



# Asian Federation Against Involuntary Disappearances (AFAD)

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## **ONE MONTH OF DETENTION OF AFAD's CHAIRPERSON, KHURRAM PARVEZ: A DEMAND FOR HIS IMMEDIATE RELEASE**

Today is the 30<sup>th</sup> day of the continuing arbitrary, unjust and illegal detention of AFAD's Chairperson, Khurram Parvez. AFAD and its member-organizations are deeply disappointed and outraged by this continuing violation of the rights of Mr. Parvez.

On the eve of the 30<sup>th</sup> day of Mr. Parvez's detention, as if the Indian government's actions against Mr. Parvez were not sufficient violations of Mr. Parvez's rights, AFAD was informed that on October 13, the Indian authorities miserably failed to file their response to the petition challenging Khurram Parvez's PSA detention, which had been listed before the Registry of the Jammu and Kashmir High Court. This delay is clearly a desperate effort by the Indian authorities to prolong the unlawful detention.

While now, state authorities have been provided with five more days to present their response or objections, the Registry has listed the case for hearing by the court on October 25. This is already the second postponement and delay, which must be put to an end. Khurram Parvez's rights must be guaranteed and the grounds for his detention must be reviewed by a court of law, as provided for by international legal instruments and domestic laws.

Khurram Parvez was arrested on September 16<sup>th</sup>, two days after having been barred from traveling from Delhi to Geneva, Switzerland, where he was supposed to lead the AFAD delegation to the UN Human Rights Council's 33<sup>rd</sup> Session.

In the course of this month-long detention, Khurram Parvez has been illegally arrested. The Court's decision ordering his release has been blatantly ignored. Instead, he had been transferred to two different prisons – first in the Kupwara sub-jail and then in Kot-Bhalwal, in Jammu – further away from his family and legal counsel. With his physical disability, the jail conditions do not accommodate his special needs adequately.

AFAD has always been very vocal in criticizing the Indian government for the modalities in which this arrest and detention were carried out and for the total disregard shown for Khurram Parvez's rights. As such, letters have been written to the Indian Embassies located in various parts of Asia, as well as to the Indian Permanent Missions to the UN in Geneva and New York. Moreover, the International Commission of Jurists (ICJ), Human Rights Watch (HRW), Forum-Asia, Amnesty International, the International Coalition Against Enforced Disappearances (ICAED) and many other human rights organizations have all sent individual as well as joint letters, protesting against the arrest of one of the leading Kashmiri human rights defenders and demanding for his immediate release.

At the UN level, the Working Group on Enforced or Involuntary Disappearances (WGEID) and the Special Rapporteur on the situation of Human Rights Defenders, have jointly sent a communication to the Indian Government, asking for clarifications on the case of Parvez.

Solidarity has kept pouring in from other organizations in Latin America, Africa and Europe, as well as from individuals and families of the disappeared. Public rallies, demonstrations and candle-lightings have been carried out in various Asian countries to demand from the Indian government the immediate release Mr. Parvez.

The decision to charge Khurram Parvez under the notorious Public Safety Act (PSA) is a clear sign that his arrest is part of a larger strategy aimed at repressing and silencing human rights defenders in Jammu and Kashmir.

Indeed, the PSA has been described by the Supreme Court of India as a 'lawless law' and it has been used frequently by Indian authorities to detain – for extremely long time and without any charges – opponents, human rights defenders and anyone who dare to ask for the respect of human rights and for putting to an end the violent attacks on the Kashmiri population. Women and children have not been spared from these indiscriminate mass arrests and they are frequently victims of the use of bullets and pellets.

Khurram Parvez has been very vocal in condemning this increased and indiscriminate violence perpetrated by the military in Jammu and Kashmir. His detention is a desperate effort at isolating him and at weakening the struggle for human rights. But India should know that persecuting one human rights defender will not silence the person, but instead, it will amplify the voices of protests against the ironically undemocratic actions of the self-proclaimed world's largest democracy.

India is a party to the International Covenant on Civil and Political Rights (ICCPR), as well as a signatory to the International Convention for the Protection of All Persons from Enforced Disappearance. These international instruments pose specific legal and moral obligations in respect to arrest and detention of an individual, and, in this case a human rights defender working on enforced disappearances.

Every minute of Mr. Parvez's detention is time wasted. Violation of his right to liberty is injustice to Khurram, to his family, to the Kashmiri society and to the global struggle against enforced disappearances and against human rights violations. India should fully understand that prolonging Mr. Parvez's detention does not silence Khurram, but instead, strengthens him and the global protest against the world's self-proclaimed largest democracy.

As such, on this day, AFAD and all its member-organizations demand the immediate and unconditional release of its Chairperson.

We urge the Indian authorities to drop all charges against Khurram Parvez and abide by their international obligations under human rights law, as well as their own domestic law.

We reiterate our calls with more fervor than before:

***FREE KHURRAM PARVEZ NOW!***

***STOP THE HARRASMENT OF HUMAN RIGHTS DEFENDERS!***

***END THE VIOLENCE IN KASHMIR!***

Signed by:



**MARY AILEEN D. BACALSO**  
Secretary-General