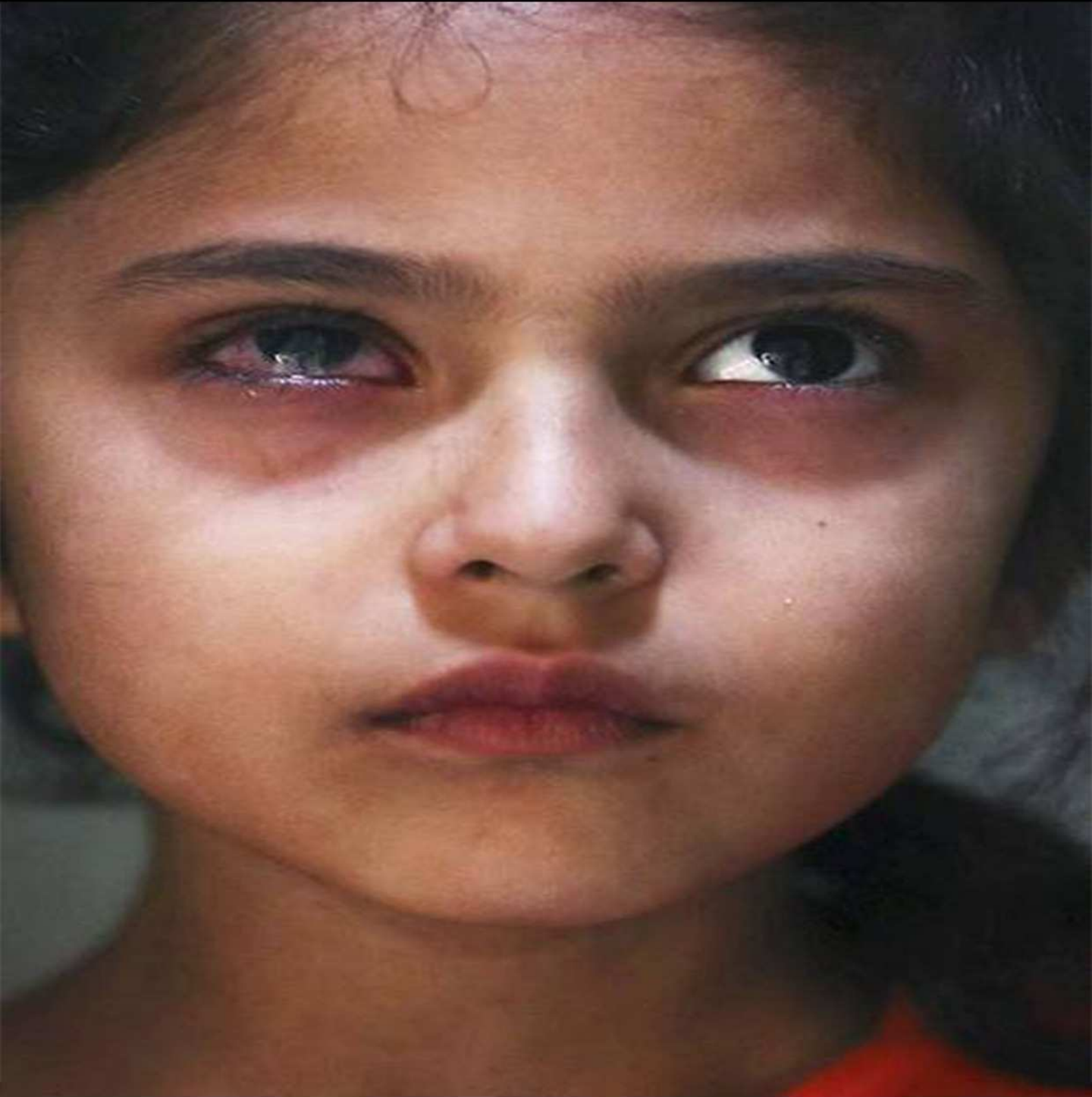


# EXCEPTIONAL DEMOCRACY

**KASHMIR; A PARADISE TURNED GRAVEYARD  
BY INDIAN RIGHT-WING POLITICS**



REPORT BY  
LEGAL FORUM FOR KASHMIR - LFK

**EXCEPTIONAL DEMOCRACY**  
**KASHMIR; A PARADISE TURNED GRAVEYARD**  
**BY INDIAN RIGHT-WING POLITICS**

LEGAL FORUM FOR KASHMIR - LFK



## **Exceptional Democracy**

Kashmir; A paradise turned graveyard by Indian right-wing politics

**Published by:** Legal forum for Kashmir (LFK)

**Research Team:** Rafia Qadir Sailani (Advocate), Muhammad Umar Bhat , Zeeshan Shoukat, Musaib

**Date of Publication:** October 2019

**Cover image:** 6 years old Muneefa Nazir, a Kashmiri girl whose right eye was hit by a marble ball shot allegedly by Indian security forces.

## **Introduction:**

No political term has been abused indiscriminately as 'Democracy' in India. It is amusing to notice patently those Right-Wing totalitarians flaunting the democratic label. Kashmir, the largest militarized zone of the world, has been facing Indian brutalities for demanding fundamental right to self-determination. Thousands of innocent unarmed civilians have been killed, wounded, tortured. Hundreds of women have been the target of the carnal desire of the Indian security forces. Post Burhan Wani era, Kashmir valley witnessed further increase in human rights violations by the occupying Indian forces. All the inhuman tactics are employed to suppress the freedom movement but, India couldn't defeat the patience and spirit of Kashmiris for their struggle to get right to self-determination.

In order to ensure the illegal occupation over Jammu and Kashmir, Indian government unilaterally decided to abrogate the Article 370 and took away the special status of the state Jammu and Kashmir on 5th August, 2019. Whole of the Kashmir was under strict curfew when the future of Kashmiri people was being decided. Curfew is still in place after over six weeks. There is complete communication blackout and food supplies have been blocked. Instead of lifting the violent curfew, Indian forces have further increased the human rights violations in Kashmir. Nearly 13,000 Kashmiris have been detained which include Mainstream politicians, lawyers, teachers and other innocent civilian, fearing the dissent against unconstitutional act. Authorities also suspended internet services on cellphones, a common tactic to prevent anti-India demonstrations from being organized and to stop the dissemination of news.

The security deployment in recent days adds at least 10,000 soldiers and other forces in Kashmir, to what was already one of the world's most militarized regions. At least 800 protests and incidents of stone throwing have occurred since Aug 5, with more than half taking place in Srinagar. Nearly 1500 civilians have been injured so far, with a further 300 police and more than 100 paramilitary troopers hurt. Thousands of people have been illegally detained including the entire political leadership of Kashmir regardless of their political agendas. Internationally banned pellet guns are being used to disrupt the peaceful protesters. Hundreds of innocent people especially the youth have pellet injuries and few of them couldn't sustain the injuries.

## Communication Blockade and Curfew in IOK:

By the midnight of Aug 4, the last night of Jammu & Kashmir as an autonomous state, the entire Valley of Kashmir had been besieged, all sorts of internet services, cellular networks, phone lines & satellite television had been shut down.

The entire week prior to the night of Aug 4, was a kind of a psychological operation for Kashmiris, as Indian government deployed around 1 lakh troops in Kashmir, already the world's most militarized zone, and the government evacuated thousands of pilgrims, tourists and non-Kashmiri students amid confusion, heightened security and a potential terror threat.<sup>1</sup>



A man walks with a child past an Indian paramilitary soldier standing guard during restrictions. (Source:AP)

Amidst the deployment of additional troops, rumors, government circulated bizarre orders and then rebuffed the same, about 70 lakh Kashmiris struggled to stock ration, money and fuel. They didn't know what was going to happen, but there was a ghastly hearsay that either the autonomy of Kashmir is being revoked or it is the onset of a war with Pakistan.

On Aug 5, the Parliament of India passed the bill to scrap autonomy, statehood and property rights of the residents of Jammu & Kashmir. In the most felonious, unlawful and inconsiderate act, the Modi led BJP government unilaterally altered the status of Indian-occupied Kashmir through the revocation of Article 370 and 35A of the Indian Constitution.<sup>2</sup>

The International Organizations including OIC condemned the unilateral action of Indian parliament and the human rights abuse.

---

<sup>1</sup> "India orders pilgrims to leave Kashmir amid troop buildup", Deutsche Welle, August 3, 2019.  
<https://www.dw.com/en/india-orders-pilgrims-to-leave-kashmir-amid-troop-buildup/a-49876127>

<sup>2</sup> "India revokes disputed Kashmir's special status with rush decree", Al Jazeera, August 5, 2019.  
<https://www.aljazeera.com/news/2019/08/india-abolishes-kashmir-special-status-rush-decree-190805061331958.html>

The clampdown on communications has been harsh, and people of Kashmir, for days didn't even hear about the Indian government's announcement of revocation of state's autonomy.

In a statement at an emergency meeting held on Aug 6, in Jeddah, Saudi Arabia, the secretary-general, Yousef bin Ahmed-Al-Othaimeen, reaffirmed the OIC's "*support to the people of Jammu and Kashmir in their just struggle to achieve their legitimate rights, in particular the right to self-determination*"<sup>3</sup>

The European Union said that it was closely monitoring the situation and called for the avoidance of escalation of tensions in the region.<sup>4</sup>

Even on the festival of Eid-ul-Adha, Aug 12, the eighth day of military siege, the curfew was not eased. People couldn't even offer the Eid prayers at some places. Large prayer congregations had been banned by Indian government and a communication blockade on internet, landlines and mobiles was imposed. The communication blockade means the people have been unable to call relatives even on the Eid day.<sup>5</sup>

Antonio Guterres, the secretary-general of the UN, has appealed for "*maximum restraint*" as tensions escalate between India and Pakistan over New Delhi's move on Kashmir. In his statement,

Guterres also expressed concern over reports of restrictions on the Indian-side of Kashmir, saying *they could exacerbate the human rights situation in the region.*<sup>6</sup>



Despite the Govt. order of reopening schools, the students stay home.

---

<sup>3</sup> "Emergency meeting of OIC Contact Group on Jammu and Kashmir held in Jeddah", Anadolu Agency, August 6, 2019.  
<https://www.aa.com.tr/en/asia-pacific/oic-expresses-concern-over-indias-kashmir-move/1551242>

<sup>4</sup> "EU official says political solution is only way to solve long-lasting dispute of Kashmir", Anadolu Agency, August 27, 2019.  
<https://www.aa.com.tr/en/europe/eu-calls-for-political-solution-on-kashmir/1566381>

<sup>5</sup> "This Is What Eid in Kashmir Looked Like", Vice News, August 13, 2019.  
[https://www.vice.com/en\\_in/article/gyzpe3/this-is-what-eid-in-kashmir-looked-like](https://www.vice.com/en_in/article/gyzpe3/this-is-what-eid-in-kashmir-looked-like)

<sup>6</sup> "Guterres appeals for 'maximum restraint' over Jammu and Kashmir, as tensions rise", UN News, August 8, 2019.  
<https://news.un.org/en/story/2019/08/1043961>



As many as 774 middle schools out of 3,000 reopened on August 20 in Kashmir for the first time since August 5 when the restrictions were imposed in the valley in the wake of Centre's decision to revoke the special status to Jammu and Kashmir, officials said.

Although the Government claimed that the schools have started functioning normally, very few pupils arrived at any of the 190 schools that had opened in Srinagar. *"It is a risk. I cannot risk my child's life for some experiment,"* a local police officer said.

BBC correspondents report that many parents prefer to keep their children at home until mobile networks are restored. Communication blockade means there is no way of contacting school staff in case of an emergency, a parent said.<sup>7</sup>

As the communications blackout in Kashmir made headlines globally, the administration set up a media center at a private hotel in Srinagar where journalists are allowed to work. The media center has five computers with an internet connection and just one landline phone for hundreds of journalists based in Kashmir as well as the ones who came from outside the region to report.

Irfan Malik, a reporter for Greater Kashmir newspaper was arrested from his home, in southern part of Kashmir, Tral. Irfan's father, Mohammad Amin Malik said that when he contacted Tahir Saleem, superintendent of police in Awantipora, for help, the superintendent asked if Malik had written any controversial stories.<sup>8</sup>

In another such incident, a Srinagar based journalist, Haziq Qadri associated with *Brut India* was detained by Jammu & Kashmir police for about 12 hours. He had been detained at the Safa Kadal police station after shooting videos. Police had also confiscated his phone and did not return it when he was released the next morning.<sup>9</sup>

The Government in New Delhi is trying to contain the information and 'Preventing truth from



going out', by giving free hand to its military. The journalists are being harassed in Kashmir by the Indian armed forces, and are being forced to delete footage from their cameras if they try to record a protest or the atrocities carried out by forces.

Official figures show that India has suspended internet connections more than 180 times over the past 3 years in Indian-controlled Kashmir. However,

---

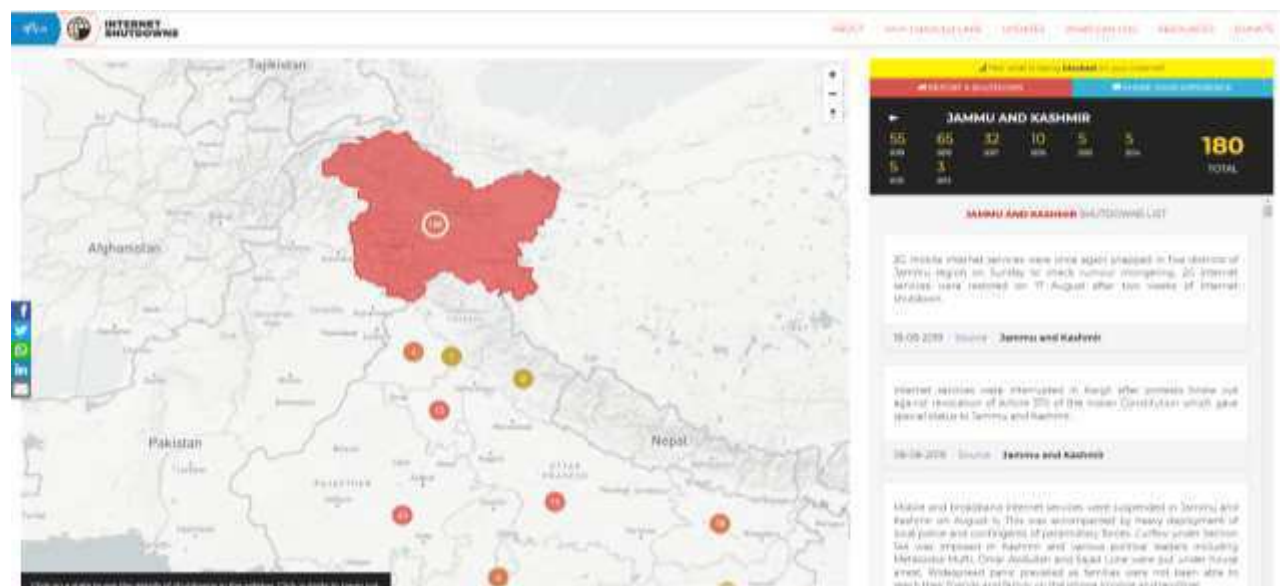
<sup>7</sup> "Kashmir schools re-open but students stay home", BBC, August 19, 2019.  
<https://www.bbc.com/news/world-asia-india-49394618>

<sup>8</sup> "Kashmir: Journalist Detained by Security Forces Released", The Wire, August 17, 2019.  
<https://thewire.in/media/kashmir-journalist-irfan-amin-malik-detained>

<sup>9</sup> "At least 2 journalists detained amid tensions in Jammu and Kashmir", CPJ, August 16, 2019.  
<https://cpj.org/2019/08/two-journalists-detained-jammu-kashmir-india.php>



since the midnight of Aug 4 this year, all sorts of Internet services have been shut down in the Indian-administered part of Kashmir.<sup>10</sup>



*Internetshutdowns.in is an online portal which tracks incidents of Internet shutdowns across India in an attempt to draw attention to the troubling trend of disconnecting access to Internet services.*

On 29 August, The Washington Post published a report alleging that 3,000 people had been detained in Kashmir and that at least five of them were under the age of 18.<sup>11</sup>

The restrictions on movement of traffic may lead to a humanitarian crisis as there is a shortage of lifesaving drugs, ration and baby food amid clampdown in Kashmir. Syed Jeelani, owner of Darul Shifa chemist shop outside Srinagar's leading hospital SMHS hospital, said the Valley is not getting fresh supplies of medicines ever since the clampdown was enforced hours before the scrapping of Article 370.<sup>12</sup>

A Wall Street Journal report claimed that the hospitals were running low on vital drugs.

On Sep 5, Amnesty International India launched an urgent campaign to end the protracted Blackout in Kashmir. *"The blackout has now been a month old and cannot be prolonged any further by the Indian Government as it has grossly impacted the daily lives of Kashmiri people, their emotional*

<sup>10</sup> [https:// internetshutdowns.in/](https://internetshutdowns.in/)

<sup>11</sup> Among the 3,000 detained by Indian authorities in Kashmir: Children", Washington Post, August 29, 2019. [https://www.washingtonpost.com/world/asia\\_pacific/among-the-3000-detained-by-indian-authorities-in-kashmir-children/2019/08/29/1616b5c0-c91c-11e9-9615-8f1a32962e04\\_story.html](https://www.washingtonpost.com/world/asia_pacific/among-the-3000-detained-by-indian-authorities-in-kashmir-children/2019/08/29/1616b5c0-c91c-11e9-9615-8f1a32962e04_story.html)

<sup>12</sup> "Kashmiris hit by drug shortage amid India-imposed communication blackout", TRT World, August 19, 2019. <https://www.trtworld.com/magazine/kashmiris-hit-by-drug-shortage-amid-india-imposed-communication-blackout-29098>

*and mental well-being, medical care, as well as their access to basic necessities and emergency services. It is tearing families apart,”* said Aakar Patel, head of Amnesty International India.<sup>13</sup>

On Aug 16, Genocide Watch issued a Genocide Alert for India Administered Kashmir. Genocide Watch calls upon the United Nations and its members to warn India not to commit genocide in Kashmir.<sup>14</sup>

On Aug 16, UN Security Council discussed Kashmir, China urged India and Pakistan to ease tensions. The Security Council considered the volatile situation surrounding Kashmir on Friday, addressing the issue in a meeting focused solely on the dispute, within the UN body dedicated to resolving matters of international peace and security, for the first time since 1965.

*“Address, don’t dismiss, Kashmir grievances, Modi’s US visit should embrace rights”,* said Meenakshi Ganguly, South Asia Director, Human Rights Watch. Meenakshi has been vocal about the broad internet and mobile phone blackout and the detention without charge of several thousand people, including leaders of political parties and separatist groups, journalists, and lawyers.

Addressing the 42nd session of the United Nations Human Rights Council in Geneva, Qureshi while referring to India's recent actions in Kashmir said: "Today, I have knocked on the doors of the Human Rights Council, the repository of the world's conscience on human rights, to seek justice and respect for the people of Indian occupied Jammu and Kashmir". Qureshi urged the UNHRC to *"pay heed to the plight of the Kashmiri people" and to address the warning signs of a "looming human catastrophe"*.<sup>15</sup>



Pakistan's Foreign Minister Shah Mehmood Qureshi addresses UNHRC on Sep 10 in Geneva.

---

<sup>13</sup> "Amnesty International India Launches Urgent Campaign To End The Protracted Blackout In Kashmir", Amnesty International India, September 5, 2019. <https://amnesty.org.in/news-update/amnesty-international-india-launches-urgent-campaign-to-end-the-protracted-blackout-in-kashmir/>

<sup>14</sup> "Genocide Alert for Kashmir", Genocide Watch, August 16, 2019.

<https://www.genocidewatch.com/single-post/2019/08/15/Genocide-Alert-for-Kashmir-India>

<sup>15</sup> "World must not remain indifferent to tragedy unfolding in Kashmir, Qureshi tells UN Rights Council", September 10, 2019. <https://www.dawn.com/news/1504564>

*“In relation to Kashmir, my Office continues to receive reports on the human rights situation on both sides of the line of control. I am deeply concerned about the impact of recent actions by the Government of India on the human rights of Kashmiris, including restrictions on internet communications and peaceful assembly, and the detention of local political leaders and activists. While I continue to urge the Governments of India and Pakistan to ensure that human rights are respected and protected, I have appealed particularly to India to ease the current lockdowns or curfews; to ensure people's access to basic services; and that all due process rights are respected for those who have been detained. It is important that the people of Kashmir are consulted and engaged in any decision-making processes that have an impact on their future”,*

Opening statement by UN High Commissioner for Human Rights Michelle Bachelet, Geneva, 9 September 2019 at 42<sup>nd</sup> UNHRC meet.<sup>16</sup>

Recently a women team comprising Annie Raja, Kawaljit Kaur, Pankhuri Zaheer from National Federation Indian Women, Poonam Kaushik from Pragatisheel Mahila Sangathan and Syeda Hameed from Muslim Women's Forum visited Kashmir between September 17 and 21. Apart from Srinagar, the women visited several villages in Shopian, Pulwama and Bandipora to take stock of ground realities.<sup>17</sup>

They released their report based on firsthand information and thorough case studies of those who have actually suffered. In their report they have stated that as soon as they drove out from the airport they were astounded to see the Shops closed, hotels closed, schools, colleges, institutes and universities closed, streets deserted. According to them, *“it seemed a punitive mahaul (milieu) that blocked breathing freely”*. *"Army pounces on young boys; it seems they hate their very sight. When fathers go to rescue their children they are made to deposit money, anywhere between 20000 to 60000"*. One estimate given to us was 13000 boys lifted during this lockdown.



*Five member all women team, at the release of their fact finding report on Kashmir.*

<sup>16</sup> “UN rights chief 'deeply concerned' over India 'actions' in Kashmir”, TRT World, September 9, 2019.  
<https://www.trtworld.com/asia/un-rights-chief-deeply-concerned-over-india-actions-in-kashmir-29634>

<sup>17</sup> “Kashmir: 'Ordinary People Living Under Iron Siege,' Finds All-Women Team”, The Wire, September 25, 2019.  
<https://thewire.in/rights/kashmir-ordinary-people-living-under-iron-siege-finds-all-woman-team>

According to them, everywhere they went there were two unflinching sentiments. First, desire for Azadi; they want nothing of either India or Pakistan. The humiliation and torture they have suffered for 70 years has reached a yield point. Abrogation of 370 some say has snapped the last knot they had with India. Even those people who always stood with the Indian State have been rejected by the Govt. The second, was the mothers' anguished cries (who had seen many children's corpses with wounds from torture) asking for immediate stop to this brutalization of innocents. The lives of their children should not be snuffed out by gun and jackboots.

## **Curfew:**

Kashmir has been facing Indian oppression for more than seven decades. History of Indian repression has witnessed hundreds of indefinite curfews. But the present curfew, which was imposed on 5<sup>th</sup> of August<sup>18</sup> 2019, is the most brutal and unprecedented. It's been ....days and the curfew is still in place. The entire population of Kashmir has been caged in the occupied valley.. Indian administration is blatantly violating the fundamental human rights<sup>19</sup>. Every basic human right has been taken away. The Kashmiris have no right to life, movement, freedom of speech and expression, perform religious rites and proper medical treatment. Food supplies have been blocked. Lifesaving medicines and baby food are running short in the valley. People have no right to stage peaceful protests against the Indian aggression. Indian security forces are pellet guns and tear gasses shells to disrupt the protests.

## **Illegal detentions of minors:**

After scrapping the article 370 the Indian government imposed strict curfew and internet clampdown. Night raids are were conducted to arrest civilians. Thousands of civilians which included hundreds of children were arrested. For almost two months state police denied arresting any minor but recently J&K police admitted to have arrested 144 minors.<sup>20</sup> Boys as young as 9 year old were arrested. Abrar Ahmed Ganai 16, was arrested and shifted to Bareilly jail in Uttar Pradesh. He was slapped with controversial PSA, which authorizes the detention up to 2 years without trial. Family had challenged the detention in court on the grounds of Ganai is a minor boy and only 16 year old, police has shown his age as 22 year old. Ganai school certificate shown in the court by his family show that Ganai was born in March 2003.<sup>21</sup>

---

<sup>18</sup> The New York Times, *India Revokes Kashmir's Special Status, Raising Fears of Unrest*, 5 August 2019, <https://www.nytimes.com/2019/08/05/world/asia/india-pakistan-kashmir-jammu.html>

<sup>19</sup> Counter Currents Org, *Kashmir Caged: Fact Finding Report*, 14 August 2019, <https://countercurrents.org/2019/08/kashmir-caged-fact-finding-report>

<sup>20</sup> Scroll.in, *J&K police admit to 'arresting' 144 minors since August 5, but say 'no illegal detentions*. <https://scroll.in/latest/939143/j-k-police-admit-to-arresting-144-minors-since-august-5-but-say-no-illegal-detentions>

<sup>21</sup> *Aljazeera*, *depressed, frightened': Minors held in Kashmir crackdown* <https://www.aljazeera.com/news/2019/10/frightened-minors-held-kashmir-crackdown-191002075219434.html>



## Use of banned weapons:



Indian forces have been using repressive tactics to suppress the voice of innocent Kashmiris since 1947. But in 2010, the occupying Indian forces started using internationally banned pellet short guns against the unarmed Kashmiris. From 2010 to 2019, 16000 people have been, reportedly, injured by the pellet guns<sup>22</sup>. - --- Kashmiris have been died due to pellet injuries. In the ongoing crisis in Kashmir, the use of pellet guns has reached striking level. In just .....days, over 153 cases of tear gas and pellet injuries have been reported. Asrar

Khan<sup>23</sup>, 16 year-old, student of 11<sup>th</sup> class, was injured in the head by tear gas shell and pellets on 6<sup>th</sup> August outside his home in main city of Srinagar's Ellahi Bagh, according to his family and medical records. He was admitted to SKIMS in the critical condition for one month supported by ventilator. He couldn't sustain pellet injuries and died on 3<sup>rd</sup> September 23, 2019. The police officer said that he was hit by stone but the medical reports assisted by *AlJazeera* refuted the police officer's claim. Family of Asrar Khan also refused the police's version.

**SHER-I-KASHMIR**  
INSTITUTE OF MEDICAL SCIENCES, SOURA, SRINAGAR.  
MEDICAL CERTIFICATE OF CAUSE OF DEATH  
(HOSPITAL IN-PATIENT NOT BE USED FOR STILL BIRTHS)

NAME OF DECEASED: **ASRAR**  
PARENTAGE: **FIRDOUS AHMAD KHAN**  
RESIDENCE: **ELLAHIBAGH, SRINAGAR, J&K**

DATE OF ADMISSION: **06-08-19**  
DATE OF DEATH: **03-09-19**  
TIME OF DEATH: **8:15 PM**

FOR USE BY STATISTICAL OFFICE

SEX (Tick relevant)	MARITAL STATUS (Tick Relevant)	DATE OF BIRTH	AGE IN YRS	IF UNDER ONE YEAR	IF UNDER 24 HOURS
Male <input checked="" type="checkbox"/>	Single <input checked="" type="checkbox"/>		18 YRS	MONTH	DAYS
Female <input type="checkbox"/>	Married <input type="checkbox"/>			HOURS	MINUTES
Male Child <input type="checkbox"/>	Widow <input type="checkbox"/>				
Female Child <input type="checkbox"/>	Divorced <input type="checkbox"/>				

**CAUSE OF DEATH**

Direct/Immediate cause state the disease, injury or complication which caused death not the mode of dying such as heart failure, asphyxia, etc.

Underlying cause state the underlying condition last in time.

Other significant conditions contributing to the death, but not related to the disease or conditions causing it.

**PELLET INJURY WITH SHELL BLAST INJURY**  
**WITH SEVERE TRAUMATIC BRAIN INJURY (OPERATED FOR (L) DECOMPRESSIVE CRANIECTOMY ON 6/8/19)**  
**WITH SEPSIS WITH CARDIOPULMONARY ARREST.**

<sup>22</sup> NDTV, Are Kashmiris not Indian citizens? 19 Dec 2019, <https://www.ndtv.com/blog/a-cry-from-kashmir-we-are-citizens-of-india-too-1965178>

<sup>23</sup> AlJazeera, Kashmiri teenager dies of pellet, tear gas shell wounds, 5 Sept 2019, <https://www.aljazeera.com/news/2019/09/kashmiri-teenager-dies-pellet-tear-gas-shell-wounds-hospital-190904181621345.html>

## Night raids and torture:

Night raids have been common practice of Indian security forces to pick up the innocent civilians from their houses. Thousands of Kashmiris have been picked up in these night raids and as a result, over 8000<sup>24</sup> cases of enforced disappearances are reported. This barbaric action is still continue in the valley, there have been hundreds of night raids<sup>25</sup> in these days of violent curfew in the occupied Kashmir by the Indian security forces. At least 4000 people<sup>26</sup>, reportedly, have been arrested during these raids. Many families are unaware of the whereabouts of their loved ones. Most of them are under custody without any charge and several cases of inhuman torture have also been reported.

On August 19, the Dar family from Buchpora neighborhood in Srinagar<sup>27</sup> said that their sons were arrested the night before. “Security forces scaled the walls, broke down the door and windows and demanded to know who was inside. We showed them identity cards but they said they were stone pelters,” said the mother of two men. She told the forces that they are not stone pelters and they can ask the neighbors. But, Indian forces started beating the mother and hit her daughter as well. They went upstairs and pulled the boys out of bed, beat them and then took them away.

A new BBC<sup>28</sup> report details gruesome allegations from civilians living in Kashmiri villages, allegations include being beaten with sticks and rods given electric shocks, hung upside down, and having their mouths sealed with mud so they wouldn’t scream.



---

<sup>24</sup> AlJazeera, *Kashmiris launch Calendar to remember disappeared loved ones*, 27 Jan 2019, <https://www.aljazeera.com/indepth/features/kashmir-widows-launch-calendar-remember-disappeared-190127000143885.html>

<sup>25</sup> TRT World, *India's Kashmir doctrine: Claims of torture, night raids, mass detentions*, 19 August 2019, <https://www.trtworld.com/magazine/india-s-kashmir-doctrine-claims-of-torture-night-raids-mass-detentions-29102>

<sup>26</sup> Reuters, *Thousands detained in Indian Kashmir crackdown, official data reveals*, 12 Sept 2019, <https://www.reuters.com/article/us-india-kashmir-detentions/thousands-detained-in-indian-kashmir-crackdown-official-data-reveals-idUSKCN1VX142>

<sup>27</sup> AlJazeera, *In Pictures: Night raids, arrests amid Kashmir lockdown*, 23 Sept 2019, <https://www.aljazeera.com/indepth/inpictures/pictures-night-raids-arrests-kashmir-lockdown-190919153536231.html>

<sup>28</sup> BBC, *'Don't beat us, just shoot us': Kashmiris allege violent army crackdown*, 29 August 2019, <https://www.bbc.com/news/world-asia-india-49481180>

The two brothers from South Kashmir told BBC reporter Sameer Hashmi that they were woken up and gathered alongside nearly a dozen other men from their village, and beaten up even they protested their innocence. One of them told the BBC, “they beat every part of my body, they kicked us, beat us with sticks, cables and rods. They hit us on the back of the legs. When we fainted, they gave us electric shocks to bring us back. When they hit us with sticks and we screamed, they sealed our mouth with mud. One among us asked the soldiers to just shoot us.

TRT World<sup>29</sup> also reports that the victims allege that the Indian Army subjected them to immense physical pain and psychological pressure. A victim, Abid Khan-26 from Hirpora Shopian, said that on the night of 13<sup>th</sup> August, he was stripped naked, water-boarded and forced to drink copious amounts of a “horribly smelly liquid”. “Two of them punched me in the gut until I vomited and urinated” he said. He further explained that Indian Army soldiers tortured him inside a camp and filmed parts of it. He had passed out after being administered electric shocks. What happened during the unconscious state is what worries him.



Abid Ahmad Khan (A torture victim)

## **Halt to emergency medical services:**

Proper medical treatment is the fundamental right of all human beings living across the world but it seems that Indian government doesn't consider Kashmiri people as human being. Kashmiris are being treated worse than the animals. The oppressive curfew in the valley has put thousands of innocent lives at risk as they are not getting proper medical treatment.<sup>30</sup> Due to imposed

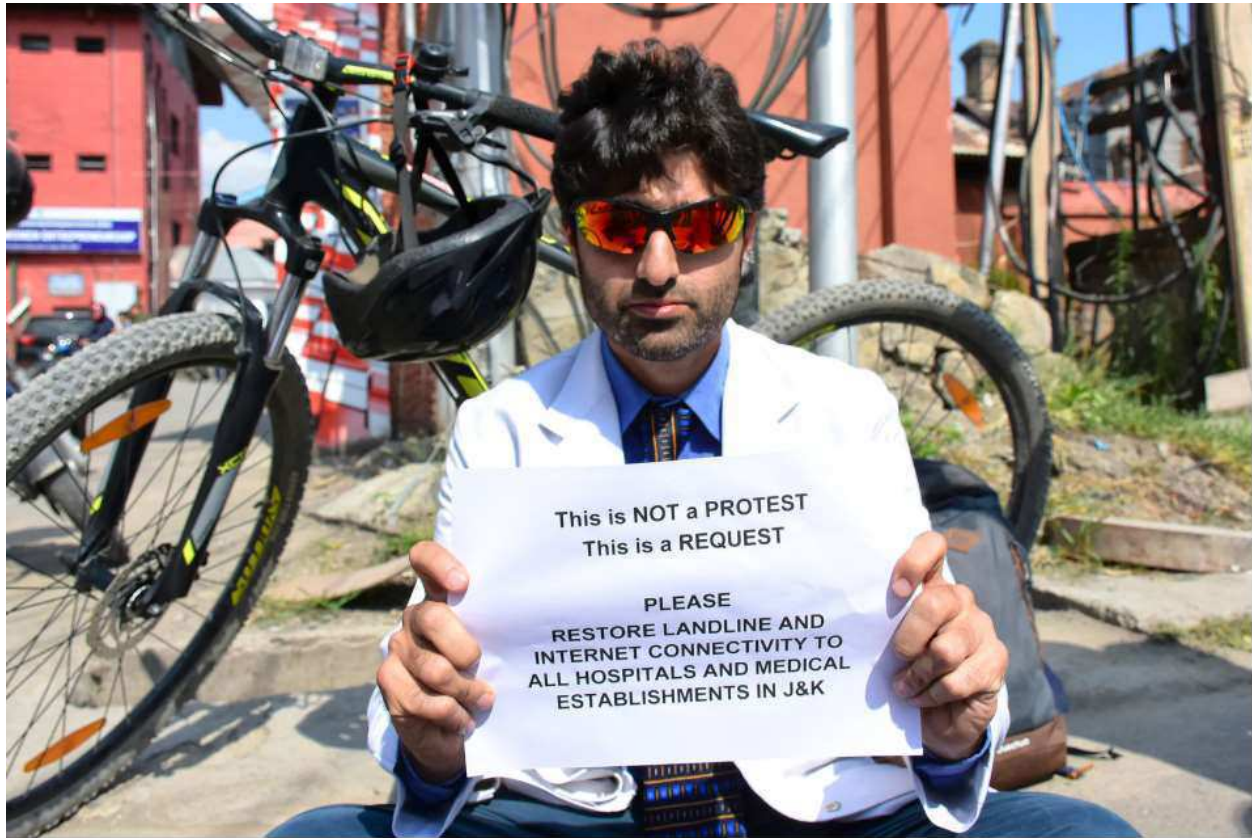
---

<sup>29</sup> TRT World, *India's torture methods: new claims emerge from disputed Kashmir*, 17 Sept 2019, <https://www.trtworld.com/magazine/india-s-torture-methods-new-claims-emerge-from-disputed-kashmir-29879>

<sup>30</sup> Human Rights Watch, *Kashmir Shutdown Raises Healthcare Concerns*, 30 August 2019, <https://www.hrw.org/news/2019/08/30/kashmir-shutdown-raises-healthcare-concerns>



restrictions, people are unable to reach hospitals<sup>31</sup>. On 17<sup>th</sup> August, a pregnant woman died on the road because she was not allowed to use vehicle to reach the hospital<sup>32</sup>. Medicines are shortage in the hospitals because the relevant departments are unable to contact the supplies outside the valley. Doctors have warned the Indian administration that these severe restrictions have put the patient's life at risk.<sup>33</sup>



Dr. Omar Salim Akhtar of Kashmir protested the clampdown on telephone and Internet communications by Indian authorities at a press conference on Aug. 26. He was later arrested, then released after a few hours.

Human Rights Watch, an International NGO, has raised serious concerns about the healthcare in the occupied Kashmir. In an August 16 letter in the medical journal *BMJ*, 19 doctors from across India asked the government to ease restrictions on communication and travel, saying they were “a blatant denial of the right to health care and the right to life” because they made it difficult for

<sup>31</sup> The Wire, *Kashmir Healthcare Situation: Doctors Call for Coordinated Efforts to Plug Gaps*, 23 August 2019, <https://thewire.in/health/kashmir-health-doctors-statement>

<sup>32</sup> npr, *Why Doctors and Journalists are fighting over Health Care in Kashmir*, 30 August 2019, <https://www.npr.org/sections/goatsandsoda/2019/08/30/755853835/why-doctors-and-medical-journals-are-fighting-over-health-care-in-kashmir>

<sup>33</sup> The BMJ, *Kashmir communications blackout is putting patients at risk, doctors warn*, 19 August 2019, <https://www.bmj.com/content/366/bmj.l5204>

patients and staff to reach hospitals without hindrance. The British medical journal *Lancet* also raised concerns over the health and safety of Kashmiris under the lockdown.

For example, a journalist from Kashmir wrote about his sister who suffered a miscarriage: “The doctors at the hospital regret that the ban on communication prevented them from real time communication to the senior gynecologist that could have saved the baby.” On August 9, a stillborn baby was born to parents who, with the suspension of transport, had to walk to a district hospital after developing complications.

Hundreds of civilians have been hit by the pellets fired by Indian brutal forces and they are afraid that they might get arrested if they go to hospitals<sup>34</sup>. To remove the pellets from their body they themselves have developed the techniques. They use blade and Dettol for this operation. Since August 5, local residents say, more than 300 injured people have been treated this way. While many see no option but to get their wounds treated by amateur pellet removers, doctors in Kashmir warn of the dangers of such treatments – from skin damage to infections to the damage of vital organs.<sup>35</sup>

### **Curb on religious rites:**

Restrictions on practicing the religious rites in the Indian occupied Kashmir are serious violations of applicable International human rights law. Since 5<sup>th</sup> of August, the entire Kashmiri population is restricted in their homes. They are not allowed to perform their religious rites.<sup>36</sup> Kashmiri people were restricted to offer Eid prayers and later on, Indian forces unleashed brutal oppression on the Muharram processions<sup>37</sup>. Security forces used pellet shotguns and teargas shells to contain these *processions* in the old city in *Srinagar*. Even, Kashmiri Muslims have not been allowed to attend the funerals of their dear ones.



<sup>34</sup> AlJazeera, *Chaos and Crisis in Kashmir hospitals after month-long lockdown*, 6 Sept 2019, <https://www.aljazeera.com/news/2019/09/chaos-crisis-kashmir-hospitals-month-long-lockdown-190905205741695.html>

<sup>35</sup> Scroll.in, *Meet the amateur pellet doctors of Srinagar who treat protestors too scared to go to hospital*, 19 Sept 2019, <https://scroll.in/article/937742/meet-the-amateur-pellet-doctors-of-srinagar-who-treat-protestors-too-scared-to-go-to-hospital>

<sup>36</sup> CBS News, *“It doesn’t feel like Eid”: Kashmiri Muslims cut-off from families by India’s blackout*, 12 August 2019, <https://www.cbsnews.com/news/kashmir-blackout-india-leaves-muslims-cut-off-from-family-eid-al-adha-today-2019-08-12/>

<sup>37</sup> India Today, *No Muharram Procession allowed in Kashmir, Curfew-like restrictions back in Srinagar*, 10 Sept 2019, <https://www.indiatoday.in/india/story/muharram-procession-kashmir-restrictions-srinagar-updates-1597450-2019-09-10>

## Illegal Detentions

Indian government has been using draconian laws to suppress the voices of innocent Kashmiris for over seven decades. Thousands of civilians have been arrested under Public Safety Act (PSA)<sup>38</sup>. After 5<sup>th</sup> August 2019, Indian authorities are increasingly using the barbaric laws. Indian security forces, reportedly, have detained more than 4000<sup>39</sup> people without any charge and the exact number of detainees is still unknown. Those detained include approximately 400 elected officials and political leaders, as well as two former chief ministers of Jammu and Kashmir<sup>40</sup>, Omer Abdullah and Mehbooba Mufti, belonging to the National Conference and the Jammu and Kashmir People's Democratic Party, and all the political leaders (e.g. Syed Ali Geelani, Mirwaiz Umar Farooq, Yasin Malik, etc) of the Kashmir movement for right to self-determination. There have been serious allegations of torture and beatings. Many detainees have not been allowed to contact their families or lawyers.

In addition to it, families of the detainees are facing serious issues to meet them and many have families no information about the whereabouts of the illegal prisoners. On 10<sup>th</sup> September<sup>41</sup>, Mugli Sofi, 70 years old, had been waiting anxiously outside Central Jail Srinagar in Kashmir's summer capital to meet her son, Rafiq, for several hours. This was the first time they would be seeing each other since Rafiq, 42, was picked up by Indian police during a night raid on their house on 28 August in the Danderkha locality of the city. "They (Indian police) scaled the walls and entered our house in the dead of night, without prior notice," Sofi tells *The Independent*.

"He is innocent and has never participated in anti-India protests," says Sofi, as she waits for her turn outside the jail.

"My son works as stone mason and grew up in difficult times after death of his father. He has had to shoulder responsibility of family too early in his childhood."



Mugli Sofi sitting on wall (Mother of a detainee) waiting to see her son.

---

<sup>38</sup> Al Jazeera, *UN report condemns Kashmir's Public Safety Act*, 22 Jun 2018, <https://www.aljazeera.com/indepth/features/report-condemns-kashmir-public-safety-act-180622053540880.html>

<sup>39</sup> France 24, *At least 4000 detained in Kashmir since region stripped of autonomy*, 18 August 2019, <https://www.france24.com/en/20190818-india-kashmir-4000-detained-region-stripped-autonomy>

<sup>40</sup> NDTV, *Mehbooba Mufti, Omer Abdullah Arrested After Centre's On Kashmir*, 5 August 2019, <https://www.ndtv.com/india-news/mehbooba-mufti-detained-taken-to-guest-house-after-article-370-scrapped-2080703>

<sup>41</sup> Independent, *Thousands languish in Kashmir prison without trial: 'My brother is too weak for jail'*, 10 Sept 2019, <https://www.independent.co.uk/news/world/asia/india-kashmir-prison-trial-jail-latest-mugli-sofi-a9098951.html>



