



# Indo European Kashmir Forum (IEKF)

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## Briefing Document

(For UK Members of Parliament)

### “The plight of Kashmiri Pandits/Hindus”



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#### FOREWARD:

On 4th September 2014, Ms Krishna Bhan, President of the Indo-European Kashmir Forum (IEKF) organized a conference in association with the Hindu Council UK on the “Plight of Kashmiri Pandits/Hindus”, in the House of Commons. The meeting was jointly chaired by Conservative MP-Marcus Jones and Labour MP-Virendra Sharma. The speakers at the conference spoke passionately on many different perspectives ranging from history of the conflict, analogies with recent events, geopolitical aspects, role of journalists and politicians and the relevance of conflict to the rest of the world. The mood in the packed Committee Room 10 was effusive, upbeat and one which demonstrated resolve and a call to action. Also in attendance were Bob Blackman MP and Richard Harrington MP who supported the issues raised.

The main purpose of the conference was to express the Hindu community’s grave concerns over the forthcoming debate in the UK Parliament taking place on Thursday 11<sup>th</sup> September 2014 at the House of Commons. The debate in question has been secured by Liberal Democrats MP David Ward-Member of Parliament for Bradford East, together with support from Andrew Stephenson MP (Conservative) and David Nuttall MP (Labour), on behalf of the Jammu Kashmir Self Determination Movement Europe. Surprisingly, this debate has been granted as a result of some MPs, MEPs & Lords from all the British Political Parties, together with members of the Kashmiri/Pakistan Community, who signed a petition asking the British Parliament to hold a special debate on the state of human rights for the Muslim community in Kashmir.

However, IEKF believe, regrettably that some misguided Members of Parliament have supported this debate and it is for this reason that we have issued this Briefing Document in order to give the viewpoint of the Kashmiri Pandit/Hindu Community. We sincerely hope

that you will take time to read this document before the debate in order to be fully informed of any potential decisions that you make or support at the debate.

Perhaps David Ward MP and those engaged in the debate should familiarise themselves with the following facts in relation to Jammu and Kashmir:

Jammu & Kashmir is an issue on which India has been holding dialogues with Pakistan and will continue to hold them, in an environment free of violence and terrorism. The Simla Agreement between the two countries requires them to deal with this bilaterally. It may be noted that the Prime Minister of India had invited the Prime Minister of Pakistan for the oath taking ceremony of his Government and held discussions with Pakistan's Prime Minister thereafter. India has kept open all prospects for building constructive relations with Pakistan; conditional upon a firm commitment from Pakistan to end all acts of terrorism and violence.

It is a widely recognised fact and clearly recorded internationally that infiltration of terrorists into Jammu and Kashmir are aided and abetted by Pakistan, including through the use of cover fire and other military actions on the border. Pakistani cover fire for terrorists has recently caused some cross border shelling following which discussions have been held between military authorities of the two countries to restore calm. It is necessary that no encouragement should be given to the proponents of terrorism and Jihadi elements which are being sent into India to create mayhem. It has been widely reported in the international media that some extremist groups have support and links with sympathetic supporters from the British Pakistani communities settled in the UK.

The recently concluded Indian elections were the largest exercise in democracy in the history of the world where 550 million free Indians (including 7 million in Jammu & Kashmir) voted in peaceful elections, and witnessed orderly transition of power to, a new Government, with a new vision. In the elections for the legislative Assembly of the state of Jammu and Kashmir in year 2008, a total of 6,479,375 electors participated with overall voting percentage of 61.23%. Generous public participation in the democratic process shows the faith of the people of Jammu and Kashmir in the choices they make for the governance of their state under the Constitution of India.

The assembly elections for 2014 are to be held later this year in Jammu and Kashmir. Through this democratic process, the people of Jammu and Kashmir will elect a Government of their choice. The Prime Minister of India has recently inaugurated several infrastructure projects in the State of Jammu and Kashmir which fully demonstrate the Indian Government's commitment for the welfare of the people and the larger socio-economic development of the State. The peaceful democratic process in the state of Jammu and Kashmir is in contrast to the situation across the border in Pakistan occupied Kashmir.

#### **BACKGROUND ON THE PLIGHT OF KASHMIRI PANDITS/HINDUS:**

Exactly 24 years ago, on 19<sup>th</sup> January 1990, the biggest ever exodus of people happened in India. The minority Hindus of Kashmir - Kashmiri Pandits, fled the valley leaving behind their homes and homeland to save themselves from persecution at the behest of Islamic extremists/terrorists. Tens of Thousands of Kashmiri Pandits were displaced due to Muslim militancy in Kashmir valley. After the massacre, the local Hindu temples were destroyed, as were the houses of the Kashmiri Pandits. As every day goes by, Kashmiri Pandits dream of being able to go back to their homes one day.

In these 24 years of exile, the culprits responsible for the killing and exodus of Kashmiri Pandits haven't been brought to justice. In addition, in spite of a law passed in the Jammu

and Kashmir state assembly, several complaints are pending in the J&K courts related to encroachment of Pandit properties. Moreover, time and again, Kashmiri Pandits have complained against the selective removal of their names from electoral lists. Political system, both at state and centre, irrespective of party levels continues to pay no heed to the repetitive demand of Kashmiri Pandits on the above issues.

The main purpose of terrorism in Kashmir was to create a real Islamic valley in character. The minority Kashmiri Pandits were forced to leave the valley to create such homogeneity. They were looted, burnt alive and raped by Kashmiri Muslims. If the majority Muslim community of the valley had not supported the insurgency, there probably wouldn't have been any exodus of the minority community. It was a planned ethnic cleansing/genocide of Kashmiri Pandits, one of the most peaceful community by Kashmiri Muslims, one of the most anti-Indian community.

What has changed for the exiled Kashmiris in these 24 years? Have those responsible for making Kashmiri Pandits homeless been prosecuted in these years? Are the killers of minority Hindus punished for their barbaric acts? It is ironic that there has not been a single judicial inquiry about the exodus and killings of Kashmiri Pandits. It has been over 24 years now and there are still no answers — answers about the exodus, the killings, the human rights violations, the justice and the return (back to Kashmir valley on their own terms). "The valley of God" turned as "The valley of terrorists". The sound of Azaan turned as the sound of bombs. We urge people from all communities & religion to come and unite for the resettlement of Kashmiri Pandits in valley.

The Kashmir issue has been given undue prominence in the western media over recent years. Jammu and Kashmir State is an integral part of India and whatever happens in that State is an entirely domestic matter of India. In 1947 Maharaja Hari Singh and Lord Mountbatten, then Governor General of India had co-signed the Instrument of Accession by which Jammu and Kashmir State formally acceded to India.

The subsequent Shimla Agreement in 1972 and the Lahore Declaration 1999 signed by the Prime Minister of India and the President of Pakistan reaffirmed that both countries will settle their differences by peaceful means through bilateral negotiations and through their commitment to find a peaceful resolutions to the issue of Jammu and Kashmir.

Article 370 of the Indian Constitution is a law that grants special autonomous status to Jammu and Kashmir State. The powers of the Parliament to make laws for the said State are limited. The Dominion of India was empowered to make laws for the State only on matters pertaining to Defence, External Affairs and Communications. It is feared that Article 370 would lead to a balkanisation of India. However, accession was no longer in dispute and the integration of the State with India had been formalised in the Preamble to the Constitution of Jammu and Kashmir approved by the Constituent Assembly of Jammu & Kashmir itself.

This year will mark the 25th year since minorities in the beautiful Kashmir Valley were driven out by Islamic fundamentalists. What was mostly a forced exodus of Kashmiri Pandits/Hindus and Sikhs has turned into the ethnic cleansing of over 70,000 Hindu families and over 18,000 Sikh families who lost their homes with some of them still living as refugees in the camps in Jammu and Delhi. Has the world community ever thought of their Human Rights? The Jammu and Kashmir Government in the Indian Administered part of Kashmir have refused to open any political or economic space to allow refugees to exercise their right of return to settle in their homeland.

The information about the alleged excesses by the Indian Security forces has been floated

all over the world. However, it is evident that all the alleged stories of atrocities have been well planted to defame India and its Security Forces who are trying to maintain law and order and safeguard lives. Dr Vijay Sazawal, a renowned author, who has extensively written on Kashmir and the Kashmir conflict, writes about the Shopian Tragedy: Triumph of Politics over Truth. The Shopian incident involving deaths of two young women in Shopian is very serious and very tragic. Unfortunately, actions by police, doctors and family members following the mysterious deaths have only deepened the mystery. Political operatives managing public sentiments have compounded the problems further with unsubstantiated charges. Justice can not be served until the truth is known, but the public and media seem to have made up their minds.

There are pockets of large Muslim population areas in different parts of India and also in other countries of the world. It is time the world community takes this point into consideration before the politicians use words like "Self Determination" in a casual manner. The Indian citizens were not given the right of self-determination during partition of the country in 1947. Will the British Politicians accept this principle in Bradford or in Luton? Surely, no politician in a right frame of mind will ever recommend a right of self-determination in every part of the world; as the whole world will be thrown into chaos and turmoil. Religious fundamentalism is a danger to all the secular democracies of the world.

### **CONCLUSION:**

The Government of India and the authorities in the State of Jammu and Kashmir have taken actions fully in accordance with the fundamental principles of the Indian constitution which has the protection of human rights firmly enshrined. Jammu and Kashmir has been a target of Pakistan sponsored terrorism for several decades and terrorists have been responsible for serious human rights violations witnessed by the world. The Indian Government has sought to maintain transparency in the State. International and the Indian media personnel, Foreign Diplomats, the International Committee of the Red Cross, all have had free access to Jammu and Kashmir. The National Human Rights Commission of India and the Jammu and Kashmir State Human Rights Commission are performing a stellar role in taking cognizance of and enquiring into allegations of any human rights violations by security forces and initiating punitive action where appropriate and necessary to do so.

Jammu & Kashmir are an integral part, and shall remain an integral part of India and the issues relating to it have no place to be decided by the UK Government or its Politicians or any other western Government for that matter. Issues relating to Jammu & Kashmir should be decided by the Indian and Pakistan Governments and all the other Governments who have remained silent for all these years about the plight of the Kashmiri Pandits have no right to decide our future now. In addition, under the veil of human rights violations in Kashmir no other country should permit any kind of debate in their respective Parliaments.

Over the last few years, British Politicians from all the Political Parties have taken enormous steps to enhance the India-UK relationship. Recently we have seen visits to India by senior Ministers, including the Deputy Prime Minister, Foreign Secretary and the Chancellor. Positive trends in Indian-UK relations should be encouraged and nurtured rather than be allowed to be adversely affected by misrepresentation of facts about the situation in India.

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**This briefing document has been prepared by Krishna Bhan & Sanjay Jagatia for MPs in the UK Parliament:**

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