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Report for the AED-meeting in Brussels (20/21 January 2006) **on the situation of Human Rights Lawyers in Kashmir**

In the provinces of Jammu and Kashmir the Indian army is very present in daily life. 13 million people are controlled by 700.000 soldiers and 300.0000 policemen.

In the last 20 years nearly 20.000 people have disappeared. Official requests to the local government and Habeas Corpus requests have – in many cases – not been handled properly. Many families are completely unaware about the whereabouts of their family members.

The Supreme Court of Jammu and Kashmir has mentioned in its decisions that it feels frustrated for it has no control or information about many different illegal or unofficial detention situations. The Supreme Court also complains that its decisions are not implemented by the executive and the military authorities.

Furthermore, there are numerous rape cases in which soldiers are involved. Many complaints of the victims to the police have led to impunity.

In our cooperation and meetings with the Kashmiri lawyers we have exchanged knowledge and experiences on Human Rights issues. We have come to understand that lawyers in Kashmir are operating under considerable danger and in a permanent atmosphere of intimidation and menace for the fact that they work on Human Rights cases.

In the past 20 years 9 Human Rights lawyers have been killed and many others have received death-threats.

Parvez Imroz was nearly killed when an unidentified gunman visited his house in the spring of 2005. He has been in hiding – for a long time afterwards. *Lawyers without Borders Netherlands* have asked the authorities to guarantee his safety.

In the summer of 2005 we have started an international partnership with the *Kashmir lawyers for Human Rights* (KLHR). KLHR is a lawyer-organisation that aims to enhance international awareness on, and support for their work in Kashmir on individual cases of Human Rights' violations and for their advocacy of a legal system based on truth and justice.

Human Rights organisations like the UN, Amnesty International, Human Rights Watch, are not allowed to do investigations in Kashmir. Visa for investigators are constantly denied. If investigators have once visited the country and have reported about the Human Rights situation in Jammu and Kashmir they never get a second chance to visit Kashmir for further investigations or to otherwise finish their work.

One of our primary goals is to help lawyers in Kashmir out of their isolated position by creating networks with lawyer organisations and universities.

After the earthquake, our colleagues in Kashmir have created a relief and action programme for direct help of victims on the Indian side of Kashmir. You may find one of the letters on this programme attached.

In December 2005 the Dutch section of Lawyers Without Borders has given Parvez Imroz, President of the *Kashmiri civil Rights Organisation JKCCS*, Patron of the *Association of Families of Disappeared People* and very active member of the *Kashmir Lawyers for Human Rights*, a honorary membership of the Organisation (attached in French).

We want to propose to the Kashmir Lawyers and the Srinagar University professors to become member of the newly founded Organisation, starting a worldwide cooperation between Universities of South Africa, Germany, Holland (ICON, International and Comparative Network in Law). The next meeting will be in Maastricht.

I would like to propose to the AED-General Assembly, today in Brussels the following:

First:

To decide to aid *Kashmiri lawyers for Human Rights* out of their isolation and to sustain their involvement in the AED-network.

Second:

To decide that Silke Studzinsky will travel, on behalf of the AED and with the International lawyer mission, to Kashmir in the last week of April (between the 20th and 27th April).

Two Dutch lawyers and a Belgian lawyer will also take part in this mission.

Third:

AED will take care of the travel costs of Silke Studzinsky.

Because of the fact that the application for the visum has to be done soon, we need a quick decision.

Mr. Hans Gaasbeek

Vice-president AED for the VSAN