



Asian Federation Against Involuntary Disappearances (AFAD)

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STOP HARASSMENT OF HUMAN RIGHTS DEFENDERS IN KASHMIR!

Manila, 15 September 2016 - AFAD strongly condemns the measures taken by India against AFAD's Chairperson, Mr. Khurram Parvez.

Mr. Parvez is a Kashmiri human rights defender, who is also the Program Coordinator of Jammu Kashmir Coalition of Civil Society (JKCCS). Yesterday, on September 14, 2016, he was prevented from leaving the Indira Gandhi International airport in Delhi, and travel to Geneva, Switzerland, where he was going to attend the 33rd Session of the UN Human Rights Council.

The ICCPR, to which the Indian State acceded in 1979, provides in Article 12 para 2 that '*Everyone shall be free to leave any country, including his own*'. Restrictions can be imposed only in exceptional circumstances. However, Mr. Parvez was nor given a valid reason, neither informed of the grounds for the decision to prohibit him from leaving the country. He was just orally informed that an order had been issued by the Intelligence Bureau in this respect.

It is AFAD's belief that this travel ban imposed upon its Chairperson is a direct consequence of the work he has carried out in the past several years in this capacity, as well as Program Coordinator of JKCCS. Preventing Mr. Parvez from travelling not only is a violation of his freedom of movement, but it's also a clear attempt to interfere with his work as a human rights defender.

In this respect, the International Convention for the Protection of all Persons from Enforced Disappearances, which India signed, clearly guarantees in Article 24 para 7 the right to form and participate freely in organizations and associations dealing with enforced disappearances. India, as a signatory to the Convention, is under the moral obligation not to interfere with the rights guaranteed by this international human rights instrument; preventing the Chairperson of the Asian Federation Against Involuntary Disappearances to participate in its activities, is clearly against the spirit and scope of the provision at stake.

This right can also be found in the UN Declaration of 1992 of which all UN member states, including India, are supposed to abide by.

This is not the first time that the Indian State attempts at obstructing the work of human rights defenders dealing with enforced disappearances in Jammu and Kashmir. The undersigned has been deported from

India in 2014 and banned from returning to the country, due to her work on human rights issues in Jammu and Kashmir.

Mr. Al Hussein, during the opening of the 33rd session of the UN Human Rights Council, said that “if access is refused, we will assume the worst”, and that the obvious question then is: “what precisely are you hiding from us?”.

What India is trying to conceal is that fundamental rights are being curtailed in Jammu and Kashmir through the imposition of continuous curfews, telecommunications restrictions, high and strict surveillance as well as with travel bans like the one against Mr. Parvez. The reality on the ground is that Kashmir is one of the world’s highest militarized areas, where even peaceful gatherings and public prayers are met with violence. Political activists and protestors, including minors, are illegally detained and there have been cases where parents were held hostage or jailed for their children’s role in anti-government protests.

In addition, the Indian government has been very reluctant to constitute an impartial inquiry into all the cases of enforced disappearances recorded and it has also refused to conduct investigations into the more than 7, 000 unmarked and mass graves.

Mr. Khurram Parvez is supposed to be leading the AFAD delegation in today’s meeting with the UN CED and the UN WGEID. Preventing human rights defenders like Mr. Parvez from approaching the UN is part of the attempt to isolate Kashmiris and ensure impunity for the violations of human rights committed by the Indian army.

As India is a member of the UN Human Rights Council and will be under review during the UPR scheduled for May next year and which has boasted to have the strongest democracy in the world, the international community must strongly condemn these attempts to deny the people of Jammu and Kashmir their rights and urgently intervene through a UN fact-finding mission on the ground.

This absolute disregard of international and domestic laws, the continuous denial of basic fundamental rights to Kashmiri and the attempts at silencing human rights defenders must be put to an end NOW.

Signed:



MARY AILEEN D. BACALSO
Secretary-General