

Asian-Eurasian Human Rights Forum

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Answers to questions posed by the NGO Committee on 4 June 2008

Q.1. Our NGO obtained a copy of the UN Press Release of March 20, 2008 in regard to the visit of Asma Jahangir, UN Human Rights Council's Special Rapporteur on the Freedom of Religion or Belief to India, and noted its contents. The press release reproduces the statement of the Special Rapporteur given to the media in New Delhi on 20 March 2008 after she concluded her mission's assignment. In regard to her observations in Srinagar/Jammu, the Special Rapporteur has, among other things, succinctly mentioned two situations: (a) "exodus of Kashmiri Pandits (Hindus) in 1990 following a campaign of threats and violence...", and (b) "Muslims facing problems with regard to issuing passports and security clearances...."

The Special Rapporteur confirms the existence of formal state institutions in the region she visited that look into the complaints of human rights violations. Therefore, our NGO contacted the National Human Rights Commission of India and with reference to the statement of the Special Rapporteur emphasized the need of protecting human and civil rights of affected people. The Special Rapporteur has said that she also met with the Chairman of the National Human Rights Commission in New Delhi.

Q. 2 To explain the statement under discussion, viz. "special climate of solidarity and responsibility in ECOSOC", we submit that the text in quotes has been borrowed from the official documents of ECOSOC and is used precisely in the sense it carries literally.

Q. 3 Our NGO supports UN General Assembly Resolution 62/144, Agenda item 69 on Universal Realisation of the Right of Peoples to Self-determination (Doc, No. A/RES/62/144 of 28 Feb. 2008). Clarifying our NGOs position on "the right of the people of Kashmir on self-determination in accordance with UN General Assembly Resolution 62/144," we respond as under:

(a) The Resolution in question does not speak of any specific people or region: It only states UN General Assembly's approach to the basics of the right of self-determination, which our NGO endorses.

(b) As regards our NGO's position on "the right of the people of Kashmir to self-determination", it appears that the Committee is interested in knowing our position about only a slice of a given region/territory and not the whole, which in our view is the erstwhile princely state properly codified as "Jammu, Kashmir, Ladakh and the Tibets" in archival records. Obviously, an NGO is not expected to reflect on slices/halves but on wholes. However, speaking of halves, it is known to all that the people of the Indian as well as Pakistani parts of the historical-geographical State of Jammu and Kashmir have democratically elected representatives who constitute respective law making bodies, democratically constituted governments and all state organs functioning within the frame of the law. If that is the criterion of the right of self-determination, it is sufficiently met. However, the position in "Northern Areas" (Gilgit and Baltistan) of Pakistani part of the State of Jammu and Kashmir as well as a part of its Aksaichin territory ceded by Pakistan to China remain somewhat unclear.

Q. 4 The Act of British Parliament transferring power to the Dominions of India and Pakistan in August 1947 stipulates that nearly 560 big or small princely states of undivided India were free to join one or the other dominion. Commentators are free to interpret it ("Kashmir") as a legacy or not of colonial/British power. Our NGO has no mandate to dabble in political disputes between sovereign states.

Q 5. Our NGO's General Assembly comprises members of different regions (like Central, South and South East Asia), faiths and civilizations. All decisions are taken by strictly adhering to democratic process where various views are discussed and consensus of opinion is arrived at.

Q 6. One important method that we have adopted in ensuring public participation at grass root level is of collaborating with other NGOs/organizations involved in social/humanitarian work. To exemplify, our NGO is collaborating with Intellectual and Educational Center (DONO) in the Central Asian Republic of Tajikistan. We provide intensive courses on learning English and computer skills. Besides local teachers, some American friends also lend us their services. Computer program also includes beginner level, hardware courses, specific courses on office programs (Corel Draw, Photoshop).

In 2008, we in collaboration with DONO extended our activity and opened Internet-café situated in one of the student populated places. We succeeded in obtaining license (government permission) to provide Internet Service. Within this establishment there is a group of young people doing web designing. In 2008 DONO registered its domain and opened a website. This is the starting stage of the site that will work in Tajik and English languages.

In the field of education, we, in collaboration with our Tajik chapter identified some common problems of Tajik schools. We translated some useful parts of school text books in UK and USA for Tajik children, and introduced these in our classes. As a result, we learnt from school administration that school results of the students in winter semester had improved a lot. This happened because emphasis was on **“How to improve your learning skills”**. This is what we consider a practical and positive way of ensuring public participation at grass root level.

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