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PROMOTION AND PROTECTION OF ALL HUMAN RIGHTS, CIVIL, POLITICAL, ECONOMIC, SOCIAL AND CULTURAL RIGHTS, INCLUDING THE RIGHT TO DEVELOPMENT

**Written statement* submitted by the International Movement for Fraternal Union
among Races and Peoples (UFER), a non-governmental organization in special
consultative status**

The Secretary-General has received the following written statement which is
circulated in accordance with Economic and Social Council resolution 1996/31.

[29 January 2008]

* This written statement is issued, unedited, in the language(s) received from the
submitting non-governmental organization(s).

Introduction

The Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief was proclaimed by a General Assembly resolution in November 1981.

One of the basic principles of the Charter of the United Nations is that of the dignity and equality inherent in all human beings. In addition, the Universal Declaration of Human Rights and the International Covenants on Human Rights proclaim the principle of non-discrimination and equality before the law and the right to freedom of thought, conscience, religion and belief.

The disregard and infringement of human rights and fundamental freedoms, in particular of the right to freedom of thought, conscience, religion or whatever belief, have brought, directly or indirectly, wars and great suffering to mankind, especially where they serve as a means of foreign interference in the internal affairs of other states and amount to kindling hatred between peoples and nations.

The situation in Jammu and Kashmir

This is for example, the case in Jammu and Kashmir where, since the end of 1989, a spiral of violence erupted resulting in endless suffering of the Kashmiris. Human Rights, civil, political, economic, social and cultural rights, including the right to development are violated by both foreign jihadi fighters, or holy warriors, with the constant support from across the border, and by the security forces.

- Economically, violence destroyed the once so blooming tourist industry in the Valley and had also a negative impact on other economic activities.
- Socially, violence resulted in the devastation of the Kashmiri society;
 - ✓ like the forced exodus of the Pandits from the Valley to safer places;
 - ✓ like the killing of so many innocent people, and
 - ✓ like the suffering of so many Kashmiris who are disabled or who became widows and orphans.
- Culturally, violence destroyed so many historic places and cultural heritage.

What could be considered as a normal aspiration for more autonomy or even for independence of the Kashmiris is funnelled by foreign mercenaries and turned into a jihad, a holy war and promotion of religious intolerance. At the beginning of last decade, hundreds of thousands of Pandits, an important Hindu minority in the Kashmir Valley, had to flee because they were the target of religious cleansing. They are still living as refugees under inhuman conditions in camps and waiting for better times to come. But, not only members of the Hindu community in Jammu and Kashmir, also moderate Moslems who propagate tolerance and peaceful co-existence are the target and the victims of the so called mujahideen, the holy crusaders. Instead of bringing the dispute closer to a solution, this

interference is in fact blocking any progress towards a lasting peaceful solution. The activities of the jihadi groups, having the blessings and the support of some sympathisers from across the border, are inimical to the interests of the Kashmiris and to a resolution of the Kashmir issue.

No serious, intelligent, farsighted human being wants the suffering of the Kashmiris and the long and continuous tension between India and Pakistan to continue as it has badly damaged the overall internal, national, international and even the global interests. Therefore, the International Movement for Fraternal Union among Races and Peoples urges the Government of India and Pakistan to carry forward the composite, bilateral dialogue on all issues including Jammu and Kashmir.

Of late, there are some positive signs. After the summit of the South Asian Association for Regional Co-operation, held in Islamabad in January 2004, the Indian Prime Minister and the President of Pakistan made a joint statement. This was a pleasant surprise because both the leaders had undertaken to bury their hatchets by announcing their will and readiness to start negotiations in order to settle their differences and to fight terrorism.

Proposals on taking confidence building measures like activating the bus link between Muzaffarabad, the capital of Azad Kashmir, and Srinagar, the summer capital of the Indian State of Jammu and Kashmir, and activating other ferry services and rail links between the two countries are welcomed by the population as they enable people to people contacts and improve cultural exchange and co-operation. In addition, the talks between separatist leaders and the Indian Prime Minister have endorsed the peace initiatives.

Recommendations

The International Movement for Fraternal Union among Races and Peoples wants to stress the need for dialogue in order to resolve all contentious issues for which the Shimla Agreement, concluded in 1972 between India and Pakistan, provides the necessary framework. Our Organization also calls for an end to bloodshed in the region and for cooperation rather than confrontation. Therefore our Organization calls for:

- India and Pakistan to expedite the dialogue process at the level of states and people and approach all requisites of confidence building, conflict management and conflict resolution through an integrated, continuous, result oriented and well structured process;
- The pursuit of a 'holistic vision that does not ignore any divisive issue'. While Kashmir issue and India's concern for 'cross border terrorism' needed to be addressed on a priority basis, no purpose would be served by ignoring possibilities of co-operation in various fields;
- All unreasonable restrictions on travel between the two countries to be expeditiously dismantled;
- Political parties to give priority to mobilising their ranks for peace and good neighbourly relations and to allow greater space for civil society organizations to support the process;

- The desirability of strengthening relations between parliamentarians, journalists, academics, businesspersons, experts, professionals, students, workers, farmers, artists and sportspersons of the two countries, and
- Efforts to resist the forces of fanaticism, extremism and violence.

The Kashmir conflict, which a few years ago almost sparked a war between two nuclear powers, is reaching a kind of nadir. Kashmiris are exhausted by 17 years of violence and only want peace.

The International Movement for Fraternal Union among Races and Peoples is of the opinion that a solution can only be found through peaceful means in an atmosphere of friendship and harmony. Peace talks should continue and its pace should be accelerated. All parties involved in the dispute must seize every opportunity to find a lasting solution of the long-standing political conflict. The leaders of India and Pakistan have the right opportunity to demonstrate to the people of the subcontinent and to the world that the two hostile neighbours are willing to settle their differences peacefully, live side-by-side for the stability of the region and greater peace of the world.

Now is the time for the people of Kashmir to be allowed to live in dignity and peace, and without fear of oppression. This is the only way for the people of India and Pakistan to enjoy a better quality of life and to have a bright future.

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