

Kashmir 2020 Annual Report



LEGAL FORUM FOR KASHMIR - LFK



Annual review of Human Rights situation in Indian Occupied Kashmir from January 2020 - December 2020



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List of Abbreviations

BJP	Bharat Janta Party
CASO	Cordon and Search Operation
CPJ	Committee to Protect Journalist
CRPC	Criminal Procedure Code
CRPF	Central Reserve Police Force
ICCPR	International Covenant on Civil & Political Rights
ICESCR	International Covenant on Economic, Social & Cultural Rights
IOJK	Indian occupied Jammu & Kashmir
J&K	Jammu and Kashmir
LOC	Line of Control
NIA	National Investigating Agency
OHCHR	Office of High Commission Human Right
OIC	Organization of Islamic Cooperation
PAGD	People's Alliance for Gupkar Declaration
PDP	People's Democratic Party
PSA	Public Safety Act
UAPA	Unlawful Activities Preventive Act
UN	United Nation
UNSC	United Nation Security Council

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Executive Summary

The Annual report 2020 on the situation of human rights in Indian Occupied Jammu & Kashmir covers the period from 1 January to 30 December 2020.

From January 1 to December 30, at least 65 civilians were killed, the Indian armed forces launched 312 Cordon and Search operations (CASO) which result in Killing of 232 Kashmiri Fighters. At least 124 encounters took place between Indian armed force and the Kashmiri Fighters following CASOs in the year 2020. During these military operation 657 Civilian properties were destroyed.

Journalists and media persons have been under continuous threat from Indian authorities for highlighting people's issues. The new media policy which was unveiled on June 2, 2020, by the Jammu and Kashmir's Directorate of Information and Public Relations (DIPR) of the Union Territory (UT) administration, examines the content of print, electronic, and other forms of media for "fake news, plagiarism and unethical or anti-national content

Since 4th August 2019 up to 4 March 2020, the Indian authorities completely banned the high-speed internet for 213 days. On 25th January 2020, 2G service was restored for the selected districts. Communication services continued to be suspended in the entire Jammu and Kashmir in the beginning of 2020

A total of 312 CASOs were recorded in 2020. The increase in number of CASOs occurred in April and June especially at the time of lockdown over COVID-19 pandemic. Pulwama, Anantnag, Shopian and Kulgam were heavily affected districts, Kupwara and Baramulla, on the other hand experienced numerous encounters. The Indian occupying forces destroyed the civilian properties during night raids and CASOs resulting in 657 civilian property being destroyed.

This is despite the fact that United Nations Secretary General Antonio Guterres called for a global ceasefire in conflict regions amid the COVID-19 pandemic. But, as usual offender of international law and agreements, India defied the call from world's highest office and continued with its war crimes policies in Indian-occupied Jammu and Kashmir.

2020: India Launches Attacks on Kashmir Civil Society

After the unilateral abrogation of Articles 370 and 35A in 2019, Indian doubled down the military siege in Kashmir in 2020 amid COVID-19 pandemic while many pro-resistance leaders, activists as well as civilians were jailed. The bodies of all the militants and some civilians killed by Indian-occupying forces during the encounters were not returned to the families but were buried at faraway places and their loved ones were not allowed to see them for the last time.

India continues to control, and impose the digital siege in the world's heavily militarized region. The high-speed internet is still banned along with frequent internet shutdowns during encounters, and most recently even during the staged, sham District Development Council elections.

The Indian state introduced many new laws allowing Indians to buy and own land in Kashmir, providing tens of thousands with domicile status aiming at changing the demography of the Muslim-majority region which is a UN-designated disputed territory.

2020 also witnessed intensified attacks on media, civil society and human rights defenders.

In October, India unleashed its extra-judicial National Investigating Agency (NIA) which raided the offices of Jammu and Kashmir Coalition of Civil Society (JKCCS), Association of Parents of Disappeared Persons (APDP) – two premier rights defenders bodies working in Indian-occupied Kashmir -- besides journalists and other NGOs.

The leaders of these organizations also faced massive harassment and raids at their homes, simply for their work which has brought back limelight to Kashmir. The NIA

which has spread terror across India especially among Muslims, and in Kashmir since 2017 through fake cases against freedom-loving people, has robbed personal details of many victims of Indian atrocities thus putting their lives at risk.

Violations under International Law

The 73 years of military occupation in Jammu and Kashmir by India marks as the longest military occupation in modern history. According to several reports published by international organizations which include the UN OHCHR, Jammu and Kashmir has harshest living situation without basic human rights.

In past seven decades of conflict, more than 4, 00,000 civilians have lost their lives, torture, rape as a weapon of war, enforced disappearances, arbitrary detentions and use of lethal weapons is common practice of Indian state to subjugate civilian population of occupied territory.

On August 5, 2019, the Indian government revoked Articles 370 and 35A of Indian Constitution which provided limited autonomy and safeguarded the citizenship rights of Kashmiris. This unilateral revocation was done after placing millions of Kashmiris under military siege and in violation of all international laws and the UN resolutions on Kashmir.

The Indian government's siege of the region can be classified as a military occupation by the Indian occupying forces via unilateral annexation which stands in violation of International Humanitarian Law in an armed conflict. India fulfills the definition of occupation under Article 42 of The Hague Regulations 1907¹ because

¹ Convention (IV) respecting the Laws and Customs of War on Land and its annex: Regulations concerning the Laws and Customs of War on Land. The Hague, 18 October 1907, <https://ihl-databases.icrc.org/ihl/INTRO/195>

the Hindu nationalist Bhartiya Janata Party or BJP-led Indian government imposed communication blackout, sent additional thousands of occupying forces to the Kashmir valley and then unilaterally abrogated the special status of the region.

The Indian army, Special Operations Groups, Border Security Force, and state-sponsored paramilitary groups and village defense committees -- the principal government forces operating in Jammu and Kashmir have systematically violated these fundamental norms of international human rights law.²

India stands in violation of the fundamental rights of civilians under The Hague Regulations and Geneva Convention IV Articles 47-48, Additional Protocol 1, Article 75 because of the infliction of serious abuses of human rights that continue to take place, such as torture, murder and detentions are all violations of fundamental rights of international law, amounting to crimes against humanity. Furthermore, India stands liable for committing the crime of aggression via unilateral annexation in contravention of Article 8 bis2(b) of the Rome Statute.

India has violated all four Geneva Conventions. The twin human rights covenants of ICCPR³ and ICESCR⁴, that India is a party to, also showcase the human rights abuses perpetuated by the Indian occupying forces this year in terms of curtailment of religious rights, economic development, internet ban, along with the imposition of curfews, infliction of torture and arbitrary detentions.

² Kashmir Conflict in Milieu of International Law, Law teacher, 16th August 2019, <https://www.lawteacher.net/free-law-essays/international-law/kashmir-conflict-in-milieu-of-international-law-international-law-essay.php>

³ International Covenant on Civil and Political Rights, Adopted and opened for signature, ratification and accession by General Assembly resolution 2200A (XXI) of 16 December 1966, entry into force 23 March 1976, in accordance with Article 49

⁴ International Covenant on Economic, Social and Cultural Rights, Adopted and opened for signature, ratification and accession by General Assembly resolution 2200A (XXI) of 16 December, 1966 entry into force 3 January 1976, in accordance with article 27

Moreover, India stands in violation of International Humanitarian Law and perpetuation of atrocities that come under crimes against humanity, crimes of aggression and war crimes due to the use of lethal weapons including use of pellet guns and cluster bombs, illegal transfer of civilians bringing about demographic change which have been brought about by the new and amended domestic laws, destruction of civilian property and, lastly, inadequate response to the COVID-19 pandemic this year.

Having said that, this yearly report covers the situation of human rights in Jammu and Kashmir from **January to December 2020**, including extra-judicial and custodial killings, new and amended domicile and land laws, Internet ban, COVID-19 pandemic situation, the NIA attacks, harassment against journalists, the so-called cordon and search operations, torture and detentions.

Killings

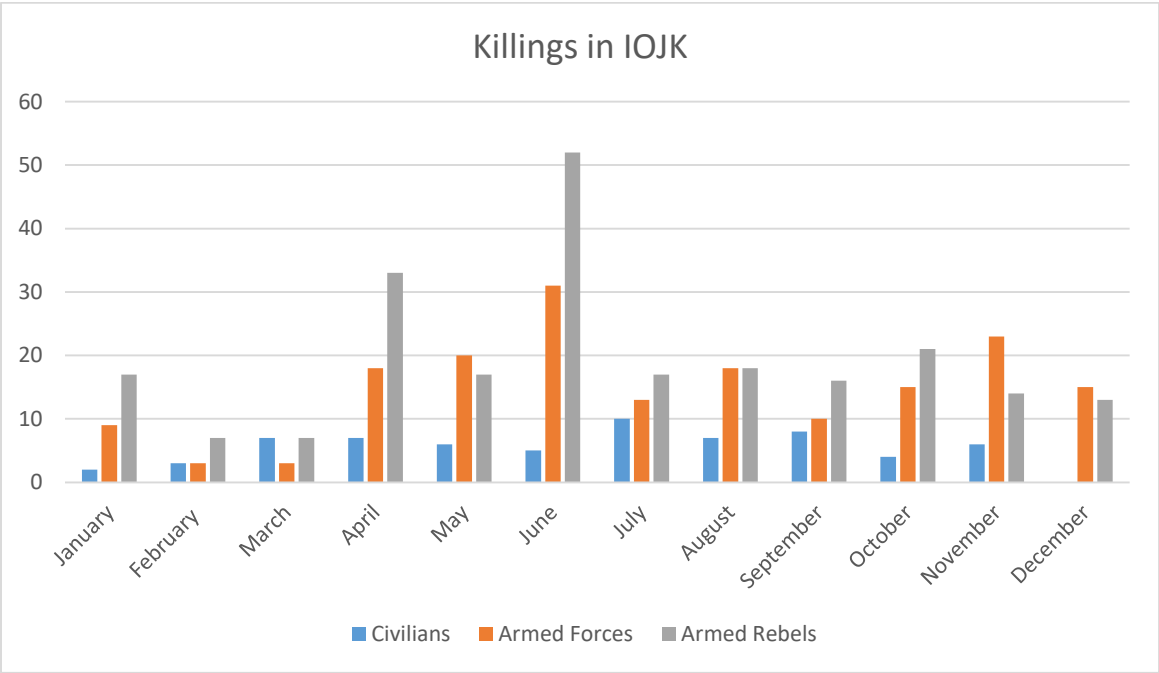
2020 recorded at least 474 killings in different incidents of armed conflict across Jammu and Kashmir.

The year witnessed 124 violent encounters between Indian occupying armed forces and Kashmiri rebel fighters, resulting in death of 232 rebels, 177 Indian occupying forces and 65 civilians.

The tables below collates some glaring human rights violations and instances of violence in Kashmir.

Year 2020	CASOs	Gunfights	Killings	Internet shutdown	Arrested	Injured	Structures damaged
January	18	11	28	Shutdown	30	10	12
February	14	03	13	Shutdown	22	10	4
March	08	03	17	4	37	15	3
April	17	11	58	11	2410	24	8
May	24	12	43	16	40	93	525
June	50	25	88	26	28	14	24
July	25	9	40	9	16	23	6
August	36	11	43	15	65	323	14
September	35	15	34	10	60	25	16
October	25	11	40	15	23	09	08
November	16	07	43	10	08	110	33
December	44	6	27	25	34	28	04
Total	312	124	474	141	2773	684	657

Months	Civilians	Armed forces	Militants	Total
January	02	09	17	28
February	03	03	07	13
March	07	03	07	17
April	07	18	33	58
May	06	20	17	43
June	05	31	52	88
July	10	13	17	40
August	07	18	18	43
September	08	10	16	34
October	04	15	21	40
November	06	23	14	43
December	00	15	13	27
Total	65	177	232	474



Custodial Killings

Kashmir can be observed through illustration of brutal violation of human rights. Everyone, who visits the police stations or the interrogation centers at the Indian Army camps, acknowledges the severity of the torture executed there.⁵

Undoubtedly, the lethal custodial torture, a routine practice in Kashmir police stations and different joint interrogation centers and the prisons, frequently results in the custodial deaths, a worst crime against the humanity.

On September 15, 2020, Irfan Ahmed Dar, 23 years old shopkeeper, was detained by Indian occupying forces for allegedly sheltering Kashmiri rebels. On September 16, police claimed that Irfan had escaped from police custody and after a couple of hours, his dead body was found in the outskirts of Sopore, in Baramulla district.

Javid, brother of deceased, who was also detained on September 15, later released said, “No one in our family was involved in any militancy related incident; my brother was killed in custody and dubbed as militant.”⁶

Waheed ul Akbar, another brother of victim and a software engineer, said that he found that Irfan had three broken teeth, and there were grave injury marks on his body.”⁷

⁵ Human Rights Watch, 1994

⁶ Auqib Javeed, Family Accuse J&K Police of Killing Sopore Man in Custody, Question 'Escape' Story, The Wire, 17 September 2020
<https://thewire.in/rights/jammu-and-kashmir-sopore-custody-death-irfan-ahmad-dar>

⁷ Jehangir Ali, ‘We Don’t Expect Justice’: Kin Of Youth ‘Killed In Custody’ In J&K, The Quint, 19 September 2020
<https://www.thequint.com/news/india/kashmiri-youth-irfan-dar-alleged-custodial-killing-jammu-and-kashmir-police-judicial-probe-militancy#read-more>

Torture

India has no domestic anti-torture law which provides it impunity and privilege for the acts of torture. Article 7 of International Covenant of Civil and Political Rights (ICCPR) states that no one shall be subjected to torture or cruel, inhuman or degrading treatment. Even on 27th February 2020, United Nations Special Rapporteurs have sent their third report to New Delhi, expressing concern over “*excessive use of force, ill-treatment during arrests and detentions.*”⁸

On 13 May, Nasrullahpora village of Budgam district was vandalized and civilians were left severely injured after occupying forces raided the village. Locals allege that the incident occurred due to a fight between Police Officer Fayaz Hussain and local residents at a mosque. Several tales of harassment, injury, property damage and even looting emerged from the area. Women in the area said they were beaten while held on gunpoint and many men suffered physical damage and were tied to trees.⁹

In another incident on November 26, in Srinagar district, a 20-year-old boy Bilal Hussain¹⁰ was brutally tortured in three days of night raids. According to locals, more than 60 residents were tortured for three days by occupying troops. Bilal said in an interview:

⁸ Special Rapporteur on Extrajudicial, Summary or Arbitrary; The Working Group on Arbitrary Detention; Special Rapporteur on the Right to Everyone to the Enjoyment of the Highest Attainable Standard of Physical and Mental Health; The Special Rapporteur on the Situation of Human Rights Defenders and the Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, February 27, 2020.

⁹ Azaan Javaid, “Budgam villagers scared to return after J&K police ‘attack’ their homes and shops”, The Print, 15th May 2020. Available at: <https://theprint.in/india/budgam-villagers-scared-to-return-after-jk-police-attack-their-homes-and-shops/421893/>

¹⁰ Yash Raj Sharma, “Bol, Jai Shri Ram”: Srinagar locality alleges mass beatings by Army after militant attack” Kashmir Walla, 29th November 2020. Available at: <https://thekashmirwala.com/2020/11/bol-jai-shri-ram-srinagar-locality-alleges-mass-beatings-by-army-after-militant-attack/>

“We’ve no idea.” The army personnel asked the group to lie on the road, with their bellies down. Hussain looked at his father, standing adjacent to him, and bended. “Let them hit me as much as they want,” he had thought, “but not my father.”

Later on, one of the Indian occupying troops comes to Hussain and forced him to chant: ‘*Bol, Jai Shri Ram*’ – a Hindu hymn -- he screamed in pain while army personnel shoved his gun in Hussain’s mouth.

Prior to this night, same traumatized situation had been followed where four male members of a same house namely Hamza Mir and his three sons Hilal, Mehraj, and Hameed were dragged out of their house and were brutally beaten up, due to which Hilal, Mehraj, and Hameed along with five other children were admitted to the hospital for undergoing treatment to heal their wounds

Rampant arbitrary Detentions

Detention under PSA

In Kashmir, mostly the detentions are made under the so-called Public Safety Act or PSA – termed as Lawless law by Amnesty International -- the main targets are human right activists, pro-freedom leaders and civilians involved in peaceful protests. Even pro-India politicians including three former chief ministers, are among thousands detained under this law to prevent protests.

Police told the courts that 144 children had also been taken into custody.

While most of those held have since been released, according to the Jammu Kashmir Coalition of Civil Society, based on habeas corpus petitions over 400 people remain in custody under the draconian PSA which permits detention without trial for up to two years.

International law consists of a prohibition against arbitrary detention; Article 9 of the ICCPR specifies the right to liberty and security of a person. No one shall be subjected to arbitrary arrest or detention.¹¹

Arrest under UAPA

At the start of 2020, journalists were charged under draconian UAPA – Unlawful Activities (Prevention) Act. Journalists Masrat Zahra and Gowhar Geelani were summoned by Cyber Police station in Srinagar under section 13 of UAPA and Section 505 IPC. Also, an FIR was lodged against Peerzada Aashiq, another journalist. This was clear violation of the Right to Freedom of Expression and the Right to Freedom of Press, as such strategies signal a warning for media personnel to cling to the state narrative.¹²

On 5th August after winning a cricket match 10 young cricket players were arrested. They were arrested under section 13 of draconian law UAPA for accusing the “glorification of militancy”. Among them was Umar Wani, his father in an interview said: *“If the police find a tiny stain on his character, they can put him in jail for life. Neither my son nor I have ever indulged in any wrongdoing. We are peace-loving people. Our village has not produced a single militant. I don’t understand why they have made an issue out of it”*.¹³

On 23rd August, under UAPA five more young Kashmiris from Bandipora district were arrested¹⁴. On October 5, in another incident, four young Kashmiris were

¹¹ UN General Assembly, International Covenant on Civil and Political Rights, December 16, 1966, United Nations.

¹² <https://jkccs.net/wp-content/uploads/2020/07/Bi-Annual-HR-Report-2020-JKCCSAPDP.pdf>

¹³ Jahangir Ali, “How A ‘Cricket Match’ Got 10 Kashmiri Youths Booked Under UAPA”, The Quint, 8th September, 2020. Available at: <https://www.thequint.com/voices/opinion/ten-jammu-kashmir-youths-arrested-alleged-militancy-links-uapa-act-anti-terror-law#read-more>

¹⁴ “Five Youth Arrested in IIOJK”, Kashmir media service, 23rd August 2020. Available at: <https://kmsnews.org/news/2020/08/23/five-youth-arrested-in-iiojk/>

arrested in Delhi, the Indian capital. The detained were identified as Altaf Ahmed Dar from Pulwama, and other three were from Shopian district named Mushtaq Ahmed Ghani, Ishfaq Majeed Koka and Aqib Safi.¹⁵

The government of India takes course of this draconian UAPA to criminalize the dissent.

Fake Encounters

On July 17, 2020, 62 Rashtriya Rifles of Indian occupying army claimed to have killed three unidentified militants in Amshipora Village of Shopian district¹⁶.

After 23 days, on August 10, 2020, a family from Rajouri district of Jammu division of the disputed territory claimed that the persons killed were not militants but civilians who worked as laborers. They left home to earn livelihood in Shopian – an apple rich town of Kashmir division. They were identified slain as Imtiaz Ahmad, 26, Ibrar Ahmed, 18, and Ibrar Ahmed, 25.

The bodies of slain trio were later exhumed from an unidentified location from North Kashmir and handed over to respective families.

Jammu and Kashmir police in their statement said, “*that they were not a part of the operation but joined later and are investigating the case*”¹⁷. Police claimed to have arrested two persons regarding Shopian fake encounter but had not made the names

¹⁵ KL news network, “*Four Kashmiri Youth Arrested In Delhi*”, Kashmir life, 5th October 2020. Available at: <https://kashmirlife.net/four-kashmiri-youth-arrested-in-delhi-248267/>

¹⁶ 3 militants killed in encounter with security forces in J-K, The Week Magazine, 18 July 2020 <https://www.theweek.in/wire-updates/national/2020/07/18/del2-jk-encounter.html>

¹⁷Tahir Bhat, The Amshipora Encounter, Kashmir Life, 15 September 2020 <https://kashmirlife.net/the-amshipora-encounter-issue-24-vol-12-245999/>

public.¹⁸ The kin of the slain trio called the killing a “cold blooded murder” as the trio had no connection with militancy.

Indian army later admitted that the Indian Army personnel violated powers vested under the so-called Armed Forces Special Powers Act, 1990 (AFSPA). The statement by the Indian army was as follows:

“...evidence collected by the inquiry has prima-facie indicated the three unidentified persons killed in the Amshipora operation [18 July] were Imtiyaz Ahmed, Abrar Ahmed and Mohd Ibrar, who hailed from Rajouri ... the Indian Army personnel violated powers vested under the Armed Forces Special Powers Act 1990, as also contravened the ‘Do’s and Don’ts of the Chief of Army Staff as approved by the Hon’ble Supreme Court;competent disciplinary authority has directed to initiate disciplinary proceedings under the Army Act against those found prima-facie answerable ...Indian Army is committed to ethical conduct of operations.” The statement strangely also added -“their involvement with terrorism or related activities is under investigation by the police.”¹⁹

In *Prakash Kadam vs Ramprasad Vishwanath Gupta*, the Supreme Court of India observed that ‘fake encounters’ by the police are nothing but cold-blooded murders, and those committing them must be given death sentences, placing them in the category of ‘rarest of rare cases’.

¹⁸Ashiq Hussain, Shopian: Two civilians arrested in connection with July killings, Hindustan Times, 30 September 2020, <https://www.hindustantimes.com/cities/shopian-two-civilians-arrested-in-connection-with-july-killings/story-pyUMWMWNPsa1A07SqVpDNP.html>

¹⁹Kuldip Singh, Army’s Shopian Encounter Probe Addresses ‘Perceived Injustice’, The Quint, 19 September 2020, <https://www.thequint.com/voices/opinion/shopian-fake-encounter-indian-army-militancy-kashmir>

In paragraph 26 of the judgment, it was observed:

“...policemen who think they can kill people in the name of ‘encounter’ and get away with it should know that the gallows await them”²⁰

Internet Ban

According to Software Freedom Law Center (SFLC), India leads the world in ordering internet shutdowns, and both in terms of frequency and duration; Jammu and Kashmir accounts for more than two-third of internet shutdowns. The report further adds that there have been 226 documented internet shutdowns in Jammu and Kashmir since 2012.

Since 4th August 2019 up to 4 March 2020, the Indian authorities completely banned the high-speed internet for 213 days. On 25th January 2020, 2G service was restored for the selected districts. Communication services continued to be suspended in the entire Jammu and Kashmir in the beginning of 2020.

The administration has issued dozens of orders to ban the high-speed internet in Kashmir.

According to the statistics published by the Telecom Regulatory authority of India (TRAI 2019), there are a total of 11.4 million Telecommunication subscribers, and 6.60 million internet subscribers -- broad band internet subscribers are 5.90 million while wireless subscribers remain at 6.49 million in Indian-occupied Jammu and Kashmir.

²⁰ M Katju, Prakash Kadam & Etc. Etc vs Ramprasad Vishwanath Gupta & Anr on 13 May, 2011
<https://indiankanoon.org/doc/1979158/>

Unsurprisingly, the internet shutdown from August 2019 had enormous impact on digital internet and tele density in the region.

The Anadolu agency reported:

*A loss of 1.4million Telecom subscribers and a negative growth of 12.59% of Kashmir's Telecom sector was recorded in the first quarter of 2020.*²¹

Internet shut down allows “invisibility cloak for violence as well as gross violations of human rights and/or the laws of war” as reported by the Global Network Initiative.²²

On April 2020, during the intense border skirmishes between India and Pakistan, Panzgam residents in Kupwara district of Kashmir valley protested against the firing of artillery guns by Indian forces. The videos and images of women and elderly protesting and facing the military troops started circulating all over the internet.

The Indian authorities immediately shut down the internet in the entire area for several days.²³ According to the data provided by the TRAI data to the Business Standard, the telecom operators suffered a loss of Rs 40-50 million (INR).

India's justification for imposing restrictions was based on the need of preventing defamation, misinformation, citing counter-terrorism operations against Pakistan and to avoid any rage and reaction from the International community of their wrongdoings.²⁴

²¹Cheena Kapoor, 1.4 million people gives up phones in Indian Kashmir, Anadolu Agency, 18 February, 2020. Available at: <https://www.aa.com.tr/en/asia-pacific/14m-people-give-up-phones-in-indian-kashmir/1737126>

²² Kashmir's Internet Siege, JKCCS, 5 August 2019, <https://jkccs.net/report-kashmirs-internet-siege/>

²³ Ibid

²⁴ <https://www.outlookindia.com/website/story/india-news-question-of-national-security-centre-seeks-time-in-sc-to-reply-on-4g-internet-ban-in-jk/351169>^[1]

The police authorities continued to exercise its power over the Internet accessibility and asked the users to sign a ‘personal bond’ of good behavior and they had to undergo background checks.

Amnesty International²⁵, Human rights Watch and Reporters without Borders²⁶ frequently asked Indian government to restore internet access, especially in the middle of COVID-19 pandemic when it was needed the most.

The legal basis and justification on internet siege were rarely made public although Temporary Suspension of Telecom Services Rules 2017 ²⁷ required any internet restrictions to be publically notified.

However, the case of *Anuradha Bhasin v. Union of India* was a turning point in restoration of internet based on the judgment that the Internet is essential in today’s life and that:

*“freedom of speech and expression and freedom to practice any profession, occupation or trade on the internet is a part of fundamental right under Part III of the Constitution.”*²⁸

²⁵ Communications Blackout In Kashmir Undermines Human Rights, Amnesty International, 22 July 2016
<https://amnesty.org.in/news-update/communications-blackout-kashmir-undermines-human-rights>

²⁶ Indian-administered Kashmir cut off from the world, Reporters Without Borders, 6 August 2019,
<https://rsf.org/en/news/indian-administered-kashmir-cut-world>

²⁷ Temporary Suspension of Telecom Services (Public Emergency or Public Safety) Rules, 2017,
<https://dot.gov.in/circulars/temporary-suspension-telecom-services-public-emergency-or-public-safety-rules-2017>

²⁸ Bhavya Arora, *Anuradha Bhasin v. Union of India* „Legal Service India,
<http://www.legalserviceindia.com/legal/article-3164-anuradha-bhasin-v-s-union-of-india.html#:~:text=The%20Supreme%20Court%20of%20India,tests%20of%20necessity%20and%20proportionality>

The restriction on the internet and movement of citizens was still in place but the judgment of the case widened the scope of freedom of speech and expression by adding right to access internet as a significant part of the article that could be restricted in case of national security.

On the other hand, the case of *Foundation for Media Professionals v. Union Territory of Jammu & Kashmir*, the court ordered the constitution of a Special Committee to investigate and administer the extent and duration of the restriction.

Nonetheless, digital siege is a political approach to impose repression in Kashmir and an obstacle to people exercising their internationally and constitutionally guaranteed civil, political, and socioeconomic rights. At a time when the world revolves around digital market, Kashmiris were under a communication blackout till January 2020 and the ban on social media remained in force until March 4. Even then, the people have been deprived of high-speed internet up until now, except it revived back in two districts of Kashmir in August 2020.²⁹

Internet has also been suspended hundreds of times this year which has grossly affected the whole region's businesses dependent on '4G' internet services. Kashmiri economy, education and healthcare was "*evolving and growing under 4G internet services, but the past and this year has been nothing less than nightmarish for Kashmiris*".³⁰

This is direct violation of right to freedom of expression, as guaranteed in Article 19 and Article 21 (right to life and liberty) of the ICCPR. India is not only a signatory

²⁹ Hilal Mir, Digital siege India's tool of repression in Kashmir, 26 August 2020, Anadolu Agency, <https://www.aa.com.tr/en/asia-pacific/digital-siege-indias-tool-of-repression-in-kashmir/1954198#>

³⁰ Kashmir's Statehood Abrogated report: Legal Fact Finding Report, LFOVK & IPS, 4 August 2020 https://lfovk.com/wp-content/uploads/2020/08/KashmirStatehoodAbrogated-min_compressed.pdf

to ICCPR but has also ratified it and is liable to follow the rules.

Harassment of journalists

Journalists and media persons have been under continuous threat from Indian authorities for highlighting people's issues. The new media policy which was unveiled on June 2, 2020, by the Jammu and Kashmir's Directorate of Information and Public Relations (DIPR) of the Union Territory (UT) administration, examines the content of print, electronic, and other forms of media for "fake news, plagiarism and unethical or anti-national content".

The number of instances of violence against journalists in Indian-occupied Jammu and Kashmir is shocking.

Since 1990, 19 journalists have been killed in Jammu and Kashmir. Their deaths have come at the hands of "unidentified" gunmen, paramilitary forces, state police and the Indian Army.

Anuradha Bhasin, executive editor of daily Kashmir Times said: "The new media policy is undemocratic and goes against the constitutional guarantee of freedom of expression"³¹.

The new media policy gives the government full control of the media to support the government's narrative.

"Jammu and Kashmir Media Guild" protested³² against media policy and demanded its immediate rollback. Pro-India National Conference party called new media

³¹Auqib Javeed, Kashmir's New Media Policy Menaces Its Media, Article 14, 6 July 2020, <https://www.article-14.com/post/kashmir-s-new-media-policy-menaces-its-media>

³² Protest staged against new media policy in Srinagar, The Kashmir Wala, 06 July 2020, <https://thekashmirwala.com/2020/07/protest-staged-against-new-media-policy-in-srinagar/>

policy assault on “freedom of speech”³³ while as its sister party Peoples Democratic Party (PDP) called it as a direct assault on the free press and akin to choking the voices of dissent.³⁴”

In April, Jammu and Kashmir Cyber Police booked Gowher Geelani, a novelist and author, for “glorifying terrorism” in Kashmir. In the same week photo journalist Masrat Zahra was booked under UAPA for uploading so-called ‘anti-national posts’ on social media.

The Hindu reporter Ashiq Hussain was summoned and booked for writing headlines for India’s one of the leading newspapers. The sections under with Hussain was booked are still unknown³⁵.

Fahad Shah, journalist and editor-in chief the Kashmir Wala news website was also booked over reporting gunfight between Indian occupying forces and rebels in Srinagar city in which 2 militants were killed and at least 12 houses were completely damaged.

Auqib Javeed a local journalist from Kashmir was summoned to Srinagar's cyber police station in September.

He says the police wanted him to change the photo and headline in a recent story he had reported for the news website, Article 14. It was about how dozens of Kashmiri Twitter users had gone silent after being questioned by police for their posts on

³³ Peerzada Ashiq, J&K’s new media policy aimed at censorship: NC, PDP, PC , The Hindu, 11 June 2020, <https://www.thehindu.com/news/national/other-states/jks-new-media-policy-aimed-at-censorship-nc-pdp-pc/article31800760.ece>

³⁴Mudasir Ahmed, Remnant of Colonial-Era Censorship: J&K Parties Decry New Media Policy, The Wire, 11 June 2020 <https://thewire.in/media/jks-new-media-policy-threatens-legal-action-against-fake-news-stopping-of-govt-ads>

³⁵ Irfan Amin Malik, Why Journalists Are Worried About the New Media Policy in Jammu and Kashmir, The Wire, 17 July 2020 <https://thewire.in/media/kashmir-new-media-policy-press-freedom>

Article 370 - the constitutional provision guaranteeing Kashmir its special status that the Indian government revoked.

Mr Javeed says the police accused him of using an incorrect image of the station in the story. He said he felt like he was a "hostage" and a masked policeman slapped him.³⁶

Destruction of property

In a war-trampled region, the beginning of 2020 recorded highest number of the so-called Cordon and Search Operations (CASO) and night raids.

A total of 312 CASOs were recorded in 2020.

The increase in number of CASOs occurred in April and May especially at the time of lockdown over COVID-19 pandemic.

Pulwama, Anantnag, Shopian and Kulgam were heavily affected districts, Kupwara and Baramulla, on the other hand experienced numerous encounters.

The Indian occupying forces destroyed the civilian properties during night raids and CASOs resulting in 657 civilian property being destroyed.

During the first six months of 2020, 54 cases of destruction of civilian properties were recounted in Jammu and Kashmir, particularly during COVID-19 lockdown which left many families without shelter and homeless.³⁷

³⁶ Aamir Peerzada, The Kashmir journalists 'harassed' and 'questioned' for doing their job, 31 October, 2020 Available at: <https://www.bbc.com/news/world-asia-india-54655948>

³⁷ Six Monthly Review of Human Rights Situation in Indian Occupied Jammu and Kashmir (January to June 2020)

Between 4 and 6 May 2020, after 42 hours of CASO in Awantipora area in Pulwama district, Hizbul Mujahideen Operational Commander Riyaz Naikoo died fighting Indian occupying forces, and 18 civilian properties were destructed.³⁸

On 19th May, encounter in Nawakadal area of Srinagar was also reported and according to the Mohalla Committee, 22 civilian houses were destroyed.

A 12-year-old boy Basim Aijaz was injured in the encounter who later succumbed to burnt injuries at the hospital.

In another case, 11 houses and at least a dozen animal shelters were destroyed in Poonch district in Jammu division.

The excessive use of force by Indian occupational forces left many families without shelter.

In April, the region witnessed massive destruction of civilian properties by the Indian occupying forces who looted houses in the name of CASOs.³⁹ Furthermore, in November, 33 houses were destructed during the crossfire at the Line of Control (LoC) and CASOs.

In December, 2020 many families received show-cause notice to vacate the Kanidajan village in district Budgam which is their ancestral home.

According to villagers and activists, 10,000 apple trees were cut down along with damage to houses under the false pretext of “eviction and anti-encroachment drive”.

³⁸ Hakeem irfan, *Riyaz Naikoo's encounter, successor and militancy in Kashmir*, The Economic Times, 13 May, 2020. <https://economictimes.indiatimes.com/news/defence/riyaz-naikoos-encounter-successor-and-militancy-in-kashmir/articleshow/75715239.cms>

³⁹ Sarwat zargar, “A teenager, a helping hand, a father of six: The three civilians killed after a gunfight in Srinagar”, Scroll In, 28 May, 2020. <https://scroll.in/article/963116/a-teenager-a-helping-hand-a-father-of-six-the-three-civilians-killed-after-a-gunfight-in-srinagar>

Raja Muzaffar Bhat, an environmental activist in Kashmir, told the news reporters: *“These tribal people have been living in jungles for 200 years. These people are fulfilling criteria but they are not being given the rights.”*⁴⁰

On the other hand, religious places came under attack on 19th May.

Masjid Imam Ali (RA) and Astaan of Aga Syed were hurled with petrol bombs. On the night between 5th and 6th June, a petrol bomb was thrown at Astaan (Shrine) of Imam Musa Kazim at Sajadabad, Srinagar.⁴¹

Civilian properties are protected under International Humanitarian Law (IHL).

This rule is a component of Customary International Humanitarian Law (CIHL), mandatory on all states.⁴²

Rule 9 of the CIHL defines civil objects as "all objects that are not military targets".

Rule 7, however, obliges the conflicting parties to distinguish between civil objects (protected objects) and military targets.

Rule 10 explains these civil objects are protected from attack unless and as long as they are military targets. The IHL prohibits attacks, reprisals or other acts of violence against such objects.

The Hague Convention of 1907⁴³ initially provided a financial obligation to states whose armed forces intentionally destroy civil property during war. In addition, a

⁴⁰ Riffat fareed, *Kashmiris outraged as authorities fell thousands of apple trees*, Aljazeera’ 14 December, 2020. <https://www.aljazeera.com/features/2020/12/14/indian-authorities-axe-thousands-of-apple-trees-in-kashmir#:~:text=With%20tears%20in%20his%20eyes,been%20felled%20by%20the%20authorities.>

⁴¹ Kumar singh, *“Aim to create discord”: Mysterious attacks on religious places in Srinagar*”, Kashmir wala, 9 June, 2020. Available at: <https://thekashmirwalla.com/2020/06/aim-to-create-discord-mysterious-attacks-on-religious-places-in-srinagar/>

⁴² International Committee of the Red Cross (ICRC) Customary IHL Database, Rule 50

⁴³ Article 47 of the 1907 Hague Convention: pillage, the imposition of collective punishments and the destruction of the public and private property of protected persons are prohibited.

similar liability to widespread destruction and seizure of property that is not justified by military necessity is viewed as a grave violation of all common articles of Geneva Conventions of 1949 as well as two Additional Protocols (AP) 1977.⁴⁴

Attacks on civilians and their property are prohibited under Articles 33 and 53 of the Geneva Conventions and under Article 52 of Protocol I, regardless of who they belong to. In addition, the Fourth Geneva Convention was designed to protect property to save civilians from the suffering that could result from the destruction of their homes, clothing, food and livelihoods⁴⁵. Article 18 prohibits attacks on civil hospitals or medical care facilities at any time. According to article 8 (2) (b) (ii) of the 1998 Rome Statute, intentional attacks against civilians and civilian objects are prohibited and constitute war crimes.

Amendments of Laws

Indian government has introduced new laws in 2020 and redefined dozens of rules such as “Domicile Certificate Procedure Rules 2020, Section 60 of J&K Reorganisation Act 2020”, “Union Territory of Jammu and Kashmir Reorganisation (Adaption of central laws) third order 2020”, “J&K Education Investment Policy 2020, real estate laws and new media policy”.

On October 26, India’s Ministry of Home (Internal) Affairs made vast changes to land laws in Jammu and Kashmir -- the Union Territory of Jammu and Kashmir Reorganisation (Adaptation of Central Laws) Third Order and the Jammu and Kashmir Reorganisation (Adaptation of State Laws) Fifth Order, 2020 repealed 12

⁴⁴ Article 91, Additional Protocol II “A belligerent party which violates the provisions of the said regulations shall, if the case demands, be liable to pay compensation. It shall be responsible for all acts committed by persons forming part of its armed forces”

⁴⁵ Lea Brilmayer and Geoffrey Chepiga, “Ownership or Use? Civilian Property Interests In International Humanitarian Law,” Harvard Law Journal, Volume 49, Number 2, 2008.

Acts and amended 14 laws related to land in the state.

This amendment now permits non-residents (non-Kashmiris) to own property in the UN-designated disputed region and also authorizes transfer of agricultural land for the purposes other than that of agriculture.

The term “permanent residents” has now been removed from all present statutory laws.⁴⁶

India received huge backlash from several regional parties.

People’s Alliance for Gupkar Declaration (PAGD) – a pro-India alliance -- led by National Conference politician Dr Farooq Abdullah, termed this order a “huge betrayal”, and said the “grossly unconstitutional move” was “a massive assault on the rights of the people of Jammu, Kashmir and Ladakh”.

The All Parties Hurriyat Conference (APHC) -- an amalgam of resistance groupings in Indian-occupied Kashmir -- called for a strike on October 31 to protest against the settler colonial laws brought to change demography of the region.⁴⁷

Organization of Islamic Cooperation (OIC) also condemned the new laws and called it an “illegal demographic change of a Muslim majority” and urged United Nations (UN) Secretary General to assign a special representative to resolve the matter.⁴⁸

⁴⁶ Safwat Zargar, Explainer: What exactly are the changes to land laws in J&K, scrollin, October 29, 2020, <https://scroll.in/article/977057/explainer-what-exactly-are-the-changes-to-land-laws-in-jammu-and-kashmir>

⁴⁷ Safwat Zargar, Explainer: What exactly are the changes to land laws in J&K, scrollin, October 29, 2020, <https://scroll.in/article/977057/explainer-what-exactly-are-the-changes-to-land-laws-in-jammu-and-kashmir>

⁴⁸ Eeman Talha, New Domicile Law in Jammu and Kashmir threatens autonomous Status, Human Rights Pulse, 20 July 2020, <https://www.humanrightspulse.com/mastercontentblog/new-domicile-law-in-jammu-and-kashmir-threatens-autonomous-status>

The definition of ‘domicile’ was previously based on those who are resident in Jammu and Kashmir for 15 years or have been studying for a period of seven years and those that have appeared in a registered educational institute.⁴⁹

The new section in Jammu and Kashmir Civil Services Decentralization and Recruitment Act now recognizes the spouse of a civil servant posted in the union territory also as a domicile.

Under Jammu and Kashmir Development Act, an Indian army officer can also proclaim an area offering strategic advantages for operational and training purposes.⁵⁰

Domicile laws have faced vast criticism in Kashmir, as people see this as an attempt towards changing the demography of Muslim-majority Jammu and Kashmir, providing jobs for non-residents and providing domicile rights to children and spouses of India’s central government employees.

Jammu and Kashmir Lieutenant Governor Manoj Sinha – an appointee of Indian central government -- claimed that agricultural lands were not for sale for non-local buyer and no local farmer will be affected in anyway and that industries will only be invited into the “designated industrial areas”.

⁴⁹Demographic flooding: India introduces new Kashmir domicile law, Al Jazeera, 1 April 2020, <https://www.aljazeera.com/news/2020/4/1/demographic-flooding-india-introduces-new-kashmir-domicile-law>

⁵⁰Bhadra Sinha, 12 laws repealed, 14 amended — what exactly changes under new land orders in J&K, The print, 29 October 2020 <https://theprint.in/judiciary/12-laws-repealed-14-amended-what-exactly-changes-under-new-land-orders-in-jk/533038/>

Regardless of the statement made, source of earning for local farmers and nomadic groups has been compromised.⁵¹

Shareef-Ud-Din Bajad's, a 70-year-old resident's property was targeted by cutting down 50 trees in his orchard and later he was told to abandon his home. Bajad's livelihood has been taken away from him, just like many other nomadic groups across the region.⁵²

Abdul Aziz Khatana, 32-year-old father of three children was among those whose huts were destroyed.

Forest dwellers in Kanidajan village in Budgam district allege government destroyed their apple orchards; the villagers claimed over 10000 trees were axed. Manzoor Ahmad, another resident of Kanidajan, lost his source of income when the government officials authorized to remove the trees and threatened the villagers to register a police case against anyone who tried to resist.

The Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006⁵³ and Forest Rights Act⁵⁴ gave forest-dwellers the right to inhabit the land and to use minor forest produce and grazing areas, as well as development and rehabilitation rights, and forest management rights.⁵⁵ It is unconstitutional and

⁵¹ Safwat Zargar, Explainer:What exactly are the changes to land laws in J&K, scrollin, October 29, 2020, <https://scroll.in/article/977057/explainer-what-exactly-are-the-changes-to-land-laws-in-jammu-and-kashmir>

⁵² Rifat Fareed, Kashmiris outraged as authorities fell thousands of apple trees, 14 December 2020, Al Jazeera, <https://www.aljazeera.com/features/2020/12/14/indian-authorities-axe-thousands-of-apple-trees-in-kashmir>

⁵³ The scheduled tribes and other traditional Forest dwellers (recognition of forest rights) act, 2006, <http://extwprlegs1.fao.org/docs/pdf/ind77867.pdf>

⁵⁴ Aakash Hassan, Why are Kashmiri Muslim nomads being evicted? Al Jazeera, 20 November 2020, <https://www.aljazeera.com/news/2020/11/20/tribal-community-face- eviction-from-forests-in-kashmir>

⁵⁵Rifat Fareed, Kashmiris outraged as authorities fell thousands of apple trees, 14 December 2020, Al Jazeera <https://www.aljazeera.com/features/2020/12/14/indian-authorities-axe-thousands-of-apple-trees-in-kashmir>

illegal to remove these people,” said Mohd Zulkarnain Chowdhary, a community activist.⁵⁶

Furthermore, shops and business shut down in parts of Kashmir as a protest against the new and amended laws that allowed the non-residents to acquire land in the occupied territory. This action had triggered widespread rage and resentment amongst Kashmiris who termed the new laws as “India’s settler-colonial project”.⁵⁷

Subsequently, in October 2020, Mohammad Ashraf received a notice from the local forest department saying him and his entire family of eleven has been living illegally on the forest land and had 10 days to respond or the eviction process will begin. Unfortunately, the Bakarwals had just found some sort of financial stability in their life and their main source of the income came from rearing about a thousand goats, which they now had to give up. In the past few months, several people belonging to the ancestral community have received notices labeling the forest land as an illegal occupation.

Local politicians and activists have blamed Bharatiya Janata Party (BJP) to be behind dispossessing people of their land in order to change the demographic status of the Muslim-majority region.⁵⁸

⁵⁶ Aakash Hassan, Why are Kashmiri Muslim nomads being evicted?, Al Jazeera, 20 November 2020, <https://www.aljazeera.com/news/2020/11/20/tribal-community-face-eviction-from-forests-in-kashmir>

⁵⁷ Shutdown in Kashmir after India’s new land laws, Al-Jazeera, 31 October 2020, <https://www.aljazeera.com/news/2020/10/31/shutdown-in-kashmir-protests-indias-new-land-laws>

⁵⁸ Aakash Hassan, Why are Kashmiri Muslim nomads being evicted?, Al Jazeera, 20 November 2020, <https://www.aljazeera.com/news/2020/11/20/tribal-community-face-eviction-from-forests-in-kashmir>

The new amended laws are part the Indian government’s policy to apply all Indian laws that were not previously applicable in Kashmir, as stated by local and federal government officials.

Former Chief Minister and pro-Indian politician Omar Abdullah also tweeted that these amendments have put Jammu and Kashmir “up for sale” which is unacceptable to the Kashmiri people.

Three petitioners --- two from Haryana and one from Ladakh Union Territory -- challenged Jammu and Kashmir Civil Services Act 2010, on the grounds that they violate Articles 14, 16, 19 and 21 of the Indian Constitution.

The main cause for challenging the law was that the parliament has not given the power Article 16(3) of the constitution to the Central Government under section 96 of the Jammu and Kashmir Reorganization Act, 2019.⁵⁹

Reports in June indicated about 25,000 people have already been given the domicile certificates under the new laws. Along with this non-residents will now have the advantage to apply for jobs or scholarships, vote and acquire land in Kashmir. This means non-residents have the same advantages and privileges as those of permanent residents, who can easily achieve domicile status by providing a ration card, educational records, or an employer certificate.⁶⁰

⁵⁹ Umer Maqbool, J&K’s Controversial New Domicile Law Faces a Legal Challenge, thewire, 8 August 2020, <https://thewire.in/government/jammu-and-kashmir-domicile-rules-legal-challenge>

⁶⁰ Misha Ketchell, **Kashmir: new domicile rules spark fresh anger a year after India removed region’s special status**, *The conversation*, 29 July 2020, <https://theconversation.com/kashmir-new-domicile-rules-spark-fresh-anger-a-year-after-india-removed-regions-special-status-142696>

Keeping in view the above-mentioned facts, new laws in the area gives full liberty to India over the indigenous population of Kashmir, who will attain their goal of creating a new Kashmir, as part of Modi's agenda and mandate, and part of wider plans of Hindu-nationalist BJP.

The new rules are a *modus operandi* to convert the Muslim majority region into a Hindu majority. Having said that, if Kashmiris were to ever have a referendum now based on their right to self-determination as promised back in 1947 (under United Nation Security Council Resolution 47), the results of that referendum could possibly be affected as non-Kashmiris – who are getting domiciles his year -- will also be voting. This is the greatest threat to the human rights towards people of Kashmir and encourages further human rights abuses disregarding the rights of Kashmiris who had no say in the making of new laws.

COVID-19 Situation

As soon as Kashmir was emerging out of the military siege imposed on 5th August 2019, however, the COVID-19 pandemic in March 2020 forced Kashmiris to live in a “double lockdown”. The virus resulted in unparalleled social and economic challenges that has shaken the entire community.

Section 144 CRPC was imposed in Shopian district which is the most affected region due to violence perpetrated by Indian state.

The lockdown came overnight without letting people buy necessary essentials. While, several Kashmiris had been detained during the COVID-19 lockdown based on violation of lockdown orders set by the administration. Around 1,691 people had been arrested in Kashmir and 612 in the Jammu region. UN Secretary-General António Guterres called for a global ceasefire on March 23, 2020. Regardless of this,

LOC remained as violent as ever which resulted in 15 civilians being injured and five killed in “cross-LOC shelling after the announcement of the lockdown on 19th March, 2020”.⁶¹

Indian-occupied Kashmir has an inadequate public healthcare system. The healthcare sector was unprepared and understaffed to deal with COVID-19.

So far, around 118,000 coronavirus positive cases had been reported in J&K taking the fatality count to 1,865. We have seen an increase in cases on a daily basis. The conflict regions have already faced human rights violations such as curfew, physiological distress and lack of medical facilities, doubling the atrocities inflicted on innocent Kashmiris.

Article 56 of the IV Geneva Conventions applied specifically to this pandemic and affirms that the occupying power has the responsibility to maintain and guarantee a stable public health and hygiene system in the occupied territory and to combat the spread of the virus. In this humanitarian crisis, it is necessary to pressure the Indian authorities to focus on the health of Kashmiris rather than isolate them for political and military reasons.⁶²

Due to the worsening pandemic situation, the government had banned all social and religious gatherings for the residents of Jammu and K, but at the same time allowed a Hindu pilgrimage to the Amarnath cave Kashmir temple in the region of Pahalgam in southern Kashmir. However, because of the rising coronavirus cases (exceeding

⁶¹ “*Kashmir Statehood Abrogated: a legal fact finding report*”, LFOVK and IPS, 4th August 2020. Available at: https://lfov.com/wp-content/uploads/2020/08/KashmirStatehoodAbrogated-min_compressed.pdf

⁶² Qudssia Akhlaque, “International Slumber on Kashmir,” *Pakistan Today*, April 25, 2020, <https://www.pakistantoday.com.pk/2020/04/25/international-slumber-kashmir/>

15,000), the authorities decided to cancel the pilgrimage after a few days at the end of July 2020.⁶³

Prisoners' treatment during Pandemic

In March 2020, the Indian Supreme Court ruled that prisoners who were waiting for trial should be released, in order to limit the spread of COVID-19 pandemic within the facilities.

During the pandemic lockdown period, 345 people were released from detentions but President of the Kashmir Bar Association Mian Abdul Qayyum, who was arrested for political conviction on the intervening night between 4 and 5 August 2019, was transferred to Agra prison.

On May 25, the Jammu and Kashmir High Court denied bail and his requests were also dismissed to transfer him to Tihar or Srinagar Central Prison, which led him to remain in detention.

Due to life threatening ailments and high vulnerability, he could have easily contracted the coronavirus infection. On 30th July, he was finally released from detention.⁶⁴

Other resistance fighters and civilians who were also arrested for their political belief were kept in different jails in India and were not released. Several pleas made on health grounds by the relatives of those arrested had been turned down.

⁶³ Nuzrat Sadiq, “*Kashmir bans Muslim gatherings but OKs Hindu pilgrimage*”, Anadalo Agency, 6 July, 2020. Available at: <https://www.aa.com.tr/en/asia-pacific/kashmir-bans-muslim-gatherings-but-oks-hindu-pilgrimage/1900831>

⁶⁴ Six monthly review of human rights situation in Indian Occupied Jammu and Kashmir (January to June 2020), July 1, 2020, Jammu Kashmir Coalition of Civil Society and Association of Parents of Disappeared Persons.

Families of the incarcerated Kashmiri political prisoners said they have been kept in poor condition and inadequate health care could cause fear of threat to their health from the virus.

Although, Geneva Conventions have given the rights to prisoners of war to ensure standard of medical facilities, but Kashmir prisoners Altaf Shah have been kept in improper health care conditions, intensifying the chances of the corona cases.

Family of pro resistance leaders in Kashmir alleged that the jail authorities are not providing the adequate medical facilities inside judicial custody. Farooq Ahmad Bhat, the uncle of Hurriyat leader Masarat Alan Bhat, said that he “did not expect the Indian government to keep us informed about Masarat’s health.”

Mujahid Sehraie, the son of Hurriyat leader Mohammad Ashraf Sehraie, also claimed that the prison authorities did not allow him to meet his father.

The family of Asiya Andrabi, a pro-freedom jailed woman leader from Indian-administered Jammu and Kashmir, has expressed concern about her health and safety.

Andrabi, 60, lodged in Indian capital New Delhi’s Tihar Jail and still, an under-trial prisoner has been shifted to the punishment or penitentiary ward earlier this week, where prisoners face a strict schedule, including forced physical labor, claimed her son, Amhed bin Qasim.⁶⁵

⁶⁵ Amir Latif, Family of jailed Kashmiri woman leader fears for her safety, 28, July, 2020. Available at: <https://www.aa.com.tr/en/asia-pacific/family-of-jailed-kashmiri-woman-leader-fears-for-her-safety/1924720>

Harassment of doctors and medical personnel

The brutalities of the Indian-occupying troops have led to violations of Kashmiris' fundamental rights, one of them being denial of proper healthcare. Instead of treating the COVID-19 virus as a medical emergency, this lockdown was also implemented in a highly militaristic manner.

Many doctors in the region had been harassed and beaten by government forces while performing their duties, which was quite alarming especially at a time of the global pandemic.

On 23rd May 2020, Dr Syed Maqbool, a cardiologist from Srinagar, was brutally harassed and beaten up by police and taken to Zabidal police station.

In another incident, Central Reserve Police Force (**CRPF**) in Chadoora beat up Dr Muzaffar Ahmed while he was on his way to the hospital to assist the patient in need of medical care. Moreover, police in Pulwana district of southern Kashmir beat up an ambulance driver, Tariq Ahmed which was sent to pick up two persons who had to be put under administrative quarantine.

Due to the low speed (2G) internet doctors faced difficulties in accessing the information on the new deadly virus and World Health Organization (**WHO**) recommendations that were updated on everyday basis. For instance, downloading a document of 10 pages would take around an hour. Even doctors abroad were unable to join any webinars, who could help them with new information and research for corona virus.⁶⁶

⁶⁶ Ahmer khan and Billy Perrigo, "What Life is like inside the World's Longest Lockdown", Times, 5th May, 2020. Available at: <https://time.com/5832256/kashmir-lockdown-coronavirus/>

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