

October 28, 2019

Dear European Parliament members,

We understand that as part of your private visit to India, the government of India is preparing to take you to the Valley of Kashmir. As you may be aware, the Valley has been under a siege since August, 5. We have already written to the [European Parliament](#) regarding the situation in Jammu and Kashmir.

The European Parliament's Subcommittee on Human Rights (DROI) has a record of hearings on human rights in Kashmir from 2008 on. Most recently, the European Parliament Committee on Foreign Affairs heard a report from the European External Action Service (EEAS) on the situation in Kashmir at an Exchange of Views on 2 September. On August 30, the High Representative of the European Union for Foreign Affairs and Security Policy/Vice-President of the European Commission, Federica Mogherini, [‘stressed the importance of steps to restore the rights and freedoms of the population in Kashmir.’](#) In 2008, the European Parliament plenary session passed an [urgency resolution](#) focusing on allegations of mass graves in Kashmir. The resolution called on India to ratify the Rome Statute and the UN Convention for the Protection of All Persons from Enforced Disappearance, and called on India and Pakistan to offer full access to UN Special Rapporteurs on both sides of the Line of Control.

We are very concerned that your trip to Kashmir is being orchestrated by the government of India to convey a sense of normalcy at a time when nothing in Kashmir is normal. Tomorrow as you visit Kashmir, you will likely encounter a great deal of traffic and a rush of students being shuttled by their parents to various examination centres for their required Board examinations. While these students have been deprived of school for three months, unable to complete their syllabus requirements, they are not given any concessions and must appear in exams that determine their future careers. Similarly, all government employees you may meet in offices have been forced to sign bonds stating they support all the changes made on August, 5.

Since our last communication, there have been further reports on the ground situation conducted by the Indian civil society members. So far, five Indian civil society groups have been successful in visiting Kashmir and have issued fact finding reports ([Report 1](#), [Report 2](#), [Report 3](#), [Report 4](#), [Report 5](#)) on the ongoing siege. The findings of all reports are uniformly disturbing. They report mass detentions of elected officials, doctors, lawyers, and children as young as five; use

of torture and lethal force against civilians; sexual violence and abuse by the armed forces; dwindling supplies of life-saving medical treatments and inability of patients to access hospitals; and curtailing of religious freedoms. We hope during your visit you will find time to meet members of these Indian civil society groups to get an assessment on the human rights situation in Kashmir.

For the first time, we also have an [interview](#) with Mr. Parvaiz Imroz, a human rights advocate and lawyer, patron of the [Jammu and Kashmir Coalition of Civil Society](#). His report, as you will hear for yourself, indicates that the situation in Kashmir is dire, especially with regard to undocumented detentions of tens of thousands of young people. Another civil society group, [Association of Parents of the Disappeared People](#) (APDP), has just released a [report](#) on the blinding of protestors and ordinary people with metal shot guns.

While in Kashmir, we strongly urge you to meet members of both these Kashmiri civil society groups to make an informed and unbiased assessment of the ongoing oppression and current siege of Kashmir.

As scholars of Kashmir, we wish to ensure that you have all the right information and support in making an unbiased assessment of the situation in Kashmir. It is also important to ask the government of India the right questions. Here are some of our suggestions:

1. Under what provisions has India unilaterally altered the status of an internationally disputed territory without the will or consent of the people?
2. What legal basis is present for the siege and communications blockade?
3. What is the legal basis under which journalist and human rights workers are denied free movement?
4. What is the legal basis under which thousands of Kashmiri politicians, journalists, members of civil society, human rights defenders and youth have been detained?
5. What measures have been taken to inform the family members of reportedly detained individuals about their fate and whereabouts?
6. What measures have been taken to ensure that any interference in the right to peaceful assembly in Kashmir is in accordance with the law?
7. What is the legal basis of alleged arrests and torture of tens of thousands of boys and teenagers?
8. Has the government of India initiated investigations in compliance with human rights standards of promptness, impartiality and independence, following alleged violations of human rights law enforcement operations in Jammu and Kashmir?

9. What measures have been taken to ensure that human rights defenders in India are able to carry out peaceful and legitimate work in a safe and enabling environment without fear of threats or acts of intimidation and harassment of any sort?

Above all, we hope that you will make every effort to encourage India to engage in a peaceful resolution of the Kashmir dispute by allowing the people of Kashmir to express their will, and determine their future. We hope that you will continue the European Parliament's work in this direction. We would also encourage the European Parliament to hold a hearing on Kashmir, similar to the one recently held by the [United States Congress, Foreign Affairs Committee](#).

To help you understand many facets of the Kashmir conflict, we direct your attention to resources we have put together.

Here is a [brief fact sheet](#) on the history and the current siege. We have also put forward a [resource for possible resolution](#) of the Kashmir issue and a [response](#) to commonly forwarded justifications for the current changes to the status of Jammu and Kashmir.

Sincerely,

Kashmir Scholars Advocacy and Consultative Network

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Kashmir Scholars Consultative and Advocacy Network (KSCAN) is an interdisciplinary group of scholars of various nationalities engaged in research on the region of Kashmir. Our research on the Kashmir conflict addresses its history, its consequences for the region and beyond, and its possible resolution. KSCAN examines the implications for an internationally mediated political solution and is of relevance to policy makers. Based on our long and active engagement with civil society groups in Indian-controlled Kashmir, we have undertaken to document and communicate the situation on the ground since the Indian state's violence against civilians has continued to mount from July 7th, 2016 onwards. Each of us has written about Kashmiri history, society and politics; and we are particularly concerned about the present conditions of violence.

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