

URGENT ACTION

KASHMIRI HUMAN RIGHTS DEFENDER ARBITRARILY DETAINED
Khurram Parvez, a prominent Kashmiri human rights defender, has been placed in administrative detention a day after a court ordered his release on 20 September. He was previously prevented from flying to the UN Human Rights Council session in Geneva without any official explanation and arrested on 16 September.

Khurram Parvez was arrested on 16 September and placed in administrative detention in Kupwara, over 100 kilometres from his home in Srinagar, for allegedly posing an imminent threat of 'breach of peace'. The detention order was based on a police report which claimed that policemen had seen Khurram Parvez on 15 September standing outside a mosque inciting people to shout slogans and march towards a government building. His wife has denied the claim, saying that they were at her parents' house in another part of the city at the time.

On 20 September, a court in Srinagar ordered Khurram Parvez to be released after ruling that the executive official who ordered the detention had not followed necessary procedures including by failing to adequately explain the grounds for his detention. As soon as Khurram Parvez was released, he was again detained and transferred to a police station in Srinagar. His lawyers say that the police are holding him in administrative detention under the Jammu and Kashmir Public Safety Act, but the police have not provided any reasons for the detention. He is being detained in the Kot Bhalwal Jail in Jammu, about 300 kilometres from his home in Srinagar.

On 14 September, Khurram Parvez was stopped at Delhi's International Airport and prevented from travelling to the UN Human Rights Council Session in Geneva. He was not given any official explanation by the immigration officer, only that he needed approval by the Intelligence Bureau before travelling.

Khurram Parvez uses a prosthetic leg. His left leg was amputated due to a landmine injury in 2004.

Please write immediately in English or your own language calling on authorities in Jammu and Kashmir:

- To immediately and unconditionally release Khurram Parvez or charge him with an internationally recognizable criminal offence and try him in accordance with international standards;
- Pending his release, ensure Khurram Parvez is not subjected to torture or any other ill-treatment, and that he has regular and unrestricted access to his lawyers and provided adequate medical care and attention;
- To immediately lift any travel bans imposed on him.

PLEASE SEND APPEALS BEFORE 3 NOVEMBER 2016 TO:

Chief Minister of Jammu and Kashmir
 Mehbooba Mufti Sayeed
 Chief Minister's Secretariat,
 Srinagar: 190009,
 Jammu and Kashmir, India
 Phone: +91 194-2506100 (Srinagar)
 (English or Hindi only)
 Fax: +91 194-2506200 (Srinagar)
 Twitter handle: @MehboobaMufti
Salutation: Dear Madam

Director General of Police, Jammu and Kashmir
 K Rajendra Kumar, IPS
 Police Headquarters
 Peer Bagh, Srinagar: 190001
 Jammu and Kashmir, India
 Phone: +91 194-2443011, 2443012
 (English or Hindi only)
 Fax: +91 194-2443010,
 Email: phqjk@jkpolice.gov.in, phqjk@nic.in
Salutation: Dear Sir

Director General of Prisons, Jammu and Kashmir
 SK Mishra, IPS
 Old Secretariat, Srinagar: 19001
 Jammu and Kashmir, India
 Phone: +91 1942457969 (English or Hindi only)
 Fax: +91 1942457811
Salutation: Dear Sir

Also send copies to diplomatic representatives accredited to your country. HIS EXCELLENCY Mr. Navtej Sarna, Office of the High Commissioner for India, India House Aldwych WC2B 4NA, 020 7836 8484, Fax 020 7836 4331, info.london@hclondon.in, www.hclondon.in, salutation: Your Excellency

Please check with your section office if sending appeals after the above date.

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

Khurram Parvez is the Programmes Coordinator of JKCCS (Jammu Kashmir Coalition of Civil Society), as well as the Chairperson for the Asian Federation against Involuntary Disappearances, a collective of 13 non-governmental organizations from ten Asian countries. JKCCS has extensively documented and litigated on human rights violations in Jammu and Kashmir.

On 13 September, the UN High Commissioner for Human Rights reiterated a request, first made in July to Indian and Pakistani authorities, for access to all parts of Kashmir to look into allegations of human rights violations. India's Ministry of External Affairs has denied the request.

Over 80 people have been killed and thousands injured in Jammu and Kashmir in recent months, following protests and violent clashes after a leader from the Hizbul Mujahideen armed group was killed in July. Security forces have used arbitrary and excessive force in response to the protests and hundreds of people have been blinded or otherwise injured, by pellet-firing shotguns.

Administrative Detention

Administrative detention laws allow for people to be detained without charge or trial. Under international law, administrative detention is only permitted in exceptional circumstances and when subjected to stringent safeguards. In India, these laws have often been used to detain individuals on vague grounds, ignoring regular criminal justice safeguards. India's Supreme Court has described administrative detention legislation as 'lawless laws'. Amnesty International opposes all systems of administrative detention.

Right to freedom of movement

Indian courts have ruled that the right to travel abroad flows from the right to life and personal liberty guaranteed under Article 21 of the Indian Constitution. In March 2015, the Delhi High Court declared a travel ban against a Greenpeace activist to be illegal, and observed: "The state may not accept the views of the civil right activists, but that by itself, cannot be a good enough reason to do away with dissent."

The International Covenant on Civil and Political Rights (ICCPR), to which India is a state party, states that "everyone shall be free to leave any country, including his own." Restrictions to this right must be provided by law and be necessary and proportionate for specified aims under international human rights law.

The UN Human Rights Committee, which oversees the implementation of the ICCPR, has said that restricting the movement of journalists and others seeking to travel abroad, including to attend human-rights-related meetings, violates their freedom of expression.