



**Economic and Social  
Council**

Distr.  
GENERAL

E/CN.4/2004/NGO/177  
10 March 2004

ENGLISH ONLY

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COMMISSION ON HUMAN RIGHTS  
Sixtieth session  
Item 5 of the provisional agenda

**THE RIGHT OF PEOPLES TO SELF-DETERMINATION AND ITS APPLICATION TO  
PEOPLES UNDER COLONIAL OR ALIEN DOMINATION OR FOREIGN  
OCCUPATION**

**Written statement\* submitted by the International Educational Development, Inc., a non-  
governmental organization on the Roster**

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

[2 February 2004]

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

## **Human rights in Kashmir**

1. On July 24, 2003, our organization joined with the Association of Humanitarian Lawyers and the Kashmiri American Council to sponsor the International Kashmir Peace Conference that was hosted by United States Senator Thomas Harkin and Representative Joseph Pitts, and held at the United States Congress in Washington, D.C. We entitled the Conference "Beyond the Blame Game: Finding Common Ground for Peace and Justice in Kashmir." Our over-all goal was to allow key leaders from India, Pakistan and Kashmir to explore together in a neutral setting ways to resolve the more than fifty-year-old crisis in Kashmir. We give our heartfelt thanks to Senator Harkin and Representative Pitts for their commitment to the Kashmiri people and to a peaceful settlement to this situation. It is encouraging to know that these leaders of the United States Congress share our goal to resolve the Kashmir crisis as quickly as possible, given its potential to unleash a war of catastrophic consequences for all.

2. In keeping with our view that no meaningful process to resolve the Kashmir crisis is possible without the active participation of the Kashmiri people and their leaders, hosts and sponsors sought to have the participation of prominent persons from all three "sides" -- India, Pakistan and, of course, Kashmir. We also requested that all participants focus their remarks on forward-looking strategies to resolve the crisis rather than on who is to blame for it. Finally, we sought to have a neutral party, either as a participant or moderator, on each panel -- a goal that we achieved.

3. Our organization was disappointed by the last minute decision by the Indian government to decline to participate in an official capacity, but we warmly welcomed prominent past members of the Indian government who participated most constructively in our discussions. The government of Pakistan participated in its official capacity as did leaders of the Kashmiri people whose participation we deemed necessary to present the Kashmiri perspectives.

4. We sought to get beyond the "blame game" because both sponsors and hosts agreed that it is well known what the various sides argue and there is little utility to merely provide a forum to repeat those points. Because of the urgent need to resolve the Kashmir situation, we wanted to see if the parties could, in fact, abandon the "blame game" even if only for a single day, and together look at the whole situation from the perspective of formulating strategies for resolving it. In this light we made certain to keep the focus of attention on the Kashmir crisis, not on other issues of concern regarding both India and Pakistan. This is not to indicate that we are unconcerned with these other issues, but in this conference we truly wanted to give all attention to Kashmir. For example, our human rights panel included neutral human rights organizations with long experience studying the situation in both countries but who were amenable to our decision to avoid all issues except Kashmir.

5. Based on the success in terms of outcome (not to mention the fact that the attendance was far beyond what hosts and sponsors anticipated), Congressman Pitt decided to push for such a session in the United Kingdom, and we are pleased that he will join us for a follow-up session in London on 28 - 29 February 2004. While we cannot anticipate the outcome of that event, we are convinced that the July conference played a role in creating a willingness of all parties to work together to resolve the crisis, and that this may have played a role in both the recent face to face

talks between the highest authorities of both India and Pakistan and the initiation of a direct dialogue between India authorities and the Kashmiri leadership.

6. In spite of positive signs, International Educational Development continues to be concerned by the level of humanitarian and human rights violations occurring in Indian-occupied Kashmir and its militarization by Indian forces. We also deplore the failure of the United Nations as a whole to implement the Security Council resolutions mandating a plebiscite of the Kashmiri people to determine their political disposition. We are aware that the situation in the whole area is extremely volatile, not just between India and Pakistan, but also involving Afghanistan and possible United States military operations spilling across borders. We also continue to be disturbed by the anti-Islamic rhetoric regarding the Kashmir crisis that we consider “hate speech” and accordingly not protected by free speech provisions of human rights law. In light of the positive signs and the deep concerns, we urge the Commission on Human Rights to request that the Acting High Commissioner for Human Rights and the Secretary-General set up a human rights monitoring team to complement the work of the United Nations Military Observer Group in India and Pakistan.

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