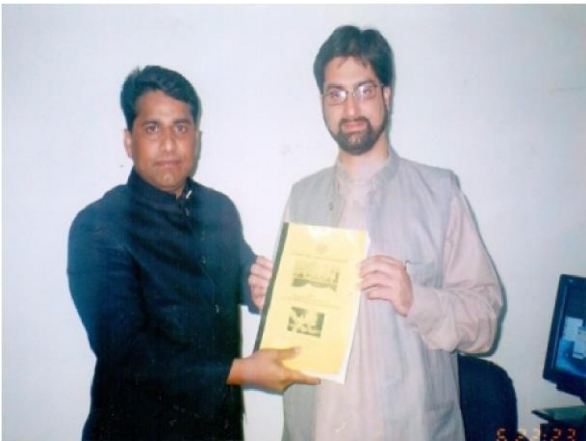
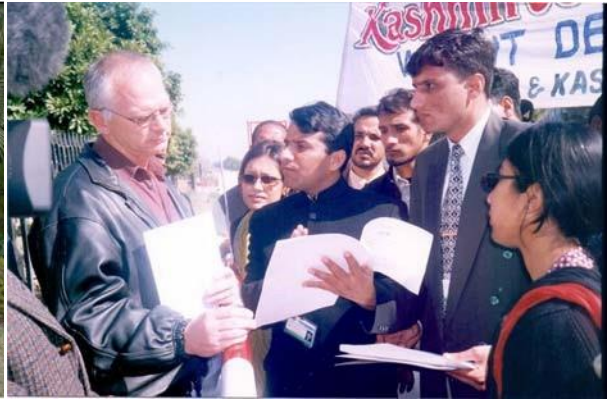
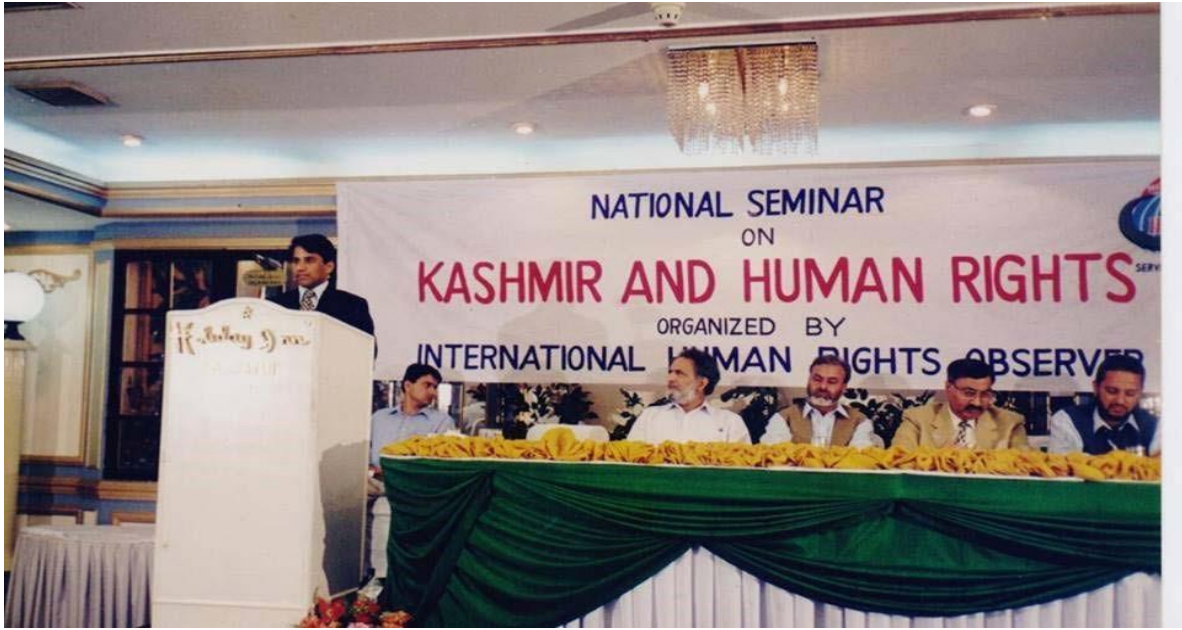




**IHRO CAMPAIGN FOR THE RIGHT OF
SELFDETERMINATION OF THE KASHMIR**







President of IHRO Dr. Khalid Sulehri participated in 'Million Kashmir March in London



HUMAN RIGHTS VIOLATIONS IN KASHMIR AND THE RIGHT OF SELF-DETERMINATION OF THE KASHMIRI PEOPLE

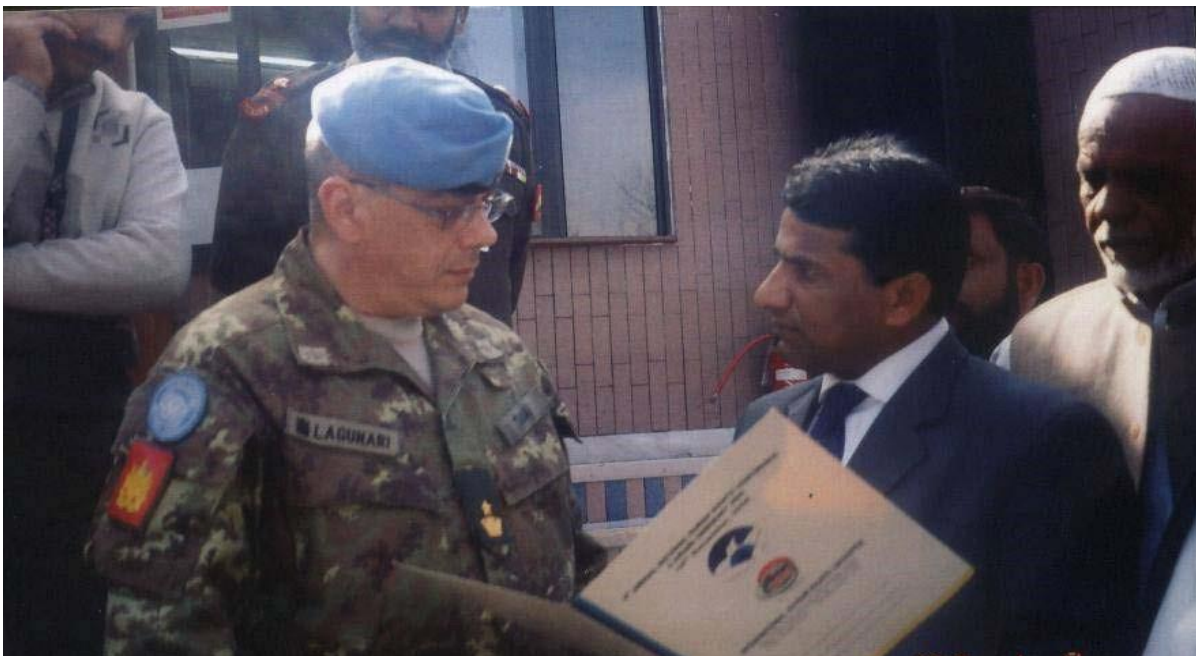
Ever since its establishment in 1945, the United Nations Organization (UNO) has regulated and managed many regional and global conflicts. During the cold war, this international body has been quite effective in ensuring global peace through forestalling many impending wars and conflicts. Kashmir and Palestine however are two such issues, where UN could do little. Resultantly, the people of both states are practically stateless under identical occupation powers, both having alliance and are cooperating on the use of illegal means against real subjects of Kashmir and Palestine. Both have the same type of track record of violating the human rights through their security forces. Indeed, among the contemporary global disputes, Kashmir is the longest unresolved dispute on the agenda of the United Nations Security Council.

There are 23 United Nations resolutions on Kashmir, all asking for the resolution of the dispute, on the basis of right of self-determination for the people of Kashmir through a neutral mechanism of plebiscite under UN Administrator. In the light of UN resolutions, people of the state have been

demanding their right of self-determination from the successive Indian governments. When ever, Kashmiri demanded their rights, Indian authorities unleashed a reign of terror on the unarmed innocent Kashmiri people. There have been massive human rights violations by Indian security forces in the Indian Occupied Kashmir. This suppression has been a routine matter with the Kashmiris. However, the most horrific phase of human rights violation in IOK has been in the decade of 1990s, where through the deployment of its 700,000 security forces, Indian security forces have killed over 93,000 Kashmiris, struggling for their right of self-determination.

Amnesty International has pointed-out discriminatory laws which gave Indian security forces unprecedented powers to kill torture and exploit the people. These laws were imposed in the state in early 1990s and include; Jammu and Kashmir Public Safety Act (PSA), the Terrorist and Disruptive Activities (Prevention) Act (TADA) and Armed Forces Special Power Act (AFSPA). Under extreme international pressure, Indian Government had revoke TADA later on; however, the other two extreme laws are still imposed despite strong resistance from international community, human rights organizations and Kashmiris.

Indeed, through these laws, Indian security forces were given sweeping powers of arrest and detentions even shoot to kill with virtual immunity. As per Amnesty International, "The AFSPA violates India's international legal obligations and several fundamental rights, including the right to life, the right to liberty and security and the right to remedy. This law has alienated people and is an impediment to achieving peace, and an obstacle to justice." As record shows, the human rights violations committed by Indian security forces in IOK, while making use of these laws have no parallel in the contemporary world.



Unfortunately, the long standing Kashmir dispute itself and the human rights violations in the state could not attract the global attention as given to other international disputes mainly because the neutral observers and international media had no access in the state, as India had totally sealed the movement for outside people to witness the happenings there since 1990. Upon the denouncement

of armed struggle by Kashmiri freedom fighters in 2002, it was expected that, Indian security forces would stop human rights violations in IOK. Indeed, thereafter, Kashmiris decided to resume their traditional peaceful political struggle for their right of self-determination. Regretfully, this peaceful Kashmiri struggle did not oblige India, and its security forces are still continuing with the human rights violations. According to a recent report of China Daily (January 2, 2014), compared to 2012, there has been 38% increase in the human rights violations in the Indian Occupied Kashmir during year-2013. Whereas, the death tolls due to violence during 2012 were 148, in 2013, the human rights violation has caused 204 deaths. This data has been compiled by a rights group; 'Coalition of Civil Society' (CCS) in its annual report, 'Human Rights Review-2013.'

Today a common Kashmiri spend his life in a state of total fright and insecurity from the Indian security forces. This fear is felt alike among the larger Kashmiri community as well as single individual; the human security indeed. The human security is the most significant aspect of international law and is extension of the logic of social contract of liberal school of thought and specifically covers the security of individual and generally security of communities and societies. The right to live is explicitly sanctioned in international law, to every individual, regardless of cast, creed, faith or geographic identity. The provision of human rights' and security are categorically stated both in international law and International Covenant on Civil and Political Rights (ICCPR). But the human security situation in Indian Occupied Kashmir is ironically an ignored fact by international community.

Then there are other aspects of torture and rapes by Indian Army. This all has happened, despite having a global prohibition on torture even during the times of national emergencies. Nevertheless, deaths through torture of Kashmiri youth have been a common phenomenon in IOK. India is a signatory of the Universal Declaration of Human Rights (UDHR)-1948. According to Article 5 of UDHR-1948, "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment." The factual position however is that, torture, hostage-taking, and rape has been prominent abuses in IOK since last two and half decades, after Kashmiri started mass struggle against Indian occupation of their state in 1990.

Solution of the long-standing Kashmir issues as per desires of its subjects is vital for stability in South Asia, however, as a CMB, India should stop human rights violation in its occupied part of Kashmir. For this purpose, the pre-requisites would be to repeal the discriminatory laws especially; AFSPA and PSA. Amnesty International and civilized world community consider that, today Kashmir has become a humanitarian issue, rather a political or religious one.

The Right of Self Determination is the Fundamental Right of the Kashmiri People

(Dr. Khalid Sulehri)

