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RAFTO PRIZE 2017 AWARDED TO INDIAN HUMAN RIGHTS CAMPAIGNERS PARVEENA AHANGAR AND IMROZ PARVEZ

The Rafto Prize for 2017 is awarded to Indian human rights defenders Parveena Ahangar and Imroz Parvez, who have spent decades campaigning for basic human rights in the Indian state of Jammu and Kashmir.

Parveena Ahangar and Imroz Parvez have long been at the forefront of the struggle against arbitrary abuses of power in a region of India that has borne the brunt of escalating violence, militarisation and international tension. Their long campaign to expose human rights violations, promote dialogue and seek peaceful solutions to the intractable conflict in Kashmir has inspired new generations across communities. Parveena Ahangar protests against kidnappings and challenges the perpetrators of violence. She is the founder and leader of the Association of Parents of Disappeared Persons (APDP) which arranges peaceful protests and offers practical assistance to victims. Imroz Parvez is a lawyer and a leading intellectual who uses the law to ensure fundamental human rights and equality before the law in Kashmir; he is the founder of the Jammu Kashmir Coalition of Civil Society (JKCCS), which works for human rights and alternatives to violence.

The Rafto Prize Laureates thus complement one another in their work, creating opportunities for different communities to participate in the human rights movement via dialogue, peaceful strategies, and protest against human rights violations in the world's largest democracy.

KASHMIR

Both laureates are based in the city of Srinagar, in the Indian state of Jammu and Kashmir. The Kashmir conflict occupies a unique position in international politics. Since the partition of historic Kashmir between India and Pakistan in 1947, the region has borne the brunt of a continuous territorial dispute. The population of historic Kashmir is today divided between the Indian state of Jammu and Kashmir and the Pakistani territory of Azad Kashmir. The international border in Kashmir is disputed. In practice, India and Pakistan, both nuclear powers, face one another across the militarised "Line of Control" (LoC). In this conflict zone, which since partition has been impacted by constant geopolitical tension, religious conflicts and several wars, the civilian population has suffered and basic human rights have been violated by all parties to the conflict.

THE LAUREATES AND THEIR WORK

The Rafto Laureates, Parveena Ahangar and Imroz Parvez, have long been leading exponents of non-violent human rights campaigning on the Indian side of the LoC. In their different ways, they lay bare the human consequences of power politics in Kashmir.

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Fighting disappearances - The Iron Lady of Kashmir

“It is not only my struggle. We are hundreds of mothers who are waiting to know the whereabouts of our dear ones”

- Parveena Ahangar

Disappearances are at the core of Parveena Ahangar’s human rights struggle. It is estimated that 8,000-10,000 persons have disappeared from their families, since the escalation of violent conflict in the late 1980s. Kidnappings affect many families and represent clear violations of individual human rights. This widespread practice is in breach of the International Declaration on the Protection of All Persons from Enforced Disappearance. There are many women whose husbands have been kidnapped. Because the men “disappear” at random and the disappearances are not documented, the women left behind have no formal status as widows. They have no right to compensation and welfare support from the state, nor can they inherit their husbands’ property and bank accounts. These widows are popularly referred to as “half-widows”.

Parveena Ahangar lost her 17-year-old son when he was kidnapped by security forces in 1990 and has never been told where he was taken or where he is buried. Her painful loss gave her a strong commitment to be an advocate of the cause of human rights. Nicknamed “The Iron Lady of Kashmir”, Ahangar is a pioneering human rights campaigner in Jammu and Kashmir. In 1994, she founded the Association of Parents of Disappeared Persons (APDP) and has together with Imroz Parvez and others worked to bring the systematic kidnappings of men to public attention in India and internationally.

The APDP, which is governed by the victims themselves, is a source of inspiration for younger and older activists alike, who wish to use peaceful means to highlight the issue of kidnappings. In Srinagar, on the 10th of every month, the APDP arranges peaceful protests against kidnappings where they distribute calendars with photographs of their missing relatives. The organisation also provides assistance for the victim families through practical and legal support. Parveena Ahangar displays great courage every day; in her own story, she found the strength to fight for human rights in Kashmir.

The human rights lawyer

Imroz Parvez has for the last three decades worked as a lawyer, fighting human rights violations and disappearances in the justice system. In 2001, he founded the Jammu Kashmir Coalition of Civil Society (JKCCS). Parvez and his organisation have, for example, used India’s Right to Information Act to request information on violations perpetrated by soldiers, including killings, rape and torture. As well as providing legal assistance, Imroz Parvez and the JKCCS promote dialogue by involving civilians in a unifying process and documenting serious human rights violations in Jammu and Kashmir. While working for the rights of civilians, Imroz Parvez has himself been subjected to violence by militias and state authorities alike. In spite of ongoing threats and violence, he perseveres in his fight, using non-violent means, and is as such an

important inspiration for human rights campaigners internationally at a time when militant and extremist voices are setting the agenda:

“I believe that at least some people have to stand and say no; this is not acceptable, and we will campaign against it”. (Imroz Parvez)

Imroz Parvez and the JKCCS have worked to expose the fact that torture has been systematically employed by the authorities in the state of Jammu and Kashmir. In cooperation with recognised social scientists in India, the organisation has conducted several thorough investigations of human rights violations. Their reports *Facts Under Ground* (2008) and *Buried Evidence* (2009) documents the extent of unidentified mass graves; *Structures of Violence* (2015) documents extrajudicial killings and forced disappearances and documented names of the perpetrator. The JKCCS has also published reports on the structures of violence and torture. They seek to mobilise support locally and nationally, and appeal to the UN and the global community to aid them in their struggle for human rights.

LIFE IN AN “INTRACTABLE CONFLICT”

Escalating violence, terror and increasing militarisation

“To date, not a single alleged perpetrator of a human rights violation has been prosecuted in a civilian court. Victims and their families routinely face intimidation and threats from the security forces when attempting to bring cases against soldiers”.

-Amnesty International Report, 2015

The volatile political situation in the region has led India to build up a comprehensive military presence in Jammu and Kashmir, where an estimated 600,000–700,000 soldiers are deployed. New Delhi has enacted a series of laws permitting the army to employ violent force, arrest people, wreck homes, and use live ammunition to enforce law and order. These laws like Armed Forces (Special Powers) Act 1990 have granted the army immunity against civil and legal authorities. The Public Safety Act allows the government to keep people in custody for up to one year without trial. In its 2015 report *Denied: Failures in Accountability for Human Rights Violations by Security Force Personnel in Jammu and Kashmir*, Amnesty International shows that the system of military courts that has been set up is in breach of the legal principle of equality before the law – the military are not called to account for their violence and human rights violations. Amnesty points out that equality before the law is an important principle enshrined in article 14 of the International Convention on Civil and Political Rights (1966). They also point out that this is clearly specified in article 14 of the Constitution of India (1950).

The consequences of the military conflict for civilians in Jammu and Kashmir have been largely ignored by the global community. The violent conflict escalated in the late 1980s when rebels started fighting the Indian authorities. Attempts to contain the rebels led to civilian protests being suppressed by military means. Torture and kidnapping are now part of everyday life for the civilian population. The heightened level of conflict has resulted in an overwhelming

militarisation, which undermines confidence in democratic institutions. The military are generally not subject to the restrictions of civil law, and their actions in Jammu and Kashmir undermine the rule of law.

Ever more extreme religious nationalism has led to increasing use of military means by the authorities in Jammu and Kashmir. While attempting to control rebels and radical groups, the authorities also use military force to suppress civil protest. Clashes intensified in the summer of 2016 when for instance 446 peaceful protesters were hospitalised with eye injuries caused by rubber bullets fired from pellet guns. Violence and long-term deployment of large military forces to control the civilian population creates a serious situation because legal procedures are inadequate and India's democratic civil laws are being ignored.

The army's human rights violations and lack of respect for civilians, were clearly illustrated by an incident during local elections in Srinagar, the state capital, in April this year. A young man on a motorbike on his way to cast his vote, was randomly picked up by soldiers guarding a polling station; he was tied to a jeep and driven around the city for 6 hours to protect the soldiers from stone-throwing youths. Photos of the young weaver being used as a human shield caught attention around the world on social media.

Civil rights revoked

The consequences of the armed conflict for civil society in Jammu and Kashmir have largely been ignored by the global community. International news media consider the conflict in Kashmir insoluble. Their focus on the conflict between Pakistan and India ignores important issues relating to the legal rights of the civilian population. In this "intractable" conflict, civilians live a life characterized by surveillance, torture, disappearances, lawlessness and escalating militarisation.

And yet, in this region of deadlocked conflict, where opponents dehumanise one another and civilians encounter military forces who are not subject to democratic laws, some brave individuals have spent decades working tirelessly for human rights in Jammu and Kashmir. Parveena Ahangar and Imroz Parvez are prime exponents of non-violent alternatives in the region.

THE IMPORTANCE OF HUMAN RIGHTS ACTIVISM IN KASHMIR

The situation in Kashmir shows how important it is for a viable democracy to respect human rights. Though India is defending its sovereignty and does not wish other countries to interfere in Kashmir, it is vital that channels are opened for advocates of peace to make their voices heard. It is crucial that they succeed in their long struggle to promote dialogue and human rights. In an escalating spiral of violence, it is especially important that the Indian authorities bring their own military forces to account for their actions in Jammu and Kashmir, that they facilitate the work of the human rights movement, and that they focus on dialogue so as to avoid boosting religious hatred and aggression and undermining the rule of law. As we award the Rafto Prize to human rights pioneers Parveena Ahangar and Imroz Parvez, we urge the Indian authorities to facilitate the activities of non-violent human rights workers in India.

We also urge the global community to insist that India should abide by its democratic constitution and uphold the rule of law, and to demand that India respect human rights. India has not signed the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Nor has India ratified the International Convention for the Protection of All Persons from Enforced Disappearance. This has been debated at the UN, and international human rights organisations have conducted investigations. We ask Norwegian and international authorities to raise the issue of these human rights documents in their meetings with the Indian government.

We further ask Indian authorities to review the security laws in Jammu and Kashmir (the Public Safety Act and the Armed Forces Special Powers Act); these undermine the legal rights of the people of Jammu and Kashmir as well as the Constitution of India. At the same time, neighbouring countries like Pakistan and China must adjust their policies and allow advocates of peace in the region to be heard.

Finally, we would like to urge the human rights movement in Norway and internationally to learn and be inspired by the exemplary work of Parveena Ahangar and Imroz Parvez to create a non-violent movement through their commitment to the struggle for basic human rights and a decent life for the people of Jammu and Kashmir in spite of the political tensions. Their voices remind us that no conflict should take precedence over the right to a life free from violence, torture and fear.

The Rafto Foundation, Bergen, Wednesday 16.08.2017

The Rafto Prize will be presented on Sunday 5 November 2017 at 18:00, The National Stage, Bergen.

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OHCHR: International Covenant on Civil and Political Rights:

<http://www.ohchr.org/EN/ProfessionalInterest/Pages/CCPR.aspx>

OHCHR: International Convention for the Protection of All Persons from Enforced

Disappearance: <http://www.ohchr.org/EN/HRBodies/CED/Pages/ConventionCED.aspx>

OHCHR: Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment:

<http://www.ohchr.org/EN/ProfessionalInterest/Pages/OPCAT.aspx>

OHCHR: Declaration on the Protection of all Persons from Enforced Disappearance

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