motion**, which calls on the Government to encourage Pakistan and India to commence peace negotiations to establish a long-term solution on the future governance of Kashmir. It is absolutely vital that we use the influence that we have as friends of both nations to encourage people and authorities within Kashmir to work constructively together to calm tensions and reduce violence. In particular, the Indian authorities, both in New Delhi and Srinagar, should be encouraged to engage in genuine and constructive dialogue with moderate factions in Indian-administered Kashmir and help empower such groups over armed militants.

**We wholeheartedly support the right of the Kashmiri people to determine their own future in accordance with the provisions of UN Security Council resolutions, and call on all parties and the international community to recognise that right. We urge the UK Government and the international community to fully support UN Secretary-General António Guterres in his efforts at mediation and serving as an honest broker between India and Pakistan.**

We understand that this is a difficult and long-lasting issue and that Kashmir has been a disputed territory since the partition of India and Pakistan in 1947, but over the past year we have seen a significant and deeply regrettable escalation in protest and violence. There was considerable unrest in Kashmir throughout 2016, particularly in Indian-administered Jammu and Kashmir, beginning in July when Burhan Wani, a well-known and popular militant of Hizbul Mujahideen, was shot dead by the Indian security forces. As we have already heard, his funeral drew 50,000 mourners, and in the ensuing violence over 100 people were killed and 11,000 injured, a great many sustaining serious eye injuries when fired upon by Indian police using “non-lethal” pellet guns. We have heard much in this respect from many Members in the Chamber today.

Human Rights Watch has called on the Indian authorities to launch an impartial investigation into the use of both lethal force and pellet guns. On 6 December, Physicians for Human Rights issued a report accusing Indian police and paramilitary forces of using excessive, indiscriminate force against protesters and blocking medical care since the start of the current protests. The hon. Member for Bradford East (Imran Hussain) made an excellent point about human rights: wherever human rights abuse occurs, we must call it out. But it must feel to many people in various

countries that we prioritise the human rights of some over those of others; this cannot, must not, will not continue.

We urge the Indian security forces to exercise much greater caution and restraint in their methods of crowd and riot control, including by discontinuing their practice of firing pellet guns at protesters. The authorities must allow full and unrestricted medical care in Kashmir and above all facilitate treatment by specialist eye doctors to the many people injured by these guns over these past months.

At the same time, we urge organisers of legitimate protests to deter their supporters from engaging in violence of any kind. Although the level of unrest de-escalated over the remainder of 2016, largely owing to the decisions of separatist leaders who have gradually scaled down their programme of shutdown and protests, local leaders have promised more to come.

Of great concern are the continued clashes between Indian and Pakistani forces which have been ongoing for some time. There have been exchanges of fire along the line of control, including the Indian artillery shelling on 16 December that reportedly hit a school bus in Mohra, Kotli district, in Pakistan-administered Kashmir, killing the driver and wounding several children. Most recently, on 15 January Indian security forces killed three militants in an operation described by the Pakistani Ministry of Foreign Affairs as

“a continued act of state terrorism”.

This escalation in military action is of great concern, and it would be wise for both Governments to reflect on their actions and tone down the increasingly violent rhetoric.

Further to this military escalation, there have been increasing and unprecedented suggestions that the Indian Government are considering using water as a means of applying pressure on Pakistan. Tension in Kashmir should not be allowed to affect other aspects of the India-Pakistan relationship, such as the Indus waters treaty.

Pakistan is hugely dependent on the six rivers of the Indus basin, all of which flow through India before reaching Pakistan. The Indus basin provides drinking water and livelihoods to almost three quarters of Pakistan’s population of 192 million. More than 95% of Pakistan’s irrigated land is in the Indus basin, and farm income amounts to a quarter of Pakistan’s GDP. In 1960, the two countries signed the Indus waters treaty which guaranteed Pakistan’s continued access to water and provides for

inspections, data exchanges and arbitration processes administered by the World Bank. The treaty is regarded as the most successful example of an international agreement on water and has survived three wars without modification. However, India is increasingly threatening to revise the treaty or to moderate Pakistan's access to water as a form of leverage. This is a deeply regrettable act, which could have significant and dangerous implications for the region.

Indian Prime Minister Narendra Modi held a review of the treaty in September, outlining specific treaty provisions which India could use to apply pressure on Pakistan, and stated:

“Blood and water cannot flow simultaneously.”

Sartaj Aziz, foreign policy adviser to Pakistani Prime Minister Nawaz Sharif, responded by saying that revocation of the treaty would be considered an “act of war”.

On 12 December, the World Bank halted two Pakistani and Indian arbitration processes under the treaty, citing concerns that current tensions could endanger the treaty. We urge all parties to uphold the Indus waters treaty, both in letter and in spirit, and not to use vital access to water as a means of diplomatic leverage—that is just so wrong.

Within the scope of the treaty, any changes should be mutually agreed through the proper channels and only after very careful consideration of the humanitarian and economic consequences for the people living in the Indus basin. We encourage the UK Government and the international community to provide all necessary support to the World Bank in its arbitration of the treaty and to encourage India and Pakistan to resume meetings of the treaty commission and to continue to successfully implement the treaty provisions regardless of tensions caused by other developments.

In conclusion, The SNP absolutely supports today's motion and this hugely constructive debate. The Government must continue to encourage both Pakistan and India to start peace negotiations as soon as possible. The Kashmiri people should be able to determine their own future in accordance with the provisions of UN Security Council resolutions. It is in everyone's interests that a long-term solution is found on the future governance of the beautiful place that is Kashmir.

2.29 pm

- Liz McInnes (Heywood and Middleton) (Lab)

Share this contribution

I thank the hon. Member for Bury North (Mr Nuttall) for securing this important debate and the Backbench Business Committee for granting it. The hon. Gentleman spoke very eloquently on behalf of his constituents of Pakistani and Kashmiri origin. I also thank all Members from across the House for contributing to an excellent debate that has highlighted many serious matters including human rights abuses and the intensification of violence while advocating the utmost need for conflict resolution instead of military escalation and the brokering of talks between the Pakistani and Indian Administrations.

We have heard powerful speeches on human rights abuses and civil liberties, notably from my hon. Friends the Members for Birmingham, Perry Barr (Mr Mahmood), for Birmingham, Ladywood (Shabana Mahmood), for Sheffield, Brightside and Hillsborough (Gill Furniss), for West Ham (Lyn Brown) and for Halifax (Holly Lynch), the right hon. Member for Carshalton and Wallington (Tom Brake), and the hon. Members for Harrow East (Bob Blackman) and for Strangford (Jim Shannon). The hon. Member for Wealden (Nusrat Ghani) questioned the political will of the UN for a peaceful resolution to the conflict.

The right to self-determination was mentioned by, among others, my hon. Friends the Members for Bradford East (Imran Hussain) and for Luton North (Kelvin Hopkins) and my right hon. Friend the Member for Birmingham, Hodge Hill (Liam Byrne). Calls for the Government to work to settle the Kashmir situation were made, notably, by my hon. Friends the Members for Bradford West (Naz Shah), for Nottingham East (Chris Leslie), for Rochdale (Simon Danczuk) and for Batley and Spen (Tracy Brabin).

An element of controversy was introduced by my hon. Friend the Member for Ealing, Southall (Mr Sharma). Our historic responsibility for Kashmir was highlighted by the hon. Member for Wycombe (Mr Baker) and my hon. Friend the Member for Sheffield Central (Paul Blomfield). The role of China, to which not a great deal of reference was made during the debate, was mentioned in particular by my hon. Friend the Member for Birmingham, Perry Barr, my right hon. Friend the

Member for Birmingham, Hodge Hill and the right hon. Member for Carshalton and Wallington. Many Members spoke passionately on behalf of their constituents of Kashmiri origin.

The Kashmiri people have seen a constant rise in conflict over the past year. It is the worst spate of violence in the region since 2010, when 110 people lost their lives. Inside and outside this House, I and many others have already called for a ban on pellet guns, tear gas and live ammunition in civilian areas. Will the Minister update us on the current situation in the Jammu region, with particular regard to the police and the Muslim community?

Some 400 people in Kashmir have been detained by Indian security forces under the regressive Public Safety Act, which allows preventive detention for offences detained by vague, overbroad terms and violates international due process standards. Human Rights Watch and Amnesty International termed it a “lawless law” and called for the Indian authorities to end its use. If people are suspected of committing offences, they should be properly charged and given fair trials. Does the Minister agree with that assessment of the PSA?

The region has seen the introduction and implementation of numerous curfews over this disruptive period, the longest of which lasted 53 days. Mobile phone services have been down and media blackouts have been imposed, leading to numerous protests, including a series of general strikes, the closure of schools and universities and regular public rallies against Indian rule. Of course, this is not a one-sided affair. We also encourage Prime Minister Nawaz Sharif and his Government to condemn and take immediate action against abusive militant groups operating in Jammu and Kashmir and other parts of India, which would be an important move to help extinguish the conflict in the region. Will the UK Government consider their future military aid and sales, including programmes of military co-operation, to Pakistan on the condition that it begins to take significant steps to address attacks by militant groups in the region?

The nuclear arms race between the two countries is also of concern and has escalated over the past 12 months. That factor is intertwined with the relationship that either side seeks to have with China or the new United States Administration. Will the Minister update the House on whether the Government have raised any issues with the Indian or Pakistani Governments on the matter of their substantial shift in nuclear arsenal investment and testing?

The unrest has led to the tragic loss of over 80 lives in violent clashes since the beginning of July, including a police officer and 19 soldiers killed in a militant attack on a security base. Sadly, the violence continues to this day, with some 4,000 people wounded over this seven-month period. The line of control is at the heart of the divisional tension, with both countries cranking up the rhetoric and levels of military action on the border. Given the history of the line of control, what are the Government specifically doing to counter that ongoing retaliation? Even as recently as 2015, such action had disastrous costs when Indian and Pakistani border guards traded gunfire, leaving nine civilians dead and another 62 wounded.

As a symbolic destination for a first prime ministerial trip abroad, we welcomed the Prime Minister's visit to India given our countries' historic ties and heritage. However, like many other hon. Members, I want to know from the Minister what discussions the Prime Minister had with Prime Minister Modi on that visit. The visit came at the height of the current troubles, so will the Minister tell us what progress has resulted from those diplomatic talks? The Minister would find support for such a question among his own Back Benchers, notably the hon. Member for Wealden. In addition, will the Minister also inform us whether the Foreign Secretary ever discussed the letter sent to him just prior to the Prime Minister's visit by the shadow Foreign Secretary, my hon. Friend the Member for Islington South and Finsbury (Emily Thornberry), in which she raised the human rights and civil liberties in Kashmir?

It should be stated for the record that Labour party policy on Kashmir has not changed since we were in government: we must allow all parties who are directly involved to determine their future through peaceful dialogue and co-operation. We also acknowledge the importance of the work of international organisations, the UN in particular, and their efforts to negotiate with all parties and member states involved to bring India and Pakistan to the negotiating table. We continue to encourage both India and Pakistan to seek a lasting solution on Kashmir in accordance with the provisions of UN Security Council resolutions, which take into account the wishes of the Kashmiri people. Their wishes are fundamental to the success of the process and to obtaining peace in the region.

Through the conflict prevention programme, the Labour Government funded several projects designed to support efforts to facilitate dialogue, which addressed the causes and impact of conflict and proposed to improve quality of life for Kashmiris. In

2010, an opinion poll was conducted on both sides of the line of control for the first time since the UN-brokered ceasefire in 1949. Despite the complexity of the political situation, it found that there are other clear concerns for the Kashmiri people, with 81% saying that unemployment was the most significant problem. Government corruption, poor economic development and human rights abuses also polled highly. Kashmiri citizens wish for an end to the indecision, the dispute, the division and the disruption so that they can access economic prosperity, good education and vital healthcare. Those should be the main points of consideration in all dialogue and actions in 2017. The need for a rapid response to the situation in Kashmir is now upon us.

I hope that the whole House and the Minister will agree that the UN must be involved at every stage of the process. On his first day in office, the new UN Secretary-General, António Guterres, pledged to make 2017 a year for peace. I hope those words lead to a rapprochement and then, step by step, a long-term resolution between the two countries. However, the first step must be the acceptance of the rule of humanitarian law and the starting point for negotiations between the bordering nations must be to uphold the UN universal declaration of human rights, therefore ensuring equal and inalienable rights for all Kashmiri people.

2.38 pm

- [The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs \(Alok Sharma\)](#)

Share this contribution

We have had a long, detailed debate with powerful speeches from Members on both sides of the House, and I am grateful to all hon. and right hon. Members who have contributed.

I congratulate my hon. Friend the Member for Bury North (Mr Nuttall) on securing this important debate and thank the members of the all-party parliamentary Kashmir group for their commitment to the issue and for welcoming me to their meeting in December.

As my hon. Friend the Member for Bury North said in his speech, the region has a long, complex history. The situation in Kashmir continues to attract significant public attention and parliamentary interest in the UK, as shown by this debate, not least because of the thousands of British nationals with connections to Kashmir. An estimated two thirds of British Pakistanis hail from Pakistan-administered Kashmir.

Before I respond to the many points raised by right hon. and hon. Members, I will briefly set out the Government's position on Kashmir and India-Pakistan relations. A number of Members set out what they believe to be the Government's position, and I can confirm that what they said is consistent with our position. It has been the long-standing position of successive Governments of all hues, and the hon. Member for Heywood and Middleton (Liz McInnes) has also stated that the Opposition's position has not changed.

India and Pakistan are both long-standing and important friends of the United Kingdom, and we have significant links to both countries through Indian and Pakistani diaspora communities living in the UK—I have many in my constituency. We also have strong bilateral relations with both countries, which we hope to make even stronger.

The long-standing position of the UK is that it can neither prescribe a solution to the situation in Kashmir nor act as a mediator. It is for the Governments of India and Pakistan to find a lasting resolution, taking into account the wishes of the Kashmiri people. In our discussions with both India and Pakistan, we encourage both sides to maintain positive dialogue, but the pace and scope of that dialogue is for them to determine.

I will address the issues in the order in which they came up in the debate. First, on the violence across the line of control, I agree that a strong relationship between India and Pakistan is crucial to maintaining regional stability and prosperity. I am pleased that the escalation of incidents between India and Pakistan along the line of control showed some signs of decreasing in the run-up to Christmas, but there have been recent reports of renewed activity this year.

A number of Members talked about combating terrorism. As Members will be aware, following the attack on the Indian military base in Uri last September, the Foreign Secretary publicly condemned all forms of terrorism in the region and stated that the UK

“stands shoulder to shoulder with India in the fight against terrorism, and in bringing the perpetrators to justice.”

He reiterated that message during his visit to Pakistan shortly before Christmas.

Following her visit to India last November, my right hon. Friend the Prime Minister and Prime Minister Modi released a joint statement in which they reiterated their strong commitment to combating terrorism in all its forms and manifestations. They also stressed that there can be no justification for acts of terror on any grounds whatsoever.

The UK and Pakistan are, of course, also committed to working together to combat the terrorist threat, and the extremism that sustains it, in line with human rights. The UK regularly highlights to Pakistan at the highest level the importance of taking effective action against all terrorist groups operating in Pakistan, as Pakistan has committed to do. The UK will continue to encourage both India and Pakistan to ensure that channels of dialogue remain open as a means of resolving differences.

Many Members mentioned the use of pellet guns. I have said in this House on a number of occasions that I am very concerned about the violence in Indian-administered Kashmir, and I extend my condolences to the victims of violence and their families. I have also discussed the use of pellet guns and alternative methods of crowd control with representatives of the Indian Government. The use of pellet guns in Kashmir has recently come under review by the Government of India. The results of the review have not yet been shared publicly, but I understand that alternative methods are now being used. I believe that, since September 2016, pellet guns have been replaced by chilli powder shells as a preferred non-lethal crowd control device. From media reporting, it appears that the number of fatalities and injuries has since declined, which I am sure the whole House will welcome. We will, of course, continue to monitor the situation.

A number of hon. Members mentioned the Jammu and Kashmir Public Safety Act, and we are aware of the concerns regarding allegations of the immunity from prosecution for Indian armed forces personnel in Indian-administered Kashmir under the PSA and the Armed Forces (Special Powers) Act. The Indian Government have put in place a mechanism that allows people to request that they investigate such concerns, and we expect all states to ensure that their domestic laws are in line with

international standards. Any allegations of human rights abuses must be investigated thoroughly, promptly and transparently.

I also understand that, on 11 January, Chief Minister Mufti told the state Assembly that the Indian Government have ordered the establishment of special teams to investigate the deaths of civilians and to look at the involvement of police personnel during the unrest over the past five months.

- Mr Baker

Share this contribution

On the face of it, it is very encouraging that those investigations have been launched, but will the Government take steps to make sure that there is international confidence that those investigations can be relied on to determine what is true?

- Alok Sharma

Share this contribution

Of course we continue to monitor the whole situation in the region and, if my hon. Friend will allow me, I will talk about the UN and other such matters.

The establishment of dialogue and confidence-building have also been mentioned, and the UK already supports a number of existing initiatives to encourage open dialogue between Pakistan and India on the basis that those attending are able to share their views in confidence. We hope that such opportunities will continue.

On the motion itself, my hon. Friend the Member for Bury North calls for the British Government to raise the situation in Kashmir at the UN. As I have set out, the British Government believe that it is for India and Pakistan to find a lasting solution to Kashmir, taking into account the wishes of the Kashmiri people. Of course we

stand ready to support both countries in that goal, but it is not for the UK to prescribe a solution or to act as a mediator. He made a powerful speech in the Westminster Hall debate in 2014, in which he said:

“The Governments of India and Pakistan are the principal parties who can bring about a resolution of the problem.”—[*Official Report*, 11 September 2014; Vol. 585, c. 365WH.]

That really is the case.

The UN and the United Nations High Commissioner for Human Rights were raised by a number of Members. As a “permanent five” member of the UN Security Council, and as a member of the UN Human Rights Council, the UK is a long-standing supporter of the office of the High Commissioner for Human Rights, and I am aware that the high commissioner has requested access to Kashmir from both the Indian and Pakistani Governments. Of course we encourage all states to consider visits by the high commissioner.

- Imran Hussain

Share this contribution

It is absolutely right that the UN High Commissioner for Human Rights has extended that request, and Pakistan has sent a letter saying that it will accept if India accepts. India has not got back to the high commissioner. What will the Minister be doing to encourage India to accept that request?

- Alok Sharma

Share this contribution

Let me reiterate the point I made to the hon. Gentleman, which is that we encourage all states to consider visits by the UN High Commissioner for Human Rights, and I know that we have had this discussion previously.

We had a discussion about the Prime Minister's visit to India in November. Of course, as Members would expect, she discussed a range of issues, including on Kashmir, and I hope that will be a source of reassurance to Members.

- Tom Brake

Share this contribution

I would like the Minister to be a bit more specific and confirm that “a range of issues” includes that of human rights abuses.

- Alok Sharma

Share this contribution

The right hon. Gentleman should take comfort from the fact that the subject of Kashmir was discussed by the two Prime Ministers. It was a bilateral discussion and he, as someone who has been in government, will know that we cannot comment on private discussions. Today, we have also had a discussion about the Foreign Secretary's visit to India, and of course he is also discussing a range of issues, including regional security issues.

Let me conclude by saying that the UK Government will continue to encourage and support both India and Pakistan to find a lasting resolution to the situation in Kashmir, in line with the wishes of the people of Kashmir. We cannot, however, mediate in the process. I am fully aware of the strength of feeling about Kashmir among many people in Britain, and of course in this House, and I am glad that this debate has given me the opportunity to set out the Government's position. Once again, I thank right hon. and hon. Members for raising issues today and for their contributions.

2.49 pm

- Mr Nuttall

This has been an historic debate, comprehensively covering the extremely important matters relating to Kashmir. I thank all 19 Members who have spoken in the debate and those who have made interventions. I particularly wish to thank the hon.

Member for Ochil and South Perthshire (Ms Ahmed-Sheikh), who spoke for the Scottish National party, and the shadow Minister, the hon. Member for Heywood and Middleton (Liz McInnes), for their contributions. I hope that in the light of this debate, the Minister will reflect on the many positive suggestions for action that have been made. I commend the motion to the House.

*Question put and agreed to.*

*Resolved,*

That this House notes the escalation in violence and breaches of international human rights on the Indian side of the Line of Control in Kashmir; calls on the Government to raise the matter at the United Nations; and further calls on the Government to encourage Pakistan and India to commence peace negotiations to establish a long-term solution on the future governance of Kashmir based on the right of the Kashmiri people to determine their own future in accordance with the provisions of UN Security Council resolutions.