**Asian-Eurasian Human Rights Forum**

**NGO with ECOSOC Status (E/c.2/2014/L.1/Rev.1 of 7 Feb 2014)**

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Internally Displaced Persons

**Statement of Asian-Eurasian Human Rights Forum, NGO with Special Status with ECOSOC**

Owing to the inability of the Government of India to control religion-based and externally sponsored terrorism in Kashmir in 1989-90, Theo-fascists calling themselves “freedom fighter selectively murdered, individually or collectively, more than a thousand innocent, unarmed and peace-loving members of the religious minority community called the Pandits of Kashmir. Under threats of decimation relayed through public media and loud speakers fitted to mosque tops, the frightened minority community of over 350,000 persons was forced to leave their home and hearth, and go into exile as internally displaced persons seeking shelter at different places in India, hundreds and thousands of miles away from their original habitats.

While ethnic cleansing of the Kashmiri Pandit religious minority in the Indian part of Kashmir was brought about through pogroms and force of arms, the Indian Government, abandoned its moral and constitutional responsibility of protecting civilian lives. It showed no will to protect them against the onslaught of their assailants. Extirpation was forced on the religious minority.

The Government of India calls the victims of terrorism “migrants” despite strong protests by the community that they had not migrated out of their free will but were forced out at the point of gun, nor had they crossed the international border. As such they fall in the category of IDPs under UNHR Charter and definition.

The Government of India has refused to give them relief in accordance with the norms set forth for IDPs in the UNHRC resolutions passed by the Working Group on Minorities and the Kampala Convention. They are denied the right to seek asylum.

The paltry amount given by way of relief to a refugee (migrant) family of four members or above is about US dollars 130 or dollars 32 per head per month. Can a person survive with one dollar and six cents per day? But these double victims of terror and state apathy have to make both ends meet.

Your Excellency, have you any other example of destitution of the IDPs to this magnitude within your sight?

The Government of India and the local state government have no policy or plan for return and rehabilitation for this chunk of humanity in their place of origin. Also there is no alternative plan with the authorities to settle them in a new habitat anywhere in the country. Only the rhetoric of return and rehabilitation with honour is what is doled out through media or through pro-government propaganda outlet.

It is 23 years that these IDPs are suffering hunger, lack of shelter, unemployment and above all grave health problems. Many of them got drowned in deep waters and many died of snake bites in snake infested camps where sanitation is a rarity. Their population is shrinking fast.

The Government of India is politicizing the issue of human misery. It tries to serve the partisan interests by pandering to whims of the majority community so as to create and sustain its vote bank. The state government, in tandem with the union government, is exploiting human misery for political ends

The International Commission of Jurists, a prestigious NGO affiliated to the UNHRC, visited the area of conflict in 1994, and submitted its report to the UNHRC. It has incorporated in its published report the official document presented to it by the Government of India about the causes and events of ethnic cleansing of a miniscule religious minority from its habitats in Kashmir. If this document was not meant only to impress the foreign powers and human rights activists, and if the Indian Government was sincere, it should have taken concrete and decisive steps way back in early 1990s for the restitution of IDPs in their homeland and made good the losses they suffered in terms of moveable and non-moveable properties and other assets.

The prestigious journal *Forced Migration*, vol 8 of August 2000 lucidly presented the case under the title ‘Rethinking the Guiding Principles: the case of the Kashmiri Pandits’ by K.C. Saha, website mail.google.com/mail/u/0/#inbox/144a900e9598145c?projector=1

Kashmiri Pandit IDPs approached the National Human Rights Commission of India to declare them IDPs. The Commission declined saying that would embarrass the Government.

We approached the NHRC to pronounce that terrorists had perpetrated genocide of the minority community. In its verdict the Commission said that “atrocities akin to genocide” were perpetrated. We fail to understand what is meant by “akin to genocide” when in sporadic pogroms more than a thousand Kashmiri Pandits were gunned down in cold blood inside their homes and the entire community has been forced out of their homes at the point of gun.

After extirpating the community from its habitat, vandalizing of their temples, shrines, places of worship and other cultural symbols has not been obstructed and stopped through government intervention. This is a direct attempt at wiping out the cultural fund of the IDPs. It brings secular credentials of the Government of India into question

Kashmiri Pandit IDPs demand that they are given proper nomenclature of IDPs according to UNHRC definition and not “migrants”; provided with adequate relief, rehabilitated in concentration in their homeland according to their free will and made politically and economically empowered to conduct their affairs without fear as a religious majority component of Kashmirian civil society.

Submitted by Dr. K.N. Pandita, General Secretary, AEHF