



# General Assembly

Distr.: General  
30 October 2023

English only

---

## Human Rights Council

Fifty-third session

19 June–14 July 2023

Agenda item 3

**Promotion and protection of all human rights, civil,  
political, economic, social and cultural rights,  
including the right to development**

### **Written statement\* submitted by Jammu and Kashmir Council for Human Rights (JKCHR), a non-governmental organization in special consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[25 May 2023]

---

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



## **Human Rights and Climate Change– Indian Administered Jammu and Kashmir: A Vulnerable Situation**

Indian Administered Jammu and Kashmir renowned as jewel of Asia and famous for its snow-capped majestic mountains, lush-green valleys, embalming climate, life giving waters and fresh water lakes, has been attracting tourists all the year round from all over the world. United Nations has recorded that the climate of the habitat has moulded the nature and behaviour of these people into a people of legend, song and story.

India and Pakistan are the main beneficiaries of the waters flowing out from these glaciers, mountains and rivers of Indian Administered Jammu and Kashmir. The water politics has tied the two countries in a water sharing treaty called Indus-Water Treaty (IWT). The water distribution treaty between India and Pakistan was arranged and negotiated by the World Bank.

The two countries use the waters available in the Indus River and its tributaries. It was signed in Karachi on 19 September 1960 by the then Indian Prime Minister Jawaharlal Nehru and Pakistani president Ayub Khan. Except a few solvable hiccups and irritations, the Water Treaty has been holding with success at all times.

Tourism plays a vital role in the upliftment of a region, by creating employment opportunities and improving infrastructural facilities but it can also have deteriorating impacts on the environment, if not properly managed. Present state government policies in Indian Administered Jammu and Kashmir are not adequate to properly manage tourism in the region.

There has been a study to assess the environmental impacts of tourism in Kashmir valley. Data collected from various secondary sources were assessed and it was observed that most of the popular destinations in the Kashmir region are being thronged by tourists above their respective carrying capacities. This has put enormous pressure on the natural resources in the form of over-production of sewage, litter, loss of animal habitats, deforestation and pollution of almost all forms. This study can thus serve as a wake-up call for all the stakeholders who can make a change in proper management of tourism in the region, so that the sustainability of natural resources is ensured.

Unfortunately, a politically motivated religious tourism in the disputed state of Indian Administered Jammu and Kashmir, has started posing an additional threat to the climate here. Experts say that a huge ‘concentration of people’ present at a spot can cause an adverse impact on the environment during the Amarnath yatra. “The presence of a huge number of people at a particular place creates fragile environmental conditions.”

Shakeel Ramshoo Professor and Head, Department of Earth Sciences, Kashmir University has said that the cause of the fragile environment is the lack of the knowledge among the masses. “There is no concept of scientific disposal of waste management among the people. They will litter the waste where ever they go.” Professor Ramshoo has said that “Whenever there are huge gatherings, you will usually see that they litter the garbage on that spot or on nearby roads or on walking paths. People need to understand that garbage should be dumped in a scientific manner.” “It creates threat for water, air and land quality which a human has a deep rooted connection with.” He has pointed out that many times people defecate on tourist spots which again poses threat to the environment. “Many are not bothered how by doing such activities would lead to the extinction of our environment.”

The two important lakes of Indian Administered Jammu and Kashmir “Wular” and “Dal” have started shrinking and do not keep the natural beauty, attributed to them for centuries. The “Dal” lake carries floating residences and other cultivations. They generate revenue, employment and invite the tourists from all over the world. According to an assessment of the Dredging Corporation of India (DCI) in 2017, pollution and encroachment have resulted in the Dal Lake shrinking from its original area of 22 sq km to about 10 sq km. It is a great loss to the habitat, the people and the tourists from around the world. It is not only Dal and Wular, that are threatened by the far reaching activities of the human beings but other lakes like Hokersar, Meergund, and Shalabugh are also exposed to extinction.

The reach and directions of the of the National Green Tribunal (NGT) of India in this part of the Indian Administered Jammu and Kashmir, although an important means to keep the

natural resources clean and fresh, end up in the politics of ‘management’ at the cost of majesty of the nature. Irfan Rashid, a senior professor at Department of Earth Sciences, University of Kashmir has said that government has not yet understood the concept ‘carrying capacity’. “Everything in the universe has a carrying capacity but I have failed to understand that why the government is unaware about this term.”

Professor Rashid has carried a case study of the famous tourist spot Gulmarag and said, “Take the example of famous tourist spot Gulmarg, every year we witness lakhs of tourists making a beeline for this place. For the tourists, government must check the carrying capacity of this place. “In India, we have a concept called Environment Impact Assessment (EIA) where experts read about threats and improvement need to done towards the environment. But unfortunately, we don’t have such facility here (Indian Administered Jammu and Kashmir).”

The importance of religious tourism cannot be disputed. However, moderation and disciplined movement of worshippers should remain at the core of ‘politically motivated religious tourism.” Environment and its treasures of fauna and flora are for all. Therefore it is important that we restrict the duration of annual Amarnath Yatra to minimum time period in view of the “fragile environmental conditions” of the mountainous region. “The huge concentration of Yatris is the main reason behind the melting of glaciers in mountainous region, floods, and many diseases like Hepatitis.”

Indian Administered Jammu and Kashmir’s Wular Lake, which is one of the largest freshwater lakes in Asia, is in bad shape as are other water bodies of Indian Administered Jammu and Kashmir because of encroachments and weed infestation caused by the authorities’ neglect. Preserving the beautiful water bodies that attracted a large number of tourists from across the globe appears to be the lowest priority of successive governments in Indian Administered Jammu and Kashmir. For centuries, Lake Wular has been a major source of food and income for thousands of Kashmiris.

Wular, that is one of the 26 Indian wetlands designated as a Ramsar site, is facing environmental threats, including illegal change of its use by converting large parts of the lake’s catchment areas into agricultural land and infestation of weeds that have hidden the lake waters and considerably shrunk it. Degeneration of other lakes, including the Wular, Nageen, Anchor, Khushalsar and Galisar, has also come to light.

The valley has seen the worst type of floods in recent times due to damage to these lakes. Srinagar Sonmarg Pahalgam Gulmarg Holiday Packages attract the winter and snow loving tourists from all over the world. With towering Himalayan ranges draped in snow, scenic meadows and valleys, mighty glaciers, heavenly gardens, picturesque lakes and pristine rivers, the Kashmir region is a perfect package in itself. The Mughal gardens at Srinagar are a bliss to be visited. The snow-clad Himalayan ranges at the backdrop of these landscaped gardens form the best picture-perfect backgrounds possible on the Earth. One can also visit the most sacred Shankaracharya temple also known as Jyesteshwara temple built atop the Zabarwan mountain in Srinagar. The serene environment at the temple fills one with unexplained tranquillity and peace. The shikara boat ride on Dal Lake is a refreshing aspect of Srinagar Sonmarg Pahalgam Gulmarg Packages.

All this in the beautiful part of the world remains under environmental threat. It is important that Human Rights Council does not ignore the nature’s gifts, in this disputed state of Indian Administered Jammu and Kashmir. It is high time that the Indian Administered Jammu and Kashmir is included in the list of vulnerable situations and made part of the discussion under resolution 47/24. A report for panel discussion is required on the adverse impact of climate change on the full and effective enjoyment of human rights by people in this vulnerable situation. OHCHR report A/HRC/52/48, should not miss out on the environmental and climate change in Indian Administered Jammu and Kashmir.

G20 delegates have held the “3rd Tourism Working Group Meeting” in Srinagar on 22nd May – 24th May 2023. Without prejudice to a UN supervised vote to determine the futures status of the state, G20’s tourism agenda should focus on addressing the adverse impact of politics and climate change on the progress and development of the people.