



## Asian Federation Against Involuntary Disappearances

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### ***Sowing Disrespect, Hindering Justice: AFAD Condemns India for Prohibiting APDP to Pay its Respects to Atta Mohammed Khan***

The Asian Federation Against Involuntary Disappearances (AFAD) expresses its utmost concern for the safety of human rights defenders and the situation of human rights in Indian-occupied Kashmir. On the 4<sup>th</sup> of February 2018, a team led by Advocate Parvez Imroz along with activists, family members of the disappeared, and lawyers were detained at Boniyar Police Station in Baramulla, district of North Kashmir.

Advocate Parvez Imroz is the Patron of the Association of Parents of Disappeared Persons (APDP), a founding organization of AFAD from the Indian-administered Jammu and Kashmir. He and some members of the team were on their way to Bimyar Village of Chehal in the Baramulla district to visit the gravesite of Atta Mohammed Khan, when personnel from Police Station Boniyar stopped and took them to Boniyar Police Station, where they were illegally detained for over an hour. They were asked not to proceed with their plans by the Station House Officer (SHO); no formal order for the latter was produced.

Atta Mohammed, who died on 10<sup>th</sup> January 2016, was a gravedigger who ensured the respectful burials for over 230 unidentified bodies from 2003 to 2009 in the Bimyar graveyard. He met the APDP team in 2008 during its fact-finding mission to unearth the skeletons in the closet on the phenomenon of mass graves. He was instrumental in helping APDP reveal this problem. According to the testimony of Atta Mohammed, the dead bodies brought to the grave bore torture marks and were often mutilated. The detention of the APDP team members prevented them and the family members of 15 disappeared persons from paying their respects to Atta Mohammed Khan and lay a tombstone on his grave.

It is pertinent to mention that there are about 8,000 persons in Indian-occupied Kashmir who have been subject to enforced disappearance. Since 2008, the APDP documented over 7,000 cases of unmarked graves in five (5) districts of Jammu and Kashmir and found *prima facie* evidence that some of these unidentified bodies belong to those disappeared civilians.

The recent detention of the APDP team signifies the rising state violence that the group has faced since it came into existence. In 2008, Advocate Imroz was attacked by India while inquiring into the mass graves phenomenon, pointing out India's failure in not

only protecting human rights defenders, but also in ensuring that the facts about human rights abuses remain concealed, particularly on enforced disappearances.

India signed the International Convention for Protection of All Persons from Enforced Disappearance in 2007 but has remained reluctant in ratifying it, thus failing to criminalize enforced disappearance and fostering a culture of impunity in the state.

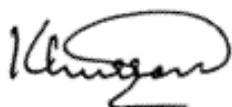
AFAD criticizes the government of India for maintaining and promoting silence around the phenomenon of enforced disappearance. Thus far, the India has dealt with questions around enforced disappearances with denials and refusals to acknowledge the phenomenon. It has also sought to strangle all the voices who have raised concerns on human rights violations in Kashmir.

The Federation advocates for the freedom of human rights defenders in Indian-occupied Kashmir to ensure human rights for everyone and to put a stop to the culture of silence and impunity. It also strongly condemns the prevention of APDP members from paying tribute to Atta Mohammed.

AFAD reminds India that the International Convention for the Protection of All Persons from Enforced Disappearance that it signed, states in Art. 24, Para. 7 states that: "Each State Party shall guarantee the right to form and participate freely in organizations and associations concerned with attempting to establish the circumstances of enforced disappearances and the fate of disappeared persons, and to assist victims of enforced disappearance." The violation against Advocate Imroz and his colleagues is a transgression against this provision which India, being a signatory, has a moral obligation to abide.

Thus, AFAD urges the international organizations and institutions to stand in support of the APDP team who has been tirelessly working on the issue of enforced disappearances in Indian-occupied Kashmir and has played a vital role in making sure that human rights violations are acknowledged and perpetrators are brought to justice.

Signed by:



**KHURRAM PARVEZ**  
Chairperson



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