

To

Prof. David Kaye

United Nations Special Rapporteur on the promotion and protection  
of the right to freedom of opinion and expression

cc: PEN International  
Committee to Protect Journalists  
Freedom of the Press Foundation  
International Federation of Journalists  
International Women's Media Foundation  
Women Photograph

April 23, 2020

Dear Prof. Kaye,

**Re: Requesting your urgent intervention in the continued lack of freedom of the press and expression, and harassment and incarceration of journalists in Indian-controlled Kashmir**

We, the members of Kashmir Scholars Consultative Action Network and hundreds of other academics, journalists, writers and researchers from around the world are writing this open letter to seek your immediate intervention in the issue of continued persecution of Kashmiri journalists by the Indian government. Since we last communicated with you on April 20, there have been several developments about which we wish to update you.

On April 20, Masrat Zahra, a freelance photojournalist, whose work has appeared in various international publications including *The Washington Post*, *The New Humanitarian* and elsewhere, has been [charged](#) under the draconian [Unlawful Activities \(Prevention\) Act](#) (UAPA). This supposed anti-terrorism legislation enables the government to arbitrarily declare anyone a terrorist; the punishment under UAPA can carry jail time of two to ten years. Masrat, who [reposted some of her past stories](#) and a widely circulated picture from [one of her stories](#) on Facebook, is accused of "uploading anti-national posts [on Facebook] with criminal intentions to induce the youth" and for "uploading photographs which can provoke the public to disturb law and order." The police interrogated Masrat Zahra on April 21<sup>st</sup>, and as per Zahra, the investigation is ongoing. Also on April 20, a First Information Report

(criminal charges) were lodged against [Peerzada Aashiq](#), a well-known journalist working for reputed Indian newspaper, *The Hindu*. Aashiq has been accused, as per the FIR, for [reporting incorrect facts](#) related to the recent encounter in Shopian district of Jammu and Kashmir. On April 21, a First Information Report was filed against another Kashmiri journalist and author, [Gowhar Geelani](#), accusing him of using his social media posts and writings for “unlawful activities.” These recent cases against Zahra, Peerzada, and Geelani, follow a pattern of harassment and [intimidation](#) of journalists in Kashmir.

While on his beat, [Mushtaq Ganaie](#), was illegally detained and charged last week, and another freelance journalist, [Gowhar Wani](#), was assaulted by the police and his father threatened. Since August 5, 2019, there have been several other cases of intimidation and harassment of journalists. [Irfan Malik](#) was picked up by the police and detained; [Gowhar Geelani](#) was prevented from travelling abroad; [Peerzada Aashiq](#) was summoned by the police and pressured to reveal his sources; [Muzamil Matto](#), [Azan Javid and Anees Zargar](#) were assaulted by the police while reporting; [Hakeem Irfan and Basharat Masood](#) were “grilled by the police for their stories;” [Naseer Ganie and Haroon Nabi](#) were summoned by the police for publishing a statement by Jammu & Kashmir Liberation Front (JKLF).

Most seriously, two Kashmiri journalists, [Asif Sultan and Qazi Shibli](#) have been incarcerated. Asif Sultan, who remains in prison, [has been held under UAPA since August 2018 where specific charges against him have not been made clear yet](#). [Qazi Shibli was](#) held without charge or trial on back-to-back [Public Safety Act](#) orders for nine months. As per news reports, Shibli [was released today](#). [Kamran Yusuf](#), also charged with UAPA, and currently out on bail, [was recently attacked in a night raid at his residence](#). Two years later, the targeted [assassination of Shujaat Bukhari](#), editor of Rising Kashmir, remains unsolved. Other journalists, editors, and publishers in Kashmir have been constantly harassed and intimidated by the police and the military. Such actions are in direct contravention of international standards of freedom of opinion, expression, and free press.

The Kashmir Press Club [has condemned](#) charges against Masrat Zahra and all other cases of harassment and summons of journalists by the police, especially during the pandemic. The [Committee to Protect Journalists](#) has issued an alert; [Reporters Without Borders](#) called for the immediate and unconditional withdrawal of charges against Zahra; [Amnesty International](#) has called for an immediate end to intimidation of journalists in Jammu and Kashmir; [Editors Guild of India](#) recognizes the UAPA charges against Kashmiri journalists as an “misuse of power” and an effort to “terrorise the media;” and Kashmir Working Journalists Association (KWJA) in its press release states that the “authorities in Kashmir are in no mood to allow a

democratic dissent or expression of opinion, and have adopted the policy of muzzling the press as a governance measure.”

It is imperative to also mention the [bullying tactics used by the state](#) to silence young Kashmiris who use social media to express their opinion as well as the crackdown on independent journalism. *The Caravan* (20 April) notes that Tahir Ashraf, Cyber Police Superintendent, [tweeted](#) the following on 16 April: “13 FIRs for misuse of Social Media registered in Kashmir Zone so far. Fake news, rumour mongers and handles promoting terrorism are under watch. More action to follow.” Such tactics appear to have become a new strategy to intimidate and create panic among journalists in particular, and amongst the wider population. These are occupational methods to discipline the indigenous population, especially the younger generation, which has been particularly vocal through social media.

As you are undoubtedly aware, the Right to Freedom of Expression and Opinion as well as the Freedom of Press has been [under a constant siege](#) in Indian controlled Kashmir. The suppression of freedom of expression and press intensified since the government of India made unilateral illegal changes to the status of Jammu and Kashmir in August 2019. [A Columbia Journalism Review report](#) outlined the longer history of internet shutdowns as well as journalist struggle against Indian media blackouts in Kashmir. At the time, *Al Jazeera* (1 Sept, 2019) reported on the harassment that local journalists faced as they were [beaten up, and some were detained](#).

Since then Kashmir has been under a lockdown, with draconian measures in place to prevent dissent and protests. [Government policies](#) implementing illegal changes have been made to the disputed territory under the cover of the pandemic. There was a complete communications clampdown and some of the curbs [continue](#) still, severely restricting access to information critical for medical specialists at the forefront of fighting the pandemic and media personnel charged with keeping [people informed](#).

The deteriorating situation of lack of freedom of the press in Kashmir requires global attention and immediate intervention. In this regard, we urge you to urgently take up this matter and publicly call upon the Indian government to stop this systematic assault on the freedom of expression, including critical and necessary independent journalism. We also request you to call for an immediate dismissal of all charges against Masrat Zahra, Peerzada Aashiq and Gowhar Geelani, as well as the immediate release of Asif Sultan.

Sincerely,

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  64. Adil Hussain , Freelance Photojournalist, Srinagar - Kashmir
  65. Adrija Dey, Research Fellow, SOAS, University of London
  66. Aeiman Rafiq, Christ University
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132. Bhavani Raman, University of Toronto
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172. Garima Pura, Independent Filmmaker
173. Gautam Doshi, Independent journalist, photographer and correspondent
174. Geeta Seshu, Free Speech Collective, India
175. Ghous Bhatti, Free Kashmir
176. Ghulam Nabi Khan, Lawyer and activist
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227. Karimah Rahman, Ryerson University
228. Kashmir Gulposh , kashmiringulposh.com
229. Kasturi Sen, Public Defender, Philadelphia
230. Keren Sam, Law student/research scholar
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232. Khawar Javaid, Student, Islamic University of Science & Technology
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258. Mir Sajad, University of Kashmir
259. Mirza Waheed, Novelist
260. Mohammad Aslam Qureshi,, Banker
261. Mohammad Athar, Lawyer at J&K High Court
262. Mohammad Faizan Bhat, NIT Sgr
263. Mohammad Musavir Magray , Medical
264. Mohammad Rafi dar, Journalist
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271. Mughlia jee, IIUI
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275. Muskan Tibrewala, Student
276. Muzamil Samad, PG student, University of Kashmir,
277. Nabeela Rizvi, Researcher, filmmaker.
278. Nabina Das, Poet
279. Najeeb Jan , Professor Habib university
280. Najmo osman, Friend
281. Nana Osei-Opare , Fordham University
282. Nandini Sikand, Associate Professor, Lafayette College, US
283. Nashwa Nasreldin, Freelance journalist
284. Nasir Khan PhD , University of Oslo
285. Nasir Laway, Mass communication student
286. Nasser Butt, Human Rights Campaigner, Palace of Westminster, UK
287. Nawal Ali Watali, Freelance photographer and writer
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289. Nayeem Rather , Independent Journalist, Kashmir.
290. Neeta Ratwani, Film Maker Indian
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292. Netal Munoth, Concerned Indian Citizens
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295. Nivedita Nath, PhD Candidate, UCLA

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301. Omer Farooq , Freelance Journalist
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305. Parul Soni, No political affiliation.
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314. Praveen K Chaudhry, State University of New York / FIT
315. Priti Patnaik, Independent Journalist & Researcher, Geneva
316. Priyamvada Gopal, University of Cambridge
317. Qazi Zaid, Editor, Free Press Kashmir.
318. Quratulain Rehbar, Freelance Journalist, Jammu and Kashmir
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321. Raihana Maqbool, Journalist, Kashmir
322. Raina, PhD student
323. Rajat Thakur, Journalist
324. Rajita Ramachandram, Psychologist, India.
325. Rajive Tiwari, Professor, Belmont Abbey College, USA
326. Rakhshan Rizwan, Independent Scholar, California
327. Raktim Ray, The Open University
328. Raman Grandon, Activist
329. Rameez Qureshi, Researcher, Texas A&M University
330. Rameez waheed , Fellow citizen of Kashmir
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335. Rehana Ahmed , Phd scholar jammu and kashmir india
336. Rehana Manzoor, PhD candidate, Jawaharlal Nehru University, New Delhi.
337. Reny Aylene, National Confederation of Human Rights Organizations
338. Reshma manik, Academics
339. Riddhima Sharma, FemPositive, India
340. Rishit Neogi, Independent writer and researcher
341. Riyaaz Ismail, People Against Apartheid and Fascism (South Africa)

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359. Saleem Yousuf , PhD Student. Central University of Rajasthan, India
360. Saleha Sabroo, Social worker and a child Rights activist
361. Samaan Lateef, General Secretary Kashmir Working Journalists Association
362. Samar Abbas, Democratic Students Federation, Pakistan
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364. Samira Junaid, University of Pennsylvania
365. Samiullah , Activist
366. Sanah Banihali, Lawyer, Australia
367. Sandra Da Costa , No affiliation
368. Sanna Irshad Mattoo, Photojournalist, Kashmir
369. Sanya Kundra, Crisis communication specialist, GoAir
370. Saqib Mugloo , Journalist, The Kashmir Walla
371. Saqlain Mushtaq, Undergraduate student, AMU
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373. Sara Haq, Postdoctoral Fellow, University of Southern California
374. Sarah Jilani, PhD candidate, Faculty of English, University of Cambridge
375. Sareer A. Fazili, Diaspora Activist
376. Satyabhan Singh, Citizen, India
377. Satyadeep, Copy editor, Delhi
378. Saumya Pandey, Journalist, Calcutta
379. Saurabh Das, Doctoral Student, MICA, India
380. Sayani Dey , India
381. Scottie Buehler, PhD Candidate, University of California Los Angeles
382. Sehla J Qazi, Psychiatric Nurse, Orlando Florida, USA
383. Shabana K. Shaheen, Research Coordinator and PhD Student, Virginia Commonwealth University
384. Shabana Shaheen , PhD candidate, Virginia Commonwealth University, Richmond, Virginia. USA

385. Shafa Chikodi, Journalism Student (Masters)
386. Shafaq Shah, Freelance journalist
387. Shafat Hussain, Banker
388. Shah Muneeb Khan, Student Journalism
389. Shahana Abbasi, Student, (B. ed., B.A English. Hons & M. A English) New Delhi, India.
390. Shahid Lone, Writer/ Researcher, Kashmir.
391. Shailza, PhD, University of Exeter
392. Shaista Patel, University of California, San Diego
393. Shamsul Islam , Former faculty University of Delhi.
394. Shanta Laishram, Indian Statistical Institute, New Delhi
395. Sharada Manorama, Writer
396. Shayan Shaukat, Forman Christian College, Lahore, Pakistan
397. Sheeba Malik, Research Scholar, India
398. Sherina Poyyail , Journalist, India
399. Shoaib Khan, Lawyer, Chevening Scholar, London/Kashmir
400. Showket Ahmad Mandloo, Ph.D. Condidate, Aligarh Muslim University, India.
401. Shreeya Bhayana, OP Jindal Global University
402. Shreshthta Das, Independent Consultant, Delhi
403. Shruti Mukherjee, Stony Brook University
404. Shruti Narayan, Advocate, New Delhi (LL.B., B.A.(Hons.), University of Delhi)
405. Shruti Sharada, Queer Feminist Writer
406. Siddhant Pusdekar, University of Minnesota
407. Siddiq Wahid, Academic
408. Simone Punzo, Filmmaker, Chilled Winston Studios, Rotterdam, the Netherlands
409. Sirisha Naidu , Associate Professor of Economics, University of Missouri-Kansas City
410. Sneha Annavarapu , Uchicago
411. Sneha Rajaram, Writer, Bangalore
412. SOAS India Society, UK
413. Somak Paul, California State University, East Bay
414. Soubhik Karmakar, Indian Citizen
415. Sourav Poddar, Journalist
416. Sourya Majumder, JNU
417. South Asian Students Against Fascism, UK
418. Srija Bhavani , Student, Hyderabad, India
419. Subir Sinha, SOAS, London.
420. Suchitra Vijayan, The Polis Project, New York
421. Suhail Ahmad, Social activist
422. Suhail Rashid Bhat, LLM Human Rights, Conflict and Justice candidate, SOAS University of London, UK
423. Sumithra Sankaran, Research Scholar
424. Sunit Bhattacharya, PhD student, Charles University, Prague, Czechia
425. Suranjan Sinha, Independent researcher, formerly with University of Delhi
426. Surbhi Hablani, Research Scholar, Boston University
427. Suresh bh, Please allow intervention.. I'f not now we may never get a chance
428. Surya Ghildiyal, Student, IHEID Geneva
429. Syed Hashim, Visual Anthropologist, Münster, Germany.

430. Syed Sarwar Kashanai, Journalist
431. Syed zahid rizvi, Social scientist
432. Taha Ghayyur, Justice for All Canada
433. Talat Bhat, JKTV Live
434. Tanveer Ahmed , Independent Researcher & Public Policy Activist - AJK
435. Tanveer UL Islam, Busienss Executive
436. Tapsi Mathur, Assistant Professor, Nanyang Technological University, Singapore
437. Tariq Mir, A freelance journalist
438. Tarun Bhartiya, RAIOT Webzine
439. Tavseef Mairaj, Ph.D. candidate, Hamburg University of Technology, Germany
440. Tawseef Majid , Dr BRAOU, India.
441. Taylor McGraa, Goldsmiths SU Education Officer 2017-2019
442. Ubaid Tantary , Center For Nuclear Research, Kent Ohio USA
443. Uday Kapur, Freelance Journalist, Delhi
444. Ufaq Fatima, Researcher and Journalist, Kashmir
445. Umair kashmiri, Student
446. Umar Bashir, Doctoral candidate, JMU, Germany.
447. Umar Farooq, Journalist, Middle East Eye
448. Umar Mohidin , Aligarh Muslim university
449. Umer Beigh, Journalist, NewsClick
450. Umer Farooq , Student
451. Umit Cetin, Senior Lecturer in Sociology, University of Westminster, UK
452. Vaishali Janarthanan, Independent activist, working in child rights, Mumbai
453. Vidura Jang Bahadur, PhD student, Northwestern University
454. Vishal Sharma, LLM Candidate, Cardiff University
455. Visvak Ponnayolu, SOAS
456. Wajahat Ahmed, WritersWithoutFear.online
457. Waseem Ahad , Phd candidate, Kocaeli University, Turkey
458. Waseem ahmad mir, Engineering student
459. Waseem M. M. , Jawaharlal Nehru University, New Delhi, India
460. Wasim Fayaz, mewar university
461. Yashraj Sharma, Journalist, The Kashmir Walla
462. Younis , Illegal fir
463. Zafar Aafaq, Journalist
464. Zahra Sherwani, Delhi University
465. Zaraq Jahan, Research Scholar, India
466. Zareena Grewal, zareena.grewal@yale.edu
467. Zeeshan Mushtaq, Ph.D candidate, TU Kaiserslautern, Germany
468. Zeeshan Zahoor , Researcher, USA