

**Memorandum for submission to the Universal Periodic Review Group of the
United Nations Human Rights Council at Geneva on India Reporting
(Through United Nations Office, New Delhi)**

New Delhi-India
Date: May 3rd, 2017

Hon'ble Chairman,

This is on behalf of the indigenous people of Kashmir, the Kashmiri Pandits, that we submit this Memorandum for immediate consideration of the UN Human Rights Council ongoing Universal Periodic Group Review meeting on India reporting at Geneva.

While there is a big agenda for discussion in the meeting regarding India Reporting, we take this opportunity to bring to your kind notice our plight under the category -"attack on religious minorities" and "human rights violations" in our native place. The members of the community of Kashmiri Pandits continue to live as refugees in their own country for the last 28 years. This community, as you know, has been the victim of genocide and ethnic cleansing in Kashmir. Mass exodus was inflicted upon the members of the community in 1989-90 by the Pakistan sponsored and guided terrorists. The theocratic and extremist goals of the fundamentalist and terrorist organizations of the Kashmir valley shunted seven hundred thousands of Kashmiri Pandits into exile. Their men were killed, women raped and brutally murdered, hundreds of their places of worship were destroyed while thousands of their houses were gutted in fire by the fundamentalist and secessionist forces in the valley of Kashmir. The rabid communal campaign against the indigenous people, the Kashmiri Pandits, is, unfortunately, unabated till date.

It has been observed since long that you have been fed with a one sided story of the Kashmir situation, therefore, it is important to present before you the other side of the picture as well. In this context, to start with let us first brief you about the statements and observations of the credible human Rights bodies regarding the Human rights violations of the Kashmiri Pandit minority community in Kashmir:

The National Human Rights Commission (of India) adjudged that "the Commission is constrained to observe that acts akin to genocide have occurred in respect of the Kashmiri Pandits and in the minds and utterances of some of the militants and terrorists a 'genocide type design' may exist against the Pandits. The crimes committed against the Kashmiri Pandits are, by any yardstick, deserving of the strongest condemnation". Amnesty International reports "that among the civilian population, Hindus have been frequently

targeted by the armed opposition groups in Kashmir. Estimated 2,50,000 to 3,00,000 have fled the Kashmir valley since armed opposition groups activities manifested in late 1989 and taken refuge in Hindu majority area- Jammu or in camps in and around New Delhi. Those that have stayed behind in Kashmir have been subjected to frequent abuse by armed opposition groups. Dozens of killings have been reported over the last few years". It is pertinent to mention here that the terrorist and fanatic elements killed through organized massacres a large number of minority Hindus and Sikhs in the Kashmir valley at Sangrampura, Telwani, Wandhama, Chittisingpura, Mahjoornagar, Nadimarg and at other places. The US Committee for Refugees observes that "the fundamentalist terrorists had driven the Pandits out by systematic ethnic cleansing". Frank Pallone, the imminent Congressman in US said that "I along with the fellow law makers plead for describing the treatment meted out to the Pandits in the trouble torn state as genocide....I hope that the attention of the United States and the world community will finally focus on the long ignored plight of the Pandits".

It is important here to mention that the terror groups inspired by religious extremism also made non-Muslims particularly the minority Hindus targets in the hilly areas of Jammu region and conducted a large number of organised massacres there. A large chunk of these hapless Hindus also continue to live as displaced people outside their historical habitat.

From the foregoing, it becomes clear that the minority Pandits of Kashmir are victims of hate crimes and crimes against humanity at the hands of the terror and religious bigots in Kashmir. The Belgium Association in Solidarity with the People of Jammu and Kashmir (which is your accredited member) visited the refugee camps of the Kashmiri Pandits a number of times and has brought out a number of reports giving details of the plight of the Pandits. As a member of the UNHRC, it has developed access and reach to the unfortunate consequences of the forced displacement of the Kashmiri Pandit community.

Pakistan's open sponsorship and support to the three decade old terrorism and mayhem in the state of Jammu and Kashmir has brought destruction and ruin to the unfortunate victims of terrorism. Their brazen interference has strangled the life of minorities in Kashmir. It is high time that the UNHRC takes a correct position regarding the human rights situation in Jammu and Kashmir state and asks the perpetrators of crimes against humanity supported by Pakistan to wind up their terror infrastructure forthwith. It is also expected that the ongoing special session on India Reporting takes cognizance of the plight of the indigenous people of Kashmir, the Kashmiri Pandits and raises their issues at an appropriate level.

Finally, we remind the United Nations Human Rights Council and the Universal Periodic Review Group of the words of the great Nobel laureate Alexander Solzhenitsin "that in keeping silent about evil, in burying it so deep within us that no sign of it appears on the surface, we are implanting it, and it will rise again a thousand fold in future. When we

neither punish nor reproach the evil doers, we are ripping the foundations of justice of which no trace will be left for our future generations for protection against evil”.

Ashwani Kumar Chrungoo, President, Panun Kashmir

Utpal Kaul, Senior leader, Panun Kashmir