

## India: Release Khurram Parvez and end reprisals against human rights defenders

(Bangkok/Kathmandu, 23 November 2021) – The arrest of prominent human rights defender Khurram Parvez by the National Investigation Agency (NIA) under the draconian Unlawful Activities Prevention Act (UAPA) and sedition charges highlights an alarming trend of harassment against defenders, particularly those in Kashmir, said the Asian Forum for Human Rights and Development (FORUM-ASIA).

In the morning of 22 November 2021, NIA officers conducted searches in Srinagar at the office and residence of Khurram Parvez, Coordinator of Jammu & Kashmir Coalition of Civil Society (JKCSS), a member of FORUM-ASIA. Later in the day, Khurram Parvez was arrested on charges of sedition and several offences under the repressive Unlawful Activities Prevention Act by the NIA. If convicted, Khurram may face up to 14 years of imprisonment or even capital punishment.

‘The Indian government should unconditionally release and drop all charges against Khurram Parvez. The authorities must end its judicial harassment and targeting of Khurram Parvez and other human rights defenders in Kashmir. Since the abrogation of special constitutional powers to the erstwhile state of Jammu and Kashmir by the Indian government in August 2019, FORUM-ASIA has documented an alarming increase in arbitrary detention, harassment, and reprisals against human rights defenders in Kashmir,’ said FORUM-ASIA’s Executive Director, Shamini Darshni Kaliemuthu.

Khurram Parvez has been subjected to targeted reprisals due to his human rights work, particularly for highlighting human rights violations by Indian security forces in Kashmir at the UN Human Rights Council. In September 2016, Indian authorities prevented him from travelling to Geneva to attend the UN Human Rights Council session. He was later arrested under the Public Safety Act, a draconian preventive detention law, and was imprisoned for more than two months, before the High Court ended his detention and called it ‘illegal’.

In October 2020, the NIA conducted searches at JKCSS’ office, Khurram Parvez’s residence, and several other locations in Kashmir in connection with a case related to alleged funding of ‘secessionist and separatist activities.’<sup>1</sup> Two months prior to the raid, JKCSS released a report on the effects and human rights impact of the communication blockade in Kashmir since August 2019.<sup>2</sup>

Targeting of human rights defenders, especially through the misuse of the UAPA and sedition law, sends a chilling message to human rights defenders in India with the aim of preventing them from carrying out their legitimate work. FORUM-ASIA reiterates its concerns over the UAPA which allows for the detention of a person for up to 180 days without requiring the police to file a completed charge sheet, thus denying the accused of fair trial rights.

<sup>1</sup> <https://caravanmagazine.in/conflict/as-jkccs-khurram-parvez-faces-nia-raid-a-look-at-its-latest-report-kashmirs-internet-siege>

<sup>2</sup> <https://jkccs.net/report-kashmirs-internet-siege/>

The continuous and targeted misuse of the Unlawful Activities Prevention Act against human rights defenders, as witnessed in the Bhima Koregaon case and Delhi riots case raises serious concern. FORUM-ASIA calls upon the National Human Rights Commission of India to immediately intervene in the arrest of Khurram Parvez and reiterates its call to conduct a review of the UAPA, particularly the provisions that restricts personal liberties and the right to a fair trial, as per powers under Section 12 (d) of the Protection of Human Rights Act.

FORUM-ASIA urges the international community especially the UN Human Rights Council and the UN High Commissioner for Human Rights to intervene on the arrest of Khurram Parvez and to call upon the Indian government to drop all charges and immediately release him.

### **Background on Jammu and Kashmir**

The erstwhile princely state of Jammu and Kashmir joined India in 1947 through the 'Instrument of Accession' signed by the then ruler of Jammu and Kashmir. In 1950, Jammu and Kashmir were granted the special status under Article 370 of India's Constitution, which guaranteed autonomy to the Muslim-majority state by having a separate constitution and the right to formulate its own laws. After the abrogation of Article 370 and re-organisation of the state into two union territories, the autonomy of the state has been revoked and the state is being ruled by the Government of India directly through a Lieutenant-Governor, which limited and restricted the powers of the state of Jammu and Kashmir.

### **About FORUM-ASIA:**

*The Asian Forum for Human Rights and Development (FORUM-ASIA) is a Bangkok-based regional network of 81 member organisations across 21 Asian countries, with consultative status with the United Nations Economic and Social Council, and consultative relationship with the ASEAN Intergovernmental Commission on Human Rights. Founded in 1991, FORUM-ASIA works to strengthen movements for human rights and sustainable development through research, advocacy, capacity-development and solidarity actions in Asia and beyond. It has sub-regional offices in Geneva, Jakarta, and Kathmandu. [www.forum-asia.org](http://www.forum-asia.org)*

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