

## **Report for the United Nations Human Rights Office of the High Commissioner**

### **Update on the situation in Kashmir under the Indian military takeover as of August 12, 2019**

On August 5, 2019, India unilaterally revoked Kashmir's special status under Article 370 of the Indian Constitution, which gave it limited autonomy. The reorganized state of Jammu and Kashmir is now divided into two union territories, ruled directly from New Delhi. This announcement by the Indian Government, led by Bharatiya Janata Party or the BJP, opens up Kashmir to settlement by outsiders, who were previously forbidden from buying land there. This raises fears of a rush of Indian settlers into Kashmir and corporate buyouts of land, which may lead to demographic change in the region.

However, this unilateral Indian action does not change the status of Kashmir as a disputed territory, to be resolved in accordance with UN Security Council resolutions on the basis of the principle of self-determination.

The revocation of Article 370 was preceded by a massive troop buildup. As many as 40,000 more Indian troops from military and paramilitary units have joined the approximately 750,000 troops already stationed there. Laws such as Public Safety Act (1978) and Armed Forces Special Powers Act (1990), give Indian security forces permission to shoot, arrest or raid the home of anyone that is seen as a potential security threat, without a court decision. In reality, this gives army personnel impunity; not one army man has been prosecuted for disproportionate use of violence in Kashmir since 1989.

We provide a brief summary of the situation below, followed by links to media stories with greater detail, as well as other sources. Updates are being posted at the KSCAN blog [kashmirscholars.wordpress.com](http://kashmirscholars.wordpress.com) and on Twitter @KashmirScholars.

A useful collection of resources on the aftermath of the revocation of Article 370 from Critical Kashmir Studies can be found [here](#).

#### **Communications blockade**

Since midnight August 5, 2019 local time, Kashmir remains under a communications blockade. Internet and phone connections have been cut and all Kashmiri television channels have been shut down. People have risked travel, defying curfew, to reach the hospitals and Srinagar airport where limited internet service is sometimes available, to communicate with their families outside Kashmir. Internet service that was reported at Soura (SKIMS) hospital was cancelled on 6 August. The district administration in Srinagar has opened two landlines for people to communicate with their children studying outside Kashmir. People are required to give their names, reasons for calling and what they will say. After lining up for three to four hours, they are able to talk to their relatives for thirty seconds to two minutes.

#### **Closures and curfew**

Curfew has been in effect across Kashmir since August 5th with only partial relaxation in some areas. These allow people limited travel to visit local shops to stock up on groceries and to offer

prayers at local mosques. Most shops are running out of supplies and there is no cash in the ATMs.

Shopian, a town in southern Kashmir, is under curfew since 5 August, though with some relaxation of curfew at night.

The usual large-scale outdoor Eid prayers have been disallowed. Yet, we have received reports that some smaller mosques have allowed Eid prayers. (Source: Anonymous report to Emma Brännlund on 120819)

There are also reports that some men in Srinagar were allowed to attend prayers in local mosques but only if they walked singly or in pairs.

### **Restrictions on Kashmiri and international press**

Online publication of Kashmiri newspapers is stopped since 4/5 August 2019.

Kashmiri journalists have been attacked and beaten by Indian troops, while Indian journalists are facilitated in filing pro-government reports. Independent Indian journalists lack access to the internet and have to travel out of Kashmir to file their reports. The BBC has been accused by Government of India of faking reports of protests in Kashmir, which BBC has denied. ([Article 370: Tear gas at Kashmir rally India denies happened](#))

### **Reports of protests and firing by Indian forces**

There have been reports of protests taking place, mainly in Srinagar:

On 9th August: 10,000 people protested in Srinagar. Indian forces opened fire using live ammunition, pellet guns and tear gas (see link to BBC video below).

On 11 August: hundreds of protesters gathered in Srinagar, Jammu and Kashmir state, on Sunday, against the government's decision to curb Kashmir's autonomy, despite new restrictions on travel and a communications blackout.

AFP reports protests in Soura following Eid prayers on August 12, 2019 (video link below).

### **Mass arrests**

Over 900 human rights and civil society activists, political leaders and prominent citizens have been arrested since 5 August. Those arrested include Professor Hameeda Nayeem, Mian Qayoom of the Srinagar High Court Bar Association and Mubeen Shah of the Chamber of Commerce. Many prisoners have been moved to prisons in India. The Jammu and Kashmir administration has refused to give information on the whereabouts of former chief ministers Omar Abdullah and Mehbooba Mufti who were taken into preventive custody on 5 August.

Personal communication: "Received from Henry Tiphagne, human rights activist: As per information received, 20 senior advocates, business persons and academics of Kashmir have been arrested and shifted to Agra jail by Air Force aircraft. Zafar Shah, senior advocate and Mr. Mubin, chairman of Kashmir Chamber of Commerce are among them. Human rights activist Khurram Parvaiz and academic Prof. Hameeda Nayeem are under house arrest. Hazi Haseen, a political activist was arrested and shifted to Tihar jail in Delhi. More arrests are going on."

### **Humanitarian crisis**

Doctors and patients struggle to reach hospitals, even though all essential personnel are called by the government to report to work. Their identity cards are meant to be honored as curfew passes but they are turned away by soldiers; actual curfew passes issued by the district administration

are also turned away, leaving people stranded. Pregnant women and cancer patients too are being denied passage to the hospitals.

Personal account: "...a relative who lives next to the airport was able to tap on the airport services and make a call using their land line. He is seriously ill and collapsed on the way to the hospital. His son tried a private hospital, no doctors. Last we know he was attempting to get to another hospital."

### **Links to news stories with details**

#### **Protests and casualties**

Protests in Soura [after Eid prayers, August 12, 2019](#)

Huffington Post "Hundreds Of Kashmiris Protested In Srinagar On The Eve Of Eid: Report Restrictions that had been temporarily eased on Friday and Saturday were reinstated in major parts of the city on Sunday afternoon" [Hundreds Of Kashmiris Protested In Srinagar On The Eve Of Eid: Report.](#)

The Wall Street Journal (120819): [Protesters Demonstrate in Kashmir Despite Indian Clampdown.](#)

The Quint: Kashmir (100819): [Are Foreign & Indian Media Reporting on the Same Place?](#)

AFP (120819): [Civilians with pellet gun injuries fired by Indian forces being brought to a local hospital in Srinagar for the treatment.](#)

Reuters (110819) [Protests in Kashmir over removal of Article 370.](#)

The Wire (100819): [This 17-Year-Old Was the First Pellet Victim of the 'Union Territory' of J&K.](#)

"When all Kashmiris will be killed, only then the world will realise our sufferings," said Akeel Dar, who had 90 pellets in his body.

Shaswati Das, Livemint (120819): [Complete shutdown, heavy stone pelting, all main mosques out of bounds. Here is a snippet of violence and public outrage against the clampdown, in Hyderpora \(Srinagar\).](#)

#### **Arrests**

Times of India: [J&K govt shifts 20 more 'troublemakers' from Kashmir to Agra; Mian Qayoom among 25 flown out on Thursday](#)

Irish Times August 8, 2019 Indian forces arrest 500 in Kashmir as lockdown continues <https://www.irishtimes.com/news/world/asia-pacific/indian-forces-arrest-500-in-kashmir-as-lockdown-continues-1.3980629>

### **Curfew, shortages, humanitarian crisis**

The Wire (120819): [Ground Report: Angry Kashmir Empty on Eid as Restrictions Return to Srinagar](#)

Livemint (120819): [Curfew brings life in Kashmir to a standstill ahead of Eid today](#)  
For videos from the ground follow S

Scroll.in (120819): [Kashmir ground report: A cancer patient struggles to reach hospital for chemo, others can't get home](#)

The Wire (120819): [Stuck in Hospital After Losing a Child, Waiting 3 Days for 1 Call: Life in Kashmir Today](#)

Fahad Shah in Time: [‘Anxiety Fills the Air.’ What It’s Like Inside Kashmir When All Communication With the Outside World Is Cut Off](#)

### **Essays**

The Wire (120819): [‘I Am More Afraid Than I Have Ever Been’: A Personal Account From Kashmir.](#)

The Wire “With Its Photo Albums, Kashmir Resists and Remembers”  
[https://thewire.in/rights/in-photos-an-archive-shows-how-kashmir-resists-and-remembers?fbclid=IwAR0QJ1zbbcT41VKfre9Jz\\_LaVmiFxVjaiwJP8RR4jmiA6Knj6eCklyrWVqQ](https://thewire.in/rights/in-photos-an-archive-shows-how-kashmir-resists-and-remembers?fbclid=IwAR0QJ1zbbcT41VKfre9Jz_LaVmiFxVjaiwJP8RR4jmiA6Knj6eCklyrWVqQ)

### **Media blackout and curbs on journalists**

New York Times: [With Pens, Paper and Motorcycles, Journalists Chronicle Kashmir Crackdown](#)

Al Jazeera: [Kashmir journalists struggle to tell their stories amid clampdown](#)

Committee to protect Journalists : [In Kashmir, obstruction, confiscated equipment, and hand-carrying stories and photos on flash drive](#)

The Leaflet: [Kashmir Times editor moves Supreme Court seeking media freedom in Valley.](#)

### **Analysis and expert opinion**

Kavita Krishnan, The Independent: [“Modi’s act of tyranny in Kashmir will soon be the blueprint for all of India”](#)

Jostein Hole Kobbeltvedt, Rafto Foundation: [“From bad to worse in Kashmir. Foreign Minister Ine Eriksen Sørreide must work to ensure that the situation is addressed by the UN Security Council.”](#)

Samreen Mushtaq in TRT World: [“The violent misogyny that partners India’s stripping of Kashmiri autonomy.”](#)

Sangeeta Barooah Pisharoty in The Wire: [“Biryani With Locals: What Ajit Doval’s Visuals From Kashmir Tell Us.”](#)

Nitasha Kaul on [Newsnight BBC](#)

Dibyesh Anand in Foreign Policy: [“Kashmir Is a Dress Rehearsal for Hindu Nationalist Fantasies”](#)

Emma Brännlund in Svenska Dagbladet: [“Sweden must not be silent about the abuses in Kashmir”](#)

Global News Canada features Idrisa Pandit: [‘A total blackout’: Kashmiri-Canadians unable to contact relatives since India cut internet](#)

Goldie Osuri on Al Jazeera [https://m.youtube.com/watch?v=arM\\_4Rjf6DA](https://m.youtube.com/watch?v=arM_4Rjf6DA)

Ather Zia [interview on BBC](#)

Ather Zia on Al Jazeera: [“There is reason to fear for the safety of every Kashmiri in India”](#)

Mona Bhan on Al Jazeera: [“International community must raise self-determination – cannot trust Indian democracy & judiciary”](#)

Inshah Malik on BBC: “India is trying to thwart the peace process in Afghanistan” [https://m.youtube.com/watch?v=-nqiDq\\_agzE](https://m.youtube.com/watch?v=-nqiDq_agzE)

Hafsa Kanjwal in Washington Post: [“India’s settler-colonial project in Kashmir takes a disturbing turn”](#)

A.G. Noorani in Huffington Post: [“Kashmir: Scrapping Article 370 ‘Unconstitutional’, ‘Deceitful’ Says Legal Expert A.G. Noorani”](#)

Suhrith Parthasarathy in Times of India: [“An exercise of executive whim: Negation of Article 370 in J&K doesn’t stand up to constitutional test, strikes at federalism”](#)

Aman Sethi in Huffington Post: [“As Kashmir Is Erased, Indian Democracy Dies In Silence”](#)

LA Times: [“India’s power grab in Kashmir puts a volatile region at risk of conflict and violence”](#)

Sumantra Bose on BBC “Article 370: Has India bitten off more than it can chew in Kashmir?” <https://www.bbc.com/news/world-asia-india-49316350>

Emily Schmall, The Associated Press, in The Star, Toronto “India sees once off-limits Kashmir as investment frontier” <https://www.thestar.com/news/world/asia/2019/08/12/india-sees-once-off-limits-kashmir-as-investment-frontier.html>

## Statements

Human Rights Watch (120819): [“India Needs to Step Back in Kashmir.”](#)

Sixty-four citizens comprising Kashmiri Pandits, Dogras and Sikhs have stated that they “unequivocally condemn the abrogation of Article 370,” and have made a call for “an immediate lifting of the state of siege” in the Valley. [Full list of names and statement available on The Quint.](#)

Rep. Thomas Suozzi, Democratic Party, United States

[“I am concerned Prime Minister Modi’s recent actions in Kashmir have contributed to tensions higher than ever; our administration must make Kashmir a major focus. PM Khan’s recent trip to USA assures we are working together to counter extremism and other issues.”](#)

NDTV: [Kashmir Lockdown “Draconian”, Says Editors Guild Of India: Full Statement](#)

The Observer: [View on India’s aggression over Kashmir](#) (11/08/19).

Bloomberg Editorial Board: [“India Is Making a Mistake in Kashmir.”](#)

Margot Wallström, Minister of Foreign Affairs, Sweden

@margotwallstrom

[“Closely following serious developments in Kashmir. The population of Kashmir must be included in decisions concerning its future.”](#)

Jeremy Corbyn, Leader of the Labour Party, UK

@jeremycorbyn

[“The situation in Kashmir is deeply disturbing. Human rights abuses taking place are unacceptable. The rights of the Kashmiri people must be respected and UN resolutions implemented.”](#)

Magid Magid, Green Party MEP for Yorkshire & The Humber and Former Lord Mayor of Sheffield

@MagicMagid

“Wishing you all a blessed Eid Mubarak! I hope your day is filled with nothing but love, hope & joy! As we celebrate let’s also remember and pray for the people of Kashmir, Palestine, Syria, Yemen, Iraq & wherever people are suffering injustice and persecution.”

Phil Bennion

Lib Dem MEP for West Midlands region

[“...condemn outrageous move by India to revoke autonomy of Kashmir. We stand with Kashmiris. LibDems will be moving urgency resolution seeking very strong action...”](#)

Richard Corbett

Leader, Labour MEPs. Yorks&Humber

[“The Kashmir issue has long been neglected by the international community, despite the very clear UN Security Council resolutions that require the issue to be settled by a referendum of the Kashmiri people themselves.”](#)

Liz McInnes

Labor MP and Shadow Foreign Minister

[“Today I have written to Foreign Secretary @DominicRaab to ask what representation he has made to the Indian Government regarding their unilateral decision to abolish #Kashmir’s special status, and what discussions he has had with the UN over this increasingly volatile situation.”](#)

Julie Ward

Labour Co-op MEP NW England

[“I strongly condemn India’s illegal and unconstitutional revocation of Article 370 to annexe Kashmir. I call on the European Union and Member States to work with the Indian and Pakistani governments as well as the people of Kashmir and Jammu, including the diaspora community, to ensure that the conflict does not escalate.”](#)

Lee Rhiannon

@leerhiannon, former MP New South Wales, Australia

[“#IndianGovernment stands condemned for acts of brutality and human rights abuses in #Kashmir. Modi regime may cut off mobile and internet, bring in more troops but they can not destroy Kashmiris fight for self-determination. #StandwithKashmir #EndKashmirBlockade”](#)

Faisal Rashid

Labour MP, UK

[“Over 45 MPs and peers have co-signed my letter calling on @UN Secretary-General @antonioguterres to intervene and prevent India’s unconstitutional attack on Kashmir’s autonomy. The international community must #StandWithKashmir”](#)

MEPs, Irina von Wiese, Shaffaq Mohammed, Phil Bennion, Judith Bunting, Chris Davies, Antony Hook, Martin Horwood, Lucy Nethsingha and Sheila Ritchie [appeal to the High Representative of the EU, Ms Federica Mogherini](#) to act on escalating situation in Kashmir. [“Over 45 MPs and peers have co-signed my letter calling on @UN Secretary-General @antonioguterres to intervene and prevent India’s unconstitutional attack on Kashmir’s autonomy. The international community must #StandWithKashmir”](#)

International Commission of Jurists: [“India: Ending autonomy of Jammu and Kashmir fans flames of existing human rights crisis”](#)

Rafto Foundation Norway: [“We are deeply concerned for the Rafto Laureates in Kashmir”](#)