

PRESS NOTE: FOR IMMEDIATE RELEASE

January 04, 2010

**INTERNATIONAL PEOPLE'S TRIBUNAL ON HUMAN RIGHTS AND JUSTICE IN
INDIAN-ADMINISTERED KASHMIR (IPTK)****Letter to Chief Minister Omar Abdullah****To:****Mr. Omar Abdullah
Chief Minister
Jammu and Kashmir****From:****Dr. Angana P. Chatterji**, *Convener IPTK and Professor, Anthropology, California Institute of Integral Studies***Advocate Parvez Imroz**, *Convener IPTK and President, Jammu and Kashmir Coalition of Civil Society***Gautam Navlakha**, *Convener IPTK and Editorial Consultant, Economic and Political Weekly***Zahir-Ud-Din**, *Convener IPTK and Vice-President, Jammu and Kashmir Coalition of Civil Society***Advocate Mihir Desai**, *Legal Counsel IPTK and Lawyer, Mumbai High Court and Supreme Court of India***Khurram Parvez**, *Liaison IPTK and Programme Coordinator, Jammu and Kashmir Coalition of Civil Society***Queries may be addressed to:**

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January 04, 2010**Re.: Inquiry pertaining to the death of Asiya Jan and Neelofar Jan of Shopian****Dear Mr. Omar Abdullah:**

We are writing on behalf of the International People's Tribunal on Human Rights and Justice in Indian-administered Kashmir [<http://www.kashmirprocess.org>].

On December 30, 2009, the Majlis-e-Mashawarat of Shopian, Kashmir, requested that IPTK inquire into the death of Ms. Asiya Jan and Mrs. Neelofar Jan in May 2009 [** for brief context, see below]. They have done so on the contention that state institutions, and the investigations authorized by them, have been unable to deliver an accurate understanding of the matter or define a mechanism for justice.

IPTK, as an independent forum, seeks to inquire into issues of institutionalized violence, social trauma, and human rights abuses. Given the contested social facts, and legal and political circumstances of the Shopian event, and the investigations of the state that followed, we are convinced of the efficacy of an

independent inquiry into the matter.

IPTK proposes to undertake:

1. Analyses by internationally reputed anthropological, forensic, gender, legal, and medical experts of all relevant documents prepared by state institutions.
2. Archival and applied research into the context and course of events, and examination and collection of testimonies from the families of the deceased, local community members, relevant experts, police, security forces, and state officials, and the uncovering of possible new evidence, utilizing rigorous and ethical methodological standards.

We note that you have promised attentiveness and accountability to human rights issues in Kashmir. In conjunction, in proceeding with the above, we are writing to request the following, delineated below, with hope that you will agree in order that an independent, transparent, and people's investigation may ensue. We seek:

1. Physical access to all relevant Central Reserve Police Force and army camps, and police stations in Shopian district.
2. Access to documents assembled and prepared by the Government of Jammu and Kashmir that form the evidentiary basis of the state's conclusions on the Shopian event, including forensic reports and the testimonials rendered by security forces and state officials.
3. Access to police and security forces personnel, and medical personnel that testified to the commission of inquiry headed by Justice (Retired) Muzaffar Jan between May-July 2009.
4. Access to officers of the Special Investigating Team of police that collaborated with the Jan Commission following its interim report, per your order.
5. Access to local officers that assisted the Central Bureau of Investigation in its inquiry between September-December 2009.
6. That any witnesses that elect to testify to the IPTK process be permitted to do so without duress, or adverse consequences being threatened or befalling them, from personnel or institutions of the state.

Yours sincerely,

Angana Chatterji, Parvez Imroz, Gautam Navlakha, Zahir-Ud-Din, Mihir Desai, Khurram Parvez

[****Context**, not included in original letter, but added for the general public: Asiya Jan and Neelofar Jan were Muslim residents of Shopian town, in Shopian district, Kashmir, and 17 and 22 years of age, respectively. On July 08, 2009 the public inquiry commission headed by Justice (Retired) Muzaffar Jan, appointed by Jammu and Kashmir Chief Minister Omar Abdullah on June 01, 2009 to inquire into the events, submitted its report. It was reported that the Commission's findings had been doctored by the police who were partners to Justice Jan in the investigations. The Commission's findings noted that Asiya Jan and Neelofar Jan had been raped, and that their murder had been committed to conceal their rape. The report noted that "the involvement of some agency of J&K police, in the present incident, cannot be completely ruled out." The Commission did not identify the perpetrators or investigate the chain of command via which the investigative process was subverted. In mid-September 2009, the investigations into the death of Asiya Jan and Neelofar Jan of Shopian were transferred to the Central Bureau of Investigation, which submitted its report on December 14, 2009, stating that Asiya Jan and Neelofar Jan had died by drowning. The matter has been reported by various and international press.]