

THREE YEARS OF ILLEGAL OCCUPATION & OPPRESSION IN IIOJK

(1095 DAYS IN SIEGE)



KASHMIR POLICY RESEARCH INSTITUTE

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On August 5 2019, the Indian government diluted Article 370, revoking J&K's special status. First, President Ram Nath Kovind issued presidential order CO 272. Article 370 could only be amended by the recommendation of the J&K Constituent Assembly. The presidential order (CO 272) allowed the Union to amend Article 370 without the recommendation of the Constituent Assembly. It did this by amending another part of the Constitution which explains how the Constitution should be interpreted (Article 367). The amendment made it such that the reference to the 'Constituent Assembly' in Article 370(3) became a reference to the 'Legislative Assembly'.

Since J&K was under President's Rule at the time, the powers of the J&K Legislative Assembly were vested in the Union Parliament. So, a few hours after CO 272 was issued, the Rajya Sabha recommended the abrogation of Article 370, via a Statutory Resolution under Article 370(3).

On August 6, President Kovind issued a Proclamation, CO 273, putting into effect the Rajya Sabha's recommendation. All clauses of Article 370 ceased to operate, except clause 1 which was amended to state that the Constitution of India applies to the State of J&K. This removed the special status of J&K.

Finally, on August 9, the Indian Parliament bifurcated the State of J&K into two Union Territories by passing the Jammu and Kashmir Reorganisation Act, 2019. The two new Union Territories are J&K and Ladakh – only the former retained a legislative assembly.

Article 370

The autonomy of the State is given by Article 370 of the Constitution. The temporary provision of this Article is derived from [Part XXI](#) of the Constitution under the title “Temporary, Transitional and Special provisions” which grants special status to the State of Jammu and Kashmir. This article was included in the Constitution on 17th October 1949 that exempted the State from the Indian Constitution except from [Article 1](#) and Article 370 and allows the State to frame its own Constitution.¹

Article 370 in The Constitution Of India 1949

370. Temporary provisions with respect to the State of Jammu and Kashmir

[\(1\)](#) Notwithstanding anything in this Constitution,

[\(a\)](#) the provisions of Article 238 shall not apply in relation to the State of Jammu and Kashmir;

[\(b\)](#) the power of Parliament to make laws for the said State shall be limited to

[\(i\)](#) those matters in the Union List and the Concurrent List which, in consultation with the Government of the State, are declared by the President to correspond to matters specified in the Instrument of Accession governing the accession of the State to the Dominion of India as the matters with respect to which the Dominion Legislature may make laws for that State; and

[\(ii\)](#) such other matters in the said Lists as, with the concurrence of the Government of the State, the President may by order specify Explanation For the purposes of this article, the Government of the State means the person for the time being recognised by the President as the Maharaja of Jammu and Kashmir acting on the advice of the Council of Ministers for the time being in office under the Maharajas Proclamation dated the fifth day of March, 1948 ;

[\(c\)](#) the provisions of Article 1 and of this article shall apply in relation to that State;

[\(d\)](#) such of the other provisions of this Constitution shall apply in relation to that State subject to such exceptions and modifications as the President may by order specify: Provided that no such order which relates to the matters specified in the Instrument of Accession of the State referred to in paragraph (i) of sub clause (b) shall be issued except in consultation with the Government of the State: Provided further that no such order which relates to matters other than those referred to in the last preceding proviso shall be issued except with the concurrence of that Government

[\(2\)](#) If the concurrence of the Government of the State referred to in paragraph (ii) of sub clause (b) of clause (1) or in the second proviso to sub clause (d) of that clause be given before the Constituent Assembly for the purpose of framing the Constitution of the State is convened, it shall be placed before such Assembly for such decision as it may take thereon

[\(3\)](#) Notwithstanding anything in the foregoing provisions of this article, the President may, by public notification, declare that this article shall cease to be operative or shall be operative only with such exceptions and modifications and from such date as he may specify: Provided that the

¹ Article 370 of Indian Constitution, [www. blog.ipleaders.in/history-of-article-370-of-indian-constitution/](http://www.blog.ipleaders.in/history-of-article-370-of-indian-constitution/).

recommendation of the Constituent Assembly of the State referred to in clause (2) shall be necessary before the President issues such a notification.²

Article 35A

Article 35A was introduced through a presidential order in 1954 to continue the old provisions of the territory regulations under Article 370 of the Indian constitution. Article 35A, not a part of the original Constitution, was conceived under the 1952 Delhi Agreement entered into by Jammu and Kashmir with India. In other words, it is a byproduct of Article 370 of the Indian Constitution. It is a part of the Constitution, but does not figure in the bare Act! One does not find Article 35A after Article 35 in the Constitution. Article 35 is followed by Article 36. But, 35A can be seen in Appendix i of the Constitution.

TEXT OF THE ARTICLE: '35A. SAVING OF LAWS WITH RESPECT TO PERMANENT

residents and their rights Notwithstanding anything contained in this Constitution, no existing law in force in the State of Jammu and Kashmir, and law hereafter enacted by the legislature of the State

(a) defining the classes of persons who are or shall be permanent residents of the State of Jammu and Kashmir; or

(b) conferring on such permanent residents any special rights and privileges, or imposing upon other persons any restrictions, as respects

i. Employment under the State Government;

ii. Acquisition of immovable property in the State;

iii. Settlement in the State; or

iv. Right to scholarships and such other forms of aid as the State Government may provide³

THE CONSTITUTION OF JAMMU AND KASHMIR

The Constitution of Jammu and Kashmir was made and adopted on 17 November 1956, and came into effect on 26 January 1957.

6. Permanent residents

(1) Every person who is, or is deemed to be, a citizen of India under Sec. 6 the provisions of the Constitution of India shall be a permanent resident of the State, if on the fourteenth day of May 1954—

(a) he was a State Subject of Class I or of Class II; or

(b) having lawfully acquired immovable property in the State he has been ordinarily resident in the State for not less than ten years prior to that date.

² Indian Kanoon, [www. indiankanoon.org/doc/666119/](http://www.indiankanoon.org/doc/666119/).

³ [Article 35A of the Constitution- An overview.pdf](http://Article%2035A%20of%20the%20Constitution-%20An%20overview.pdf) (parliamentlibraryindia.nic.in)

(2) Any person who, before the fourteenth day of May, 1954, was a State Subject of Class I or of Class II and who having migrated after the first day of March, 1947, to the territory now included in Pakistan, returns to the State under a permit for re-settlement in the State or for permanent return issued by or under the authority of any law made by the State Legislature shall on such return be a permanent resident of the State.

(3) In this section, the expression "State Subject of Class I or of Class II" shall have the same meaning as in State Notification No. I-L/84 dated the twentieth April, 1927, read with State Notification No. 13/L dated the twenty-seventh June, 1932.

7. Construction of references to State Subjects in existing laws Unless the context otherwise requires, all references in any existing Sec. 7 law to hereditary State Subjects or to State Subject of class I or of Class II or of Class III shall be construed as references to permanent residents of the State.

8. Legislature to define permanent residents

Nothing in the foregoing provisions of this part shall derogate from Sec. 8 the power of the State Legislature to make any law defining the classes of persons who are, or shall be, permanent residents of the State.

10. Rights of the permanent residents

The permanent residents of the State shall have all the rights Sec. 10 guaranteed to them under the Constitution of India⁴

⁴ www.ceojk.nic.in/PDF/Extracts%20from%20the%20Constitution%20of%20Jammu%20and%20Kashmir.pdf

August 05, 2019, is another black day in the history of Kashmir. On 27th October 1947, India forcefully occupied a part of the State and on 5th August 2019 through constitutional amendment annexed the IOJK. Indian action is a clear violation of UN resolutions as well as bilateral agreements between Pakistan and India. Here is a timeline of various decisions/actions taken by the Indian government as well as the response of the international community, Pakistan and the people of Jammu and Kashmir.

Some of the significant changes in Jammu and Kashmir

• J&K Constitution scrapped

Before Article 370: It was the only State with its own Constitution. The Article provided J&K special provisions of the Constitution which did not apply to other states of India including special autonomy, separate state laws, etc.

After Article 370: With the scrapping provisions of Article 370, the separate Constitution ceases to exist.

• Separate flag

Before Article 370: The J&K state had two different flags – India and the State.

After Article 370: There would be no separate flag for the State.

(Sources, however, said that a decision could be taken on it as Karnataka, too, has proposed its flag.)

• Any Indian can now buy properties in J&K

Before Article 370: Only residents of J&K could buy and sell properties in the State.

After Article 370: Any Indian citizen will be able to buy and sell properties in J&K.

• Criminal Procedure Code in, Ranbir Penal Code out

Before Article 370: Residents of J&K had separate laws related to citizenship, ownership of property, and fundamental rights.

After Article 370: There will be no separate laws for the citizens of J&K. Criminal Procedure Code will be in, Ranbir Penal Code of the State will be out.

• The State becomes Union Territory

Before Article 370: Jammu and Kashmir was a State with special status.

After Article 370: J&K downsized to a Union Territory (UT) with Legislature while Ladakh becomes a Union Territory without any legislature.

2019

August 2– Indian authorities ask tourists to leave disputed Kashmir citing "terror threats," while reportedly dispatching some 25,000 military reinforcements to the troubled Himalayan region.¹

United States President Donald Trump has reiterated his offer to mediate the Kashmir dispute between Pakistan and India, telling reporters he is willing to intervene but a decision would be up to the leaders of both countries.²

August 3– Pakistan says India fired illegal cluster bombs — which emit deadly exploding shrapnel and are prohibited under the Geneva Convention — killing two civilians and wounding 11 others in IOJK.³

Aug. 5– India revokes provisions of Article 370 of its constitution and other laws related to separate citizenship provision of its only Muslim-majority state, which was also split into two centrally administered territories.⁴ Since then 143 Indian laws extend to the state, 7 local laws remain but with changes, 164 state laws annulled.

The United States has called for “peace and stability” along the de facto border that separates India and Pakistan in Kashmir after New Delhi revoked the special status granted to the Indian-administered portion of the disputed territory.⁵

August 13 – Indian apex court backs "security" crackdown and communications blackout in Kashmir. Some 69 Indian activists write a letter to Indian PM Modi calling for an end to Kashmir lockdown. Protests in IOJK on the first day of Eid al Adha amid tighter curbs.⁶

August 15 – Fact-finding report by Indian activists say the situation in Kashmir "absolutely not normal" despite Indian claims of normalcy in the region.⁷

August 16- UNSC Kashmir moot gives lie to Indian claim

For the first time since 1965, the UN Security Council (UNSC) held a meeting exclusively on occupied Jammu and Kashmir, nullifying India's claim that this was an internal matter.

Although the council did not agree on a statement, China's UN Ambassador Zhang Jun summed up the discussions, expressing serious concern over the situation.

“The UNSC members are concerned about the human rights situation there and they (want) the parties concerned to refrain from taking any unilateral action that might further aggravate the tension there since the situation is already very tense and very dangerous,” he said.⁸

August 19 – US President Trump discusses Kashmir dispute with India, Pakistan premiers.⁹

August 20 – Pakistan says it has decided to take Kashmir dispute to the International Court of Justice at The Hague.¹⁰

Sep 5- Amnesty International launches 'urgent campaign' to end blackout

Amnesty International India launched a global campaign in a bid to highlight the human cost of the month-long lockdown in occupied Kashmir.¹¹

"The draconian communication blackout in [occupied] Kashmir is an outrageous protracted assault on the civil liberties of the people of Kashmir," read a press release by the human rights watchdog.

"In response to this indefinite communication blackout, Amnesty International India has launched the campaign #Let Kashmir Speak on 5 September 2019 – which marks a month of the communications blackout, to ask for an immediate lifting of the lockdown," stated Amnesty International India.

Sep 13 – Pakistan PM Imran Khan holds Kashmir rally in Azad Jammu and Kashmir, says India's crackdown in Kashmir could drive more of the world's Muslims into "extremism."¹²

Sep 28- Pakistan, Turkey and Malaysia speak up for Kashmiris at UNGA

Prime Minister Imran Khan addressed the UNGA. The highlight of his more than 45-minute-long speech at the 74th session of the United Nations General Assembly in New York was intense criticism of India for its annexation of occupied Kashmir and the continued restrictions imposed in the region.

"(Nearly) 100,000 Kashmiris have died in the past 30 years because they were denied their right of self-determination. Eleven thousand women were raped. The world hasn't done anything," he said. "What is going to happen will be a blood bath. The people will come out."¹³

Malaysian Prime Minister Mahathir Mohamad at the forum said despite UN resolutions, the territory had been invaded and occupied. In his address,¹⁴ Turkish President Recep Tayyip Erdogan criticized the international community for failing to pay attention to the Kashmir conflict, which, he said, awaits a solution for 72 years.¹⁵

Oct 1- 9-year-old among 144 minors detained in IOJK

A police list seen by *AFP* showed that Indian authorities in occupied Kashmir had detained 144 minors, including a nine-year-old since the government removed the region's special status in August.

Sixty of the minors were under 15, according to the document submitted to a committee appointed by India's Supreme Court to look into allegations of illegal detentions. Reasons given by the police for detaining the minors included stone pelting, rioting and causing damage to public and private property, the committee said in its report.¹⁶

October 9 – Chinese President Xi Jinping says he was watching the situation in disputed Kashmir and would support Pakistan in issues related to its core interests.¹⁷

Oct. 22- Power shift

The government of IOJK changed laws and powers to register transactions of immovable property have been shifted to the revenue department from Judiciary.¹⁸

Oct. 22 – Malaysian Prime Minister Mahathir Mohamad says he would not retract his criticism of New Delhi's actions in disputed Kashmir despite Indian traders calling for an unprecedented boycott of Malaysian palm oil.¹⁹

Oct. 23- Abolishing of rights commissions

The government of IOJK ordered the closure of seven commissions like Jammu and Kashmir State Human Rights Commission (SHRC), the State Information Commission, State Accountability Commission, State Consumer Disputes Redressed Commission. The SHRC was enquiring into various cases of human rights abuses.²⁰

October 24 – Pakistan welcomes the US Congressional hearing in the Asia-Pacific sub-committee on the situation in Indian-administered Kashmir.²¹

October 27 – Pakistan denies India's Prime Minister Narendra Modi permission to fly through its airspace due to "ongoing grave human rights violations" in Indian-administered Kashmir.²²

Oct 31- Occupied Kashmir officially loses special status and is divided

Shops and offices were shut in occupied Kashmir and the streets were largely deserted as federal authorities formally revoked the restive area's constitutional autonomy and split it into two federal territories.

Just after midnight on Oct 30, the federal government's orders went into effect, dividing up occupied Jammu and Kashmir into two union territories; one Jammu and Kashmir, and the other the Buddhist-dominated high altitude region of Ladakh. "Everything changes on Thursday," said a retired Kashmiri judge, Hasnain Masoodi, a member of India's Parliament. "The entire exercise is unconstitutional. The mode and methodology have been undemocratic. People were humiliated and never consulted."²³

Dec 7- Resolution in US Congress seeks end to repression

A bipartisan resolution moved in the US Congress urged India to end the restrictions on communications and mass detentions in occupied Kashmir as swiftly as possible and preserve religious freedom for all residents. Resolution 745 was jointly moved by Congresswoman Pramila Jayapal, a Democrat, and Congressman Steve Watkins, a Republican. Born in Madras (Chennai), Jayapal is the first Indian-American woman to serve in the US House of Representatives. The movers rejected arbitrary detention, use of excessive force against civilians, and suppression of peaceful expression of dissent as proportional responses to security challenges.²⁴

Dec. 27-Indian Occupied Jammu and Kashmir government abandons observing birth anniversary (Dec, 5) of Sheikh Mohammad Abdullah, founder of the region's oldest political party National Conference (NC). The government also drops Kashmir's national day July 13 (Martyrs' Day) from its annual calendar of events. Pro-India parties like Peoples Democratic Party (PDP) and NC said that the government is out to delete Kashmir's political history.²⁵

Jan 16- UN Security Council reviews situation in Occupied Kashmir

The United Nations Security Council held a meeting on Jammu and Kashmir and reviewed the situation in the occupied valley.

Although the meeting took place behind closed doors, Chinese Ambassador Zhang Jun spoke to journalists outside the chamber, confirming that the council had reviewed the situation in the occupied valley.

“We had a meeting on Jammu and Kashmir,” he said. “The Security Council heard a briefing from the secretariat on the situation.”

Asked what China’s position on the situation in Kashmir was, he said: “Our position is very clear.”

China recognizes Kashmir as a territory disputed between India and Pakistan and openly supports Islamabad’s demand for a plebiscite to enable the Kashmiri people to decide their own future.²⁶

Jan. 25- The government omits the prefix of Sher-i-Kashmir from police medals. Sher-e-Kashmir is a reference to the former chief minister and NC founder Sheikh Mohammad Abdullah, who was the pioneer of Kashmir’s accession with India.²⁷

Feb. 6- Govt. of IIOJK renamed Public Health Engineering/Irrigation and Flood Control Department to Jal Shakti Department. The renaming is seen as imposing Hindu names in a Muslim majority region.²⁸

Feb. 26- India approves adaptation and modifications of 37 laws to be made applicable to IIOJK.²⁹

March 6 - The government of India set up the Delimitation Commission, headed by retired Supreme Court judge Ranjana Prakash Desai, which was tasked with winding up delimitation in J&K in a year. As per the Jammu and Kashmir Reorganization Bill, the number of Assembly seats in J&K would increase from 107 to 114, which is expected to benefit the Jammu region.³⁰

March, 31- The government of IOJK notifies new citizenship laws by issuing domicile notification. A person residing in Jammu and Kashmir for 15 years now eligible to be a citizen of the region. Before the Aug. 5, 2019 job, land and citizenship rights were reserved for the local population. The government orders repealing or amending 138 local laws, adopted by the region’s assembly over the years.³¹

April, the police opened criminal investigations against Gowher Geelani and Peerzada Ashiq, both journalists, and Masrat Zahra, a photojournalist, contending that their social media posts or reporting were “anti-national.”³²

June 2- IOJK government approves a new media policy for the region. The policy gives limitless powers to the administration to decide fake and anti-national news and to take legal action against journalists or media organizations. In the recent past, several journalists in Kashmir have received police summons for their news stories.³³

June 20- The excise commissioner of IOJK submits a proposal to open 67 liquor shops in Kashmir Valley and 116 such outlets in the Jammu division. The administration next day says no decision has been taken yet. The local religious leaders describe it as an attempt to interfere in the culture and beliefs of the Muslim majority region.³⁴

June 29, the authorities accused Mubeen Shah, a businessman, of sedition after he criticized the government for attempting to alter the Muslim-majority demographic status of Jammu and Kashmir by lifting residency restrictions.³⁵

July 9- UN officials seek probe into torture, custodial deaths of Muslims in occupied Kashmir

Four UN special rapporteurs have asked the Indian government to investigate the alleged torture and custodial killings of several Muslim men since January 2019, it emerged in July.

A report was sent to the Indian government over “the continued deterioration of human rights conditions” in occupied Kashmir, documenting several cases of “arbitrary detentions, violations to the prohibition of torture and ill-treatment and rights of persons belonging to minorities”.

“We remain deeply concerned about the ongoing human rights violations,” said the report shared on the Office of the United Nations High Commissioner for Human Rights (OCHCR) website.

They called on New Delhi “to conduct an impartial investigation into all the allegations of arbitrary killings, torture and ill-treatment and to prosecute suspected perpetrators.”³⁶

July 17- The IOJK government amends the Jammu and Kashmir Development Act. The move allows notifying “strategic areas” for the armed forces in the region. It will allow the Indian Army to construct infrastructure.³⁷

July 24- The IOJK government orders that army or paramilitary forces need not seek any special permission for acquiring land.³⁸

July 31- A committee set up to act against government employees involved in anti-national activities. The measure is seen to curb opposition from the local employees.³⁹

August 2- One year on, India's lockdowns ruin occupied Kashmir's economy

The Kashmir Chamber of Commerce and Industries has pegged the economic losses in the region at \$5.3 billion and about half a million jobs lost since August last year.⁴⁰

August 04, UN experts call for urgent action to remedy “alarming” human rights situation in Jammu and Kashmir. “Urgent action is needed,” the experts said. “If India will not take any genuine and immediate steps to resolve the situation, meet their obligations to investigate historic and recent cases of human rights violations and prevent future violations, then the international community should step up.”⁴¹

Oct 15- After an all-party meet of all pro India political parties of IOJK, that includes National Conference (NC), PDP, CPI(M), PC, JKPM & ANC, is to work towards restoring the special status of J&K after it was revoked in 2019 signed Gupkar Declaration.⁴²

Nov 28- In a Resolution adopted unanimously by the 47th Session of the OIC in Niamey the Council of Foreign Ministers (CFM) reaffirmed its strong support for the Kashmir cause. The OIC categorically rejected illegal and unilateral actions taken by India since 5 August 2019. The Resolution demands that India “cancel the issuance of domicile certificates to non-Kashmiris” as well as other unilateral and illegal actions, including “Jammu & Kashmir Reorganization Order 2020”, “Jammu & Kashmir Grant of Domicile Certificate Rules 2020”, “Jammu and Kashmir Language Bill 2020” and amendments to the landownership laws.⁴³



February 05**Kashmir is on the brink of Genocide, warns American scholar**

Dr. Gregory H Stanton says Biden administration must urge Modi to change his policies.⁴⁴

February 25- India and Pakistan announced their recommitment to a ceasefire along the Line of Control and other disputed sections of the border between the archrivals.⁴⁵

March 16- The Govt. of India informed that as per Jammu & Kashmir government's information, a total of 35,44,938 applications for issue of Domicile Certificate was received till December 31, 2020, out of which 32,31,353 applicants have been issued Domicile Certificates.⁴⁶

May 05- A prominent pro-freedom leader in Indian Occupied Kashmir, Muhammad Ashraf Sehrai, has died inside a hospital in southern Jammu city, where he was in detention for the last year. He was 77.⁴⁷

May 28-India and Pakistan should “refrain” from taking steps that would alter the status of the disputed territory of Kashmir, the president of the United Nations General Assembly (UNGA) Volkan Bozkir.⁴⁸

June 10-India handed more than 3.4 million fake domicile certificates to non-Kashmiris in order to change the demography of IOJK. India continues with its design to change the demographic structure of the occupied territory in clear violation of international law, including the 4th Geneva Convention. Zahid Hafeez Chaudhri, spokesperson for Pakistan's Foreign Ministry.⁴⁹

June 24- Indian PM Modi met 14 so pro-Indian politicians from IIOJK in Delhi for the first time after the abrogation of Articles 370 and 35 A. It was not a surprise move as behind the doors, RAW was making preparations with these so called leaders while the actual leaders remain behind bars. Holding a conference with some so called politicians is not acceptable to Kashmiris as it gives a false impression to the international community that India is serious in bringing normalcy to IIOJK.

July 21- Officials in IOJK barred Muslims from offering prayers in the historic Jamia Masjid, Dargah Hazratbal, Eidgahs and other big mosques by erecting barricades. Kashmir's largest mosque, Jamia Masjid Srinagar, were closed, while Eid prayers were allowed only in a few small mosques located in peripheral areas of the Kashmir valley.⁵⁰

July 21- In a significant move, the Jammu and Kashmir administration has announced to issue a domicile certificate to the husband of a native woman. Earlier, the J&K women who were married outside the Union Territory made their spouse ineligible for domicile certificate.⁵¹

July 30-The vice president of European Parliament and its 15 members include; Fabio Massimo Castaldo (ni); Dino Giarrusso (ni); Javier Nart (renew Europe); Chiara Maria Gemma (ni); Salima Yenbou (greens/efa); Carles Puigdemont I Casamajo (ni); Antoni Comin I Olivares (ni); Clara Ponsati Obiols (nd); Brando Benifei (s&d); Massimiliano Smeriglio (s&d); Manuela Ripa (greens/efa); Idoia Villanueva Ruiz (gue/ngl); Rosa D'amato (greens/efa); Andrea Cozzolino (s&d); Doménec Ruiz Devesa (s&d); And Helmut Scholz (gue/ngl) sent a letter to the EU

Commission president and the bloc's foreign policy chief regarding the "worsening humanitarian and human rights situation in Kashmir."

"As a champion of universal human rights, fundamental freedoms and the ruled-based international order, the EU must raise its voice against the violations of human rights affecting the people of Jammu and Kashmir. EU should use all its leverage and tools" to cooperate with India and Pakistan "to honour the pledge made to the Kashmiris by the international community" and to implement UN resolutions. The restraint of the rights to movement, access to information, health care, education as well as free speech have been intensified by the Covid-19 pandemic."

Arbitrary detention and prohibition on public assembly continues, journalists and human rights defenders have been increasingly targeted."

"In addition to being a humanitarian crisis, the long-standing dispute over Jammu and Kashmir in south Asia also poses a major threat to peace, stability, and security in the region, It is extremely important that the voices of Kashmiri people are heard, their aspirations are responded to and they are granted the opportunity to decide their own future."⁵²

July 31, Prominent Journalist Qazi Shibli, previously held under the Public Safety Act, was questioned and detained.⁵³

September 01.

Veteran Kashmiri leader Syed Ali Geelani passed away in Srinagar late Wednesday. The prominent leader died at the age of 92.

It prompted the Indian authorities to impose a security clampdown in Indian Illegally Occupied Jammu and Kashmir (IIOJK). The occupation forces put up barbed wire and barricades on roads leading to Geelani's house in the main city of Srinagar after the family announced the death.

Announcements were made from loudspeakers of the main mosque near Geelani's residence asking people to march towards the house. But police said no one in the valley would be allowed to leave their homes. Thousands of security forces were immediately deployed and mobile internet services were cut across the valley.

Scores of armored vehicles and trucks patrolled main roads in Srinagar. Geelani was an uncompromising campaigner against Indian rule in the region divided between India and *Pakistan* since 1947. He spent years in jail and had been under house arrest for most of the past 11 years. He had been ill for several months with heart and kidney problems.

Geelani was born on September 29, 1929. Geelani was a veteran of Kashmiri politics and the Chairman of Tehreek-e-Hurriyat Jammu and Kashmir and All Parties Hurriyat Conference (APHC).

He was a staunch opponent of the Indian illegal occupation of Jammu and Kashmir and led Kashmiris' struggle for the right to self-determination. The veteran politician was jailed for nearly 10 years after 1962 and often restricted to his home after that.

Previously, he was a member of Jamaat-e-Islami Jammu and Kashmir but later on founded his own

party by the name of Tehreek-e-Hurriyat.

He served as the chairman of All Parties Hurriyat Conference, a forum of freedom parties in Jammu and Kashmir. He was a member of the Kashmir Assembly from the Sopore constituency of Jammu and Kashmir three times (1972, 1977 and 1987).⁵⁴

September 07 2021 : Genocide Watch issued a genocide alert for IIOJK.⁵⁵

September 12, 2021: Pakistan unveils dossier on war crimes, human rights violations in Indian-occupied Kashmir.⁵⁶

October 29

For the first time in many years, the Jammu and Kashmir government is allotting bulk land to the Central Reserve Police Force (CRPF) at 10 places in the otherwise volatile south Kashmir to build permanent facilities for troops and families. The exclusive enclaves would be built at four locations in Pulwama, and three places each in Shopian and Anantnag, according to a fresh government order that was issued on Thursday.

This is for the first time after the abrogation of Article 370 clauses that a vast tract of land, 65 acres, has been allotted to the CRPF. The order for the land allotment to the force was issued by the administrative council led by Jammu and Kashmir lieutenant governor Manoj Sinha.⁵⁷

November 23: Khuram Pervaiz arrested.

On November 22, 2021, famous human rights activist and coordinator of Jammu and Kashmir Collation of Civil Society (JKCCS), Khurram Parvez was arrested by National Investigation Agency (NIA) and local police on the charges of “Criminal Conspiracy” against the Government of India and raising funds for terrorist organizations.⁵⁸ Mr. Pervaiz is also coordinator of Association of Parents of Disappeared Persons (APDP) as well as chairperson of Asian Federation Against Involuntary Disappearances (AFID).

November 28: Oxford University students hold protest against Indian atrocities in IIOJK, demand release of Khurram Parvez.⁵⁹

November 29: Modi to sack 47 more Govt. employees in IIOJK on fabricated charges

In Indian illegally occupied Jammu and Kashmir, the Modi-led fascist Indian government is all set to terminate, at least, 47 more Kashmiri government employees on the fabricated charge of being involved in suspicious activities.

28 employees have already been shortlisted for termination from the government job. 19 more employees who are under the radar of the Modi regime have been placed in ‘non-performing’ category, and are awaiting termination. As per media reports, termination of these 47 government employees may take place anytime.

Majority of the employees, to be sacked, are Muslims and belong to the Kashmir valley, while couple of them hail from Muslim districts of Jammu region.⁶⁰

December 17-19

A recent tribunal on genocide and war crimes in Kashmir is a model on wresting narratives from the paralyzed international community. Amidst the international community's apathy and the ineptitude of international courts to take on genocide and war crimes, how can victims seek justice in a transparent public trial and get their voices heard? The answer to this question can sometimes take an unexpected, but effective, path.

On 17-19 December 2021, the Russell Tribunal on Kashmir took place in Sarajevo, Bosnia and Herzegovina. This grassroots initiative is designed to shed light on war crimes and crimes against humanity committed by India in Kashmir. The choice of Sarajevo was not fortuitous, as it was the scene of genocide in the 1990s.

The Russell Tribunal is a concept of grassroots justice conceptualized by British philosopher Bertrand Russell (1872-1970). The latter decided to hold the US government to account for the exactions and war crimes committed during the Vietnam War. Russell managed to convince other leading intellectuals, such as Jean-Paul Sartre, Simone de Beauvoir, and Leilo Basso, to organize a people's tribunal in 1966 to spread awareness and mobilize global opinion against war crimes and other blatant violations of international law.

The International War Crimes Tribunal on Vietnam indeed lacked substantive legal authority, and the US administration ignored its findings. However, this initiative was ground-breaking from a non-judiciary vantage point. It managed to seize the narrative from American warmongers, empowering voiceless Vietnamese victims and bringing their suffering to the fore. The counter-narrative brought forward by the Russell Tribunal was so powerful that this model was emulated by other victims of war crimes in Palestine, Bosnia, Iraq, and Latin America.

The Russell tribunal works in a way comparable to a truth commission. A panel of judges, chosen for their academic pedigree and personal integrity, listen to witnesses and experts who outline personal experiences and draw on facts and figures. The series of testimonies and expert presentations produce at the end sufficient evidence for the panel to consider.

The Russell Tribunal on Kashmir was organized jointly with leading human rights organizations and academics from Kashmir, Bosnia, and Italy. The tribunal involved 15 international judges, including renowned American Islamic scholar Omar Suleiman. Also among the judges was Jonathan A. C. Brown, associate professor at Georgetown University's Edmund A. Walsh School of Foreign Service, as well as Dalia Mujahid, director of research at the Institute for Social Policy and Understanding in Washington, DC. Concurrently, David Hearst, managing editor of Middle East Eye and former chief writer of the Guardian, participated in the proceedings, as did Bosnian author Hasan Nuhanovic, a survivor of the 1995 Srebrenica massacre.

The sessions focused on four themes: genocide, decolonization, settler colonialism, and crimes against humanity. Several witnesses from Kashmir participated in the event. At the same time, experts cited reports by international human rights organizations, such as Amnesty International and Human Rights Watch, dwelling on previously conducted interviews with survivors on the ground.

In this event, an extremely gloomy picture emerged. Indian occupation has waged a military,

political, economic, social, cultural, and moral war against the Kashmiris over the past 70 years. The Hindutva-inspired Indian settler-colonial actions in Kashmir have repeatedly breached international law on numerous accounts.

Mass murder, excessive use of force, mass displacement, demographic re-engineering, forced disappearances, torture, mass rape, dispossession, home demolition, destruction of cultural heritage, restriction on all freedoms were all committed within a general climate of impunity.

Many experts believe this situation has reached the threshold of genocide amidst the total defenselessness of the victims.

In the meantime, the Narendra Modi government in India man oeuvres to sweep the Kashmir tragedy under the carpet, using various PR smokescreen tactics to deflect attention from the dire situation there. Among the most common stratagems in this context are depicting human rights criticism as pro-Pakistani conspiracy and concealing the atrocities under the mantra of counterterrorism. Moreover, the Modi government imposes a total blackout on the situation, blocking foreign journalists and international human rights experts from even visiting Jammu and Kashmir.

Russell's Tribunal on Kashmir helped expose the genocide in Kashmir and publicly pulled the rug out from the old myths constructing India as the world's biggest democracy. The testimonies and large body of evidence delivered during the tribunal's proceedings reveal an increasingly rogue behavior that totally breaches international law and basic principles of public morality.

As Bertrand Russell declared in 1966, "may this Tribunal prevent the crime of silence." Civil society initiatives, such as Russell's tribunal on Kashmir, enable human rights defenders and free societies to step up to the plate, hold criminal perpetrators to account even when international courts and organizations are paralyzed. Staying silent only emboldens extremist-led governments, which benefit from the general apathy to produce even more horrific acts of violence.⁶¹

December 21: Delimitation Commission's recommendations

In a controversial move, the delimitation commission constituted by the Narendra Modi government has proposed six additional assembly seats for the Jammu region and only one more seat for Kashmir, triggering widespread criticism from major political forces in the union territory.

Many view the recommendation as an "assault on political centrality and supremacy" of Kashmir in J&K's politics and "part of the series of measures started by BJP-led government from August 5, 2019 to disempower Kashmiris". The proposal has raised eyebrows as the population living in the Kashmir Valley is 15 lakh more than Jammu, as per the last census exercise.⁶²

December 27: Real Estate Conference

On December 27, the LG Sinha hosted Hardeep Singh Puri and Dr Jitendra Singh and "titans" of India's real estate sector at the 2-day Real Estate Summit at Jammu where 39 MoUs were signed.⁶³

The Hurriyat Conference sought the intervention of the international community. "The government

of India wants to change the demographic character of Muslim majority J&K and disempower its residents through such diktats and measures in order to scuttle the final resolution of the long-standing international political dispute of Kashmir in accordance with the will and aspirations of its people as promised by the international community...,” said the Mirwaiz Umar Farooq. “Since August 2019, in succession one after another authoritarian laws and diktats have been implemented in J&K towards this end. To facilitate the electoral prospects of the ruling party in India, J&K has become its favourite whipping boy.”⁶⁴



January 01

49 civilians among 350 killed in Kashmir in 2021, claims pro-freedom alliance

India trying to change Kashmir's demographics by issuing fake domiciles to non-Kashmiris, All Parties Hurriyat Conference alleges. In 2021, over 350 people, including civilians, militants and Indian forces personnel, were killed in Indian-administered Kashmir, while 1,600 Kashmiris were arrested, a top Kashmiri pro-freedom alliance said in a report. The All Parties Hurriyat Conference (APHC), an alliance of 26 political, social and religious organizations formed in 1993 that has led political resistance to Indian rule, said Indian forces this year also destroyed homes of 134 Kashmiris.

“This year total 355 people were killed, among them 49 were civilians, 178 armed rebels (militants), and 128 Indian occupying forces,” the APHC stated in its annual report, adding that 484 people were injured.

Syed Ali Geelani, the conference’s lifetime chief before stepping down earlier this year, was one of the deceased. Geelani died in September while under house arrest at his home in Hyderpora.

According to the report, the death of Muhammad Ashraf Sehrai, the slain chief of the pro-freedom party Tehreek-e-Hurriyat, who died in police custody this May, was an “extrajudicial killing”.

During the same period, Indian forces conducted 467 cordoned and search operations, 87 gunfights, and arrested 1,686 Kashmiris.

According to the report, 29 Indian soldiers committed suicide in various parts of Indian-administered Kashmir in 2021.

The report was distributed to journalists outside the Diplomatic Enclave, a huge walled compound housing the majority of the foreign missions, including the High Commission of India, where the All Parties Hurriyat Conference staged a small protest against what they called “state-sponsored terrorism by India in Kashmir.”

India is attempting to change the demographics of Kashmir by issuing fake domiciles to non-Kashmiris, claimed Abdul Majeed Mir, the group’s secretary general, based in the Pakistani capital Islamabad. India blocked internet access in Jammu and Kashmir 122 times, the report claimed. “410 people were booked under the draconian Unlawful Activities Prevention Act (UAPA), and 178 others under the Public Safety Act (PSA),” said the report.

Amnesty International has criticized India for its widespread use of the two laws against Kashmiris, including journalists. In a separate report, the Legal Forum for Kashmir (LFK), a global Kashmir advocacy group, claimed that over the last two years “Indian forces buried 388 freedom fighters in unmarked graves in remote areas and denied their families the right to participate in their burial rites.”⁶⁵

January 07:

Jammu & Kashmir inks 6 investment agreements with global investors at EXPO2020

Dubai [UAE], January 7 (ANI/Newsier): India's Union Territory (UT) of Jammu & Kashmir (J&K) has inked six agreements with global investors at EXPO2020 Dubai to bring in investments in the UT's real estate, infrastructure, tourism, healthcare, manpower employment sectors among others.

Manoj Sinha, Lieutenant Governor (LG) of Jammu & Kashmir addressed the Investors Summit in Dubai yesterday, which was attended by renowned business leaders and investors from the United Arab Emirates (UAE).

"Jammu & Kashmir has moved from a sleeping business destination to the land of opportunities and investment. The Union Territory received investments to the tune of USD 2.5 billion in 2021 and showcased the enormous opportunities and business potential in the region," Shri Sinha said.

Jammu & Kashmir has signed 5 MoUs with Al Maya Group, MATU Investments LLC, GL Employment Brokerage LLC, Century Financial and Noon E-commerce respectively; 1 LoI between Magna Waves Pvt. Ltd along with Emaar Group and Lulu International.⁶⁶

January 17:

Professor Gregory Stanton, a genocide studies scholar, Who Foresaw Rwandan Genocide has warned of a possible genocide against Muslims in India.⁶⁷

January 20

UK law firm seeks arrest of top Indian officials for Kashmir 'war crimes'

This is the first legal action against Indian government, military 'for war crimes in Kashmir,' says law firm Stoke White

A UK-based legal investigation firm on Wednesday filed an application calling on the British police to arrest Indian government officials for "war crimes" in Indian-administered Jammu and Kashmir.

"A legal appeal for the arrest of two Indian government officials under the Universal Jurisdiction principle has been made to London's Metropolitan Police, following the release of a report which accuses the individuals of war crimes against Kashmiri Muslims," law firm Stoke White said in a statement.

India's army chief Gen. Manoj Mukund Naravane and Home Minister Amit Shah "could be liable for arrest by the Metropolitan Police's War Crimes Unit ... on alleged war crimes in Jammu and Kashmir," the firm said.

A report by the law firm into alleged war crimes in the disputed Himalayan region suggests that "Indian security forces, headed by Naravane and Shah, have been responsible for the torture, kidnapping and extrajudicial killing of activists, journalists, and other innocent civilians, particularly targeting Muslims."

“This report is dedicated to the families who have lost loved ones without a trace, and who experience daily threats when trying to attain justice,” said Khalil Dewan, the author of the report and head of Stoke White Investigations.

Hakan Camuz, director of Stoke White, said: “The fact that Kashmiri Muslims have only international law to turn to after decades of seeking justice in their own country and only being subjected to further violence for doing so, means Stoke White must begin the process of justice on their behalf, in a country that we understand respects the rule of law.”

Camuz said in a press release that the application to the UK Met Police’s war crimes unit is a “Launchpad to investigate Prime Minister Narendra Modi’s government ministers for war crimes.”

Speaking to Anadolu Agency, Camuz said: “This is the first legal action against (Indian Prime Minister Narendra) Modi and his government officials and military officials for the war crimes committed in Kashmir. “Our investigation is still ongoing and more information is coming out of atrocities taking place in. We will pursue justice as for the victims.” Indian authorities are yet to comment on the issue to Anadolu Agency.⁶⁸

January 21

Indian Govt. Forcibly Takes Over Kashmir Press Club, Journalists Lose A Safe Space⁶⁹

The Kashmir Press Club (KPC), the largest independent media body in Indian Occupied Jammu Kashmir, has been forcibly closed following a raid by armed police. According to media watchdog Committee to Protect Journalists, since 2019, about 12 journalists have faced temporary detention and questioning by the government, police have raided the house of 6 journalists and FIR has been registered for doing their jobs. Even a tweet on a protest by residents over a broken road can land one in a police station.

January 30

Indian forces killed five civilians on January 30, 2022, passing them off as alleged militants. However, civilians claimed that these were common Kashmiris who have never been involved in violence. Further, Indian police reported that a total of 21 Kashmiris have been killed during the entire month of January 2022.⁷⁰

February 08

Indian authorities have arrested the prominent Kashmiri journalist Fahad Shah on politically motivated charges as part of the government’s crackdown on the media and civil society groups in Jammu and Kashmir, Human Rights Watch said today. Since 2019, at least 35 journalists in Kashmir have faced police interrogation, raids, threats, physical assault, or fabricated criminal cases for their reporting.

Shah, editor-in-chief of a leading Kashmir-based news site The Kashmir Walla, was arrested on February 4, 2022 and charged with sedition and support of terrorism after his site reported on a shootout in Pulwama in January in which security forces killed four people they claimed were militants. Police allege that Shah posted “anti-national” content on social media “glorifying terrorist activities, spreading fake news and instigating people.” The police have questioned and detained

Shah multiple times in recent years for his writing.

“Fahad Shah’s arrest is only the latest attempt by the Indian government to frighten off the media for doing its job and reporting on abuses,” said Meenakshi Ganguly, South Asia director at Human Rights Watch. “Instead of ensuring justice for security force violations in Kashmir, the government is more interested in silencing those who bring these abuses to light.”

Shah’s arrest comes amid increasing harassment, threats, and prosecutions of journalists and human rights activists in Jammu and Kashmir. The government intensified its crackdown after it revoked the state’s special autonomous status in August 2019 and split it into two federally governed territories.⁷¹

February 16

In India illegally occupied Jammu and Kashmir, Indian agencies arrested ten people from different areas of the territory.

The personnel of the state investigation agency along with the Indian army, police and paramilitary personnel conducted raids in various districts of south and central Kashmir. At least ten youth were arrested during the raids.

February 17

In Indian illegally occupied Jammu and Kashmir, the State Investigation Agency (SIA), created by the fascist Modi regime to work on the pattern of National Investigation Agency, on Thursday detained Amir of Jammat-e-Islami Abdul Hameed Fiaz and six other Jamaat members for eight hours in the name of questioning. Those “interviewed”, by the SIA include Abdul Hameed Fiaz, Abdul Salam Dagga, Peer Abdul Rashid, Muzaffer Jan, Tariq Ahmad Haroon and Mohammad Yousuf Sheikh.

February 20

The family members of 18-year-old Zeeshan Malik, who died in Indian infamous Tihar jail, New Delhi, said that his body had a lot of injury marks which suggest that he was tortured in the jail. The victim ‘Zeeshan’s shoulder, arms and knees were fractured while ribs were also fractured which is evident from the injury marks. He was killed in a brutal manner, said his uncle. Zeeshan was in jail for three months in a case of stealing cigarettes. On 14 February, investigating officer, Niranjana Kumar asked Zeeshan’s father Ayyub Malik to visit Deen Dayal Upadhyay Hospital to meet his son, whose condition was serious. When Zeeshan’s parents reached the hospital, Kumar informed them that their son was no more. Talking to media men, Zeeshan’s uncle, Furqan, said days ago, Zeeshan’s father met him in the Tihar jail. Zeeshan was hale and hearty at that time. How could he fall ill suddenly, and die? It’s a mystery. “I have seen the photo of Zeeshan’s dead body. He had some injury marks in different parts of his body. If Zeeshan had died due to some illness, there won’t have been any injury marks on his body,” said Furqan, adding that when they saw the body, it was disfigured beyond recognition. His father, however, recognised him only after seeing his toe nails. His mother and sisters recognised him after his face was cleaned.

“Marks of blood clots were visible on his face. His head too bore marks of beatings. He was also hit

in his eyes,” said his uncle Furqan. Zeeshan’s body was not handed over to the family immediately after his death. It took three days for the family to access his body, only then he could be buried. Furqan said they found the injury marks while giving bath to his dead body.

February 24

All Parties Kashmir rally, held in Islamabad on was to seek world’s attention towards the fast deteriorating political and human rights situation in the Indian illegally occupied Jammu and Kashmir (IIOJK). Apart from the AJK President, Barrister Sultan Mehmood Chaudhry, AJK Prime Minister, Sardar Abdul Qayyum Niazi, Leader of Opposition Chaudhry Latif Akbar, former prime minister Raja Farooq Haider, former prime minister Sardar Atiq Khan, former president Sardar Yaqub Khan, President of AJK PTI, Sardar Tanveer Ilyas, Convener of APHC-AJK, Muhammad Farooq Rehmani, PPP AJK President, Chaudhry Muhammad Yasin, PML-N AJK Chief Organizer, Shah Ghulam Qadir, President of JK PPP, Sardar Hassan Ibrahim, Ameer of AJK Jamaat-e-Islami Dr Khalid, President of Muslim Conference, Mirza Shafiq Jral, Abdul Rashid Turabi, Abdul Hameed Lone, Maulana Saeed Yusuf and Maulana Imtiaz Siddiqui addressed the Kashmir rally.

March 17

More than a dozen senior leaders of different political parties of Azad Jammu and Kashmir (AJK), including the incumbent president, prime minister and some of their predecessors, were among the participants of a rally held here on Thursday to underline the urgency of Kashmir issue’s settlement. The rally, organised under a decision of an “all parties Kashmir conference,” began from the Bank Road and concluded near the district headquarters complex where a public meeting was held. Most of its participants were holding AJK flags as well as banners and placards inscribed with slogans highlighting the brutalization of Kashmiris by India in the face of non-settlement of Kashmir issue. The rally was led by Azad Jammu and Kashmir President Barrister Sultan Mahmood, Prime Minister Sardar Abdul Qayyum Khan Niazi, Pakistan Peoples Party President Chaudhry Muhammad Yaseen, Former prime minister Raja Farooq Haider, Muslim Conference supremo and former PM Sardar Attique Ahmed Khan, former AJK president Sardar Yaqoob Khan, President PTI Saradar Tanveer Illyas, leader of the opposition Chaudhry Latif Akbar, JKPP president Sardar Hassan Ibrahim MLA, JKLL president Manzoor Qadir and former JIAJK ameer Abdul Rashid Turabi and the leaders of other political and religious parties.⁷²

March 22

A Meeting of the OIC Contact Group on Jammu and Kashmir at the Ministerial level, was held on the sidelines of the 48th session of the OIC Council of Foreign Ministers at Islamabad, Pakistan on 22 March 2022. The foreign ministers of the Republic of Azerbaijan, the Republic of Niger, the Islamic Republic of Pakistan, the Kingdom of Saudi Arabia, and the Republic of Turkey attended the meeting. The Contact Group issued a Communiqué on the latest developments in Jammu and Kashmir.⁷³

May 05: Delimitation Commission

On May 5, a delimitation commission set up by Modi’s government ordered an increase in the number of assembly seats in Hindu-majority Jammu from 37 to 43. The Muslim-dominated Kashmir Valley received one extra seat, taking its total from 46 to 47. The new assembly gives the

region's Hindu minority more political power. As per the 2011 census, India-administered Kashmir had a total population of around 12,300,000. The Kashmir Valley's population was listed at about 6,900,000 (56% of the region's total) and the population of Jammu was around 5,400,000 (44% of the region). Kashmir valley will now have a 52% seat share in the legislative assembly. Jammu, the BJP stronghold, will get a 48% share in the legislative representation. Opposing the region's new electoral map, scholar Nahid Anjum said: "The delimitation commission has violated the cardinal principle of 'one man, one vote' in J&K (Jammu and Kashmir)."⁷⁴

May 16

The General Secretariat of the Organisation of Islamic Cooperation (OIC) on Monday expressed "deep concern" over India's attempts to redraw the electoral boundaries of Indian Occupied Kashmir (IOK), altering the demographic structure of the territory and violating the rights of the Kashmiri people. In a statement shared on Twitter, the OIC said the delimitation exercises were in direct contravention of the relevant UN Security Council (UNSC) resolutions and international law, including the 4th Geneva Convention.⁷⁵

May 25

Hurriyat leader Yasin Malik was today sentenced to life in prison by a special Delhi court. Earlier, India's National Investigation Agency had sought the death penalty for Yasin Malik in a fictitious terrorism case. "Two life sentences and five punishments of 10 years of rigorous imprisonment each have been awarded. All sentences are to run concurrently. A monetary penalty of over ₹ 10 lakh has also been levied," lawyer Umesh Sharma said.

According to details, the NIA demanded the maximum punishment under Section 121 (Waging war against the government) which is the death penalty in this case. The minimum punishment is life imprisonment.

To clarify, Yasmin Malik is the Chairman of Jammu Kashmir Liberation Front, an armed group that rose against Indian atrocities in occupied Kashmir. However, Yasmin Malik renounced violence in 1994 and adopted peaceful methods to come to a settlement on the Kashmir conflict.

In 2019, the Indian government arrested Malik, banned the JKLF, and stripped Indian-administered Kashmir of its special status.⁷⁶

June 10

"Since 2019, the Indian authorities have imposed collective punishment measures against the Kashmiri population under the garb of 'counter-terrorism' measures. But the recent spate in targeting of civilians raises further questions on the government's actions which include a heavy-handed crackdown on peaceful protests in the valley including those recently held by Kashmiri pandits who were subjected to baton charges and tear gas shells. The relentless crackdown on politicians, journalists, human rights activists and even the closure of the state human rights commission has further stifled independent voices and left the people of Kashmir without an appropriate remedy," said Aakar Patel.

Since the revocation of Jammu & Kashmir's special status in 2019, the Indian authorities, have

arrested many human rights defenders including journalists and activists under the Unlawful Activities (Prevention) Act, India's primary counter-terrorism law. At least 36 journalists have faced interrogation, raids, threats or physical assault for their reporting until now. According to Access Now, people in Jammu & Kashmir faced at least 85 internet shutdowns in 2021 – one of the highest in the world. The shutdowns were imposed for long periods of time and in violation of India's Supreme Court that held that internet shutdowns must satisfy the tests of necessity and proportionality. According to the digital rights organization, these shutdowns were imposed as part of "counterterrorism" measures.

Even though, the Indian authorities have claimed a significant improvement in the security situation in Jammu & Kashmir, the Armed Forces (Special Powers) Act remains on the law books. The legislation officially tasks the security forces with protecting civilians, upholding national security and combatting violence by armed groups. However, in the name of security operations, security force personnel have historically committed many grave human rights violations – including torture, rape and extrajudicial executions – which have gone unpunished. The failure to address these abuses have violated the rights of the victims to justice and remedy, which is enshrined in the Constitution of India and the international human rights law.⁷⁷

June 21

The second generation young Kashmiri diaspora from across the European continent gathered in front of the United Nations in Geneva to support freedom for Kashmiris on Monday. Scores of people from various cities in Europe and the United Kingdom (UK), including human rights activists, social workers, academicians and a large number of second-generation Kashmiri millennials living in the EU and UK unequivocally condemned the recent spree of the killing of innocent people in Indian Illegally Occupied Jammu & Kashmir (IIOJK) and urged the international community to take notice of violation of human rights, and systematic killing of Kashmiri youth in the occupied Kashmir valley, says a message reaching and released to the media here on Tuesday.

” By referring to Human Rights Council, these young people made emotional appeals that the world must understand the pain, agony and sufferings of Kashmiris. Every other day wails of Kashmiri mothers reverberate and echoed in the valley when their sons are targeted in fake encounters and buried without the permission of performing last rites”, the message said.

“This must end – International conscience should not be so oblivious and blinded by the size of the Indian economy that it forgets the fundamentals of democracy and value system.

Protestors demanded uninterrupted access to the United Nations fact-finding mission to occupied Kashmir to assess the on-ground situation. We will stand through thick and thin with our Kashmiri brethren for their freedom and would always raise our voices against repression and occupation internationally, said a young lawyer who traveled all the way from the UK to attend this protest”, speakers categorically said.

The second generation of the Kashmiri diaspora is deeply attached to the struggle of the people of Jammu and Kashmir against Indian occupation, and their active participation is a manifestation of how millennials have taken up the freedom mission and this intergenerational shift has generated a lot of hope for Kashmiris said one of the first generation Kashmiri diaspora leader.

Protestors while speaking to the media stated that the political space has shrunk, people face severe restrictions and freedom of speech is virtually absent under the current Bhartiya Janta Party regime in Kashmir.

One of the students stated that we had high expectations from the international community to hold the BJP Government accountable for human rights violations, pelleting of Kashmiris, and muzzling dissent through force. There is a deliberate effort by Indian forces to exterminate the youth of Kashmir by increasing their alienation, squeezing their social and political space thus forcing them to tread the violent paths as the last resort to resist state oppression.⁷⁸

July 4 : India Stops Pulitzer-Winning Kashmiri Journalist From Leaving Country

Pulitzer Prize-winning photojournalist Sana Irshad Mattoo, who is from Indian-occupied Kashmir, was stopped by immigration officials at the New Delhi International Airport who barred her from exiting the country — without explanation.⁷⁹

July 06 : India Gets YouTube Short Film About Rights Abuses In Occupied Kashmir Blocked

On India's request, YouTube has blocked a short film 'Anthem for Kashmir' that was uploaded on the platform, as it showcases the increasing human rights violations by the Modi government in Indian Occupied Jammu and Kashmir.⁸⁰

August 05 (KMS): The Senate of Pakistan on Friday unanimously passed a resolution urging the international community to review its engagement with India which is disregarding international humanitarian laws and United Nations resolutions on the Kashmir dispute.

The resolution moved by Leader of House Azam Nazeer Tarar recommended the government to expedite its diplomatic efforts to continue to highlight the Kashmir dispute at the UN Human Rights Council.

The resolution strongly rejected India's illegal and unilateral actions of 5th August 2019 saying these are in direct violations of the UN Security Council resolutions and are aimed at changing the demographic structure of IIOJK, suppressing the realization of the inalienable right to self-determination of Kashmiris as well as violating their civil, political, economic, social and cultural rights.

The resolution condemned the Indian atrocities including extra-judicial killings and demolition of homes and private properties as a form of collective punishment in the occupied territory. It deplored change in the status of Urdu language associated with Kashmiri Muslims and their identity.

It called for the resolution of the Kashmir dispute in accordance with the aspirations of Kashmiri people and the UNSC resolutions.

August 05 (KMS): Jeddah, The Organization of Islamic Cooperation (OIC) has called upon the international community to take concrete steps for the settlement of the Kashmir dispute in accordance with the relevant UN Security Council resolutions.

The General Secretariat of OIC, in a statement released on its website recalling the resolutions of

the Islamic Summit and Council of Foreign Ministers on Jammu and Kashmir, reaffirmed the OIC's solidarity with the Kashmiri people in the realization of their inalienable right to self-determination.

The OIC Secretariat called for respect of Kashmiris' fundamental right to freedom and basic human rights and also urged reversal of all illegal and unilateral measures taken by Narendra Modi-led fascist Indian government on or after 5 August, 2019.

August 5, 2022 marks the completion of three years of the illegal and unilateral actions taken in Indian illegally occupied Jammu and Kashmir, which were followed by additional unlawful measures, including illegal demographic changes.

Report on HR Violations in IIOJK (August 5, 2019 – August 5-2022)

Srinagar, August 05 (KMS): In Indian illegally occupied Jammu and Kashmir, killings, extrajudicial executions, arbitrary arrests, destruction of property and other grave human rights violations have witnessed a surge to an alarming proportion following Hindutva Indian government of Narendra Modi's illegal move of repealing the special status of the territory on August 05, 2019.

A report released by the Research Section of Kashmir Media Service on the completion of three years to the puppet regimes illegal and unconstitutional move, today, revealed that Indian troops have martyred 662 Kashmiris including 13 women during the period. It said that senior Hurriyat leader, Muhammad Ashraf Sehrai, was among dozens of Kashmiris who died in the custody of Indian police. It said that at least 2,278 people were critically injured due to the use of brute force including firing of bullets, pellets and teargas shells by Indian troops, paramilitary and police personnel on peaceful demonstrators and mourners in the territory.

The report pointed out that the killings since 05 August 2019 have been higher than those in 2011, 2012, 2013, 2014, 2015 and 2019. It said, most of the victims were killed in fake encounters and in custody during violent cordon and search operations in the length and breadth of the territory. It said, many youth were picked up from their houses and then eliminated after being labeled as mujahideen or over ground workers of ongoing struggle of right to self determination and Hurriyat organizations. It added that most of the arrested youth were booked by Indian forces under black laws like Public Safety Act and Unlawful Activities (Prevention) Act (UAPA).

The report said the killings by the troops since 05 August 2019 till date have rendered 38 women widowed and 91 children orphaned. It said, the troops damaged over 1,093 houses and structures and molested or disgraced 125 women and arrested 17,993 people including aged woman and half a dozen girls during cordon and search operations across the occupied territory in the period.

The report maintained that the life of Kashmiris has been particularly made miserable since India illegally abrogated Article 370 and 35A of its constitution on 05 August 2019. The move, the report added, was aimed at snatching away the identity of the Kashmiris through changing the Muslim-majority status of the occupied territory into a minority.

As the entire occupied Kashmir has been turned into an open-air prison, thousands of Hurriyat leaders and activists, religious and political leaders, businessmen and civil society members and youth were arrested after or before 5 August 2019 and still continue to remain in different jails of

India and IIOJK. Prominent among them are;

APHC chairman, Masarrat Aalam Butt, Shabbir Ahmed Shah, Muhammad Yasin Malik, Aasiya Andrabi, Nayeem Ahmed Khan, Fehmeeda Sofi, Naheeda Nasreen, Ghulam Ahmad Gulzar, Mushtaqul Islam, Altaf Ahmed Shah, Ayaz Muhammad Akbar, Peer Saifullah, Raja Merajuddin Kalwal, Shahid-ul-Islam, Farooq Ahmed Dar, Syed Shahid Yousuf, Syed Shakeel Yousuf, Muzafar Ahmad Dar, Ghulam Muhammad Butt, Muhammad Yousuf Mir, Muhammad Yusuf Falahi, Muhammad Rafiq Ganai, Hayat Ahmed Butt, Dr Qasim Fakhtoo, Ghulam Qadir Bhat, Muhammad Shafi (Khan) Shariatee, Showket Hakeem, Mehrajidin Nanda, Waheed Ahmad Gojri, Mehmood Toopewali, Feroz Adil Zargar, Dawood Zargar, Noor Fayaz, Eng Rashid, human rights activists, Khurram Parviaz and Muhammad Ahsan Untoo and journalists Aasif Sultan and Fahad Shah had been languishing in different jails of India and the territory under black law, Public Safety Act and UAPA and were yet to receive justice.

Senior APHC leader, Mirwaiz Umar Farooq continue to remain under house detention in Srinagar while senior resistance leader Mohammad Ashraf Sehrai died during incarceration. At least, 4,500 people have been detained under black laws, Public Safety Act and Unlawful (Prevention) Act (UAPA).

The report deplored that press freedom is under a constant threat in IIOJK where journalists are detained and harassed. The new media policy introduced by the Modi regime in IIOJK has further restricted the flow of free information in the territory, it added.

The report pointed out that India is using brutal tactics to achieve its nefarious goals in IIOJK. “Modi regime is engaged in changing the Muslim majority status of the occupied territory. For this purpose, it has granted domicile certificates to thousands of Indians. RSS-inspired BJP leadership wants to obliterate Muslims from IIOJK. RSS-backed Modi regime is furthering its Hindutva ideology in IIOJK. Properties of pro-freedom leaders are being confiscated to pressurize the leadership. India is re-arranging constituencies in IIOJK to give more seats to Hindus,” it deplored.

The report, however, said the worst Indian brutalities and cruelties have failed to subdue the freedom sentiment of the Kashmiri people and they are determined to keep fighting for their rights, including the right to self-determination. It said that New Delhi must realize the fact that it would not be able to silence the Kashmiris. It said the BJP government must be punished for its crimes against humanity in IIOJK. It maintained that the world community must take cognizance of India’s brutal actions in the occupied territory and force it to resolve the Kashmir dispute in accordance with the Kashmiris’ aspirations and the relevant UN resolutions.

REFERENCES:

- ¹ <https://www.trtworld.com/asia/timeline-100-days-of-kashmir-s-autonomy-loss-lockdown-31320>
- ² <https://www.dawn.com/news/1497670>
- ³ <https://www.reuters.com/article/us-india-kashmir-bombs-idUSKCN1UT0E2>
- ⁴ <https://www.aljazeera.com/news/2019/8/5/darkest-day-uproar-as-india-strips-kashmir-of-special-status>
- ⁵ <https://www.aljazeera.com/news/2019/8/5/us-calls-for-peace-stability-after-indias-kashmir-move>
- ⁶ <https://www.trtworld.com/asia/timeline-100-days-of-kashmir-s-autonomy-loss-lockdown-31320>.
- ⁷ *Ibid.*
- ⁸ <https://www.dawn.com/news/1499949>.
- ⁹ <https://www.trtworld.com/asia/timeline-100-days-of-kashmir-s-autonomy-loss-lockdown-31320>
- ¹⁰ <https://www.bbc.com/news/world-asia-india-49414213>.
- ¹¹ <https://www.amnesty.org.uk/press-releases/india-let-kashmir-speak-campaign-launched-month-lockdown>.
- ¹² <https://www.reuters.com/article/us-india-kashmir-pakistan-idUSKCN1VY1E0>.
- ¹³ <https://www.youtube.com/watch?v=k8IpIjbT3lc>.
- ¹⁴ <https://www.thenewsminute.com/article/malaysian-pms-speech-un-india-invaded-and-occupied-kashmir-draws-ire-109731>
- ¹⁵ <https://theprint.in/diplomacy/erdogan-support-for-pakistan-on-kashmir-at-un-an-outcome-of-downswing-in-india-turkey-ties/297376/>
- ¹⁶ <https://www.dawn.com/news/1508397>.
- ¹⁷ <https://www.trtworld.com/asia/china-s-xi-says-watching-kashmir-supports-pakistan-s-core-interests-30482>.
- ¹⁸ <https://scroll.in/article/943871/in-jammu-and-kashmir-a-new-department-opens-to-register-land-transactions-and-its-sparked-anger>.
- ¹⁹ <https://www.straitstimes.com/asia/se-asia/malaysias-mahathir-stands-by-kashmir-comments-despite-india-palm-oil-boycott>
- ²⁰ <https://scroll.in/latest/941513/j-k-government-orders-abolition-of-independent-state-commissions-from-october-31>.
- ²¹ <https://archive.pakistantoday.com.pk/2019/10/24/pakistan-welcomes-us-congressional-hearing-on-iok-situation/>.
- ²² <https://www.aljazeera.com/news/2019/10/27/pakistan-denies-use-of-its-airspace-to-indian-pm-modi>.
- ²³ <https://www.dawn.com/news/1514013>.
- ²⁴ <https://www.dawn.com/news/1521030>.
- ²⁵ <https://thewire.in/government/centre-rule-jk-drops-martyrs-day-sheikh-abdullah-birth-anniversary-list-public-holidays>.
- ²⁶ <https://www.dawn.com/news/1528599>.
- ²⁷ https://www.business-standard.com/article/pti-stories/jk-drops-she-e-kashmir-from-name-of-police-medals-120012501244_1.html.
- ²⁸ <https://kashmirilife.net/govt-renames-phe-ific-department-to-jal-shakti-department-231053/>.
- ²⁹ <https://pib.gov.in/PressReleasePage.aspx?PRID=1604415>.
- ³⁰ <https://www.barandbench.com/news/justice-ret-d-ranjan-prakash-desai-appointed-to-head-delimitation-commission-set-up-for-jk-assam-arunachal-pradesh-manipur-nagaland>.
- ³¹ <https://theprint.in/theprint-essential/what-new-jk-domicile-rule-is-and-how-it-impacts-residents-of-the-union-territory/394038/>.
- ³² <https://www.hrw.org/news/2020/08/04/india-abuses-persist-jammu-and-kashmir>
- ³³ <https://theprint.in/india/jk-approves-new-media-policy-to-create-sustained-govt-narrative-thwart-fake-news/434313/>.
- ³⁴ <https://indianexpress.com/article/india/jk-admin-plans-to-open-200-liquor-shops-religious-leaders-in-valley-object-6468677/>.
- ³⁵ <https://www.hrw.org/news/2020/08/04/india-abuses-persist-jammu-and-kashmir>.
- ³⁶ <https://www.globalvillagespace.com/un-officials-seek-probe-into-kashmiris-torture-deaths/>.
- ³⁷ [http://jkhudd.gov.in/pdfs/J&K%20Development%20\(Amendment\)%20Bill-2011.pdf](http://jkhudd.gov.in/pdfs/J&K%20Development%20(Amendment)%20Bill-2011.pdf).
- ³⁸ <https://thewire.in/politics/jk-security-forces-land-acquisition-noc-circular-withdraw>.
- ³⁹ <https://www.tribuneindia.com/news/j-k/j-k-begins%20process-to-act-against-officials-involved-in-anti-national-activities-120315>.
- ⁴⁰ <https://www.arabnews.pk/node/1713651/world>.
- ⁴¹ <https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=26148&LangID=E>
- ⁴² <https://www.thequint.com/news/politics/gupkar-declaration-2-jammu-and-kashmir-meeting-explained>.
- ⁴³ <https://www.oic-oci.org/docdown/?docID=6626&refID=3255>.
- ⁴⁴ <https://www.genocidewatch.com/single-post/kashmir-is-on-the-brink-of-genocide-warns-american-scholar>
- ⁴⁵ <https://thediplomat.com/2021/02/india-and-pakistan-announce-ceasefire-across-disputed-border/>.
- ⁴⁶ <https://m.economictimes.com/news/politics-and-nation/32-31-lakh-people-in-jk-given-domicile-certificates-government-tells-lok-sabha/articleshow/81529996.cms>.
- ⁴⁷ <https://www.aa.com.tr/en/asia-pacific/ashraf-sehrai-ailing-jailed-pro-freedom-kashmiri-leader-dies/2230460>.
- ⁴⁸ <https://www.aljazeera.com/news/2021/5/28/india-pakistan-should-not-change-kashmir-status-unga-president>.
- ⁴⁹ <https://tribune.com.pk/story/2304530/over-3m-fake-domiciles-issued-to-non-kashmiris-to-change-iiojk-demography>.

-
- ⁵⁰ <https://www.dawn.com/news/1636389>.
- ⁵¹ <https://www.timesnownews.com/india/article/jammu-and-kashmir-government-to-issue-domicile-certificate-to-spouse-of-native-woman/788093>.
- ⁵² <https://www.aa.com.tr/en/world/-eu-can-t-back-down-on-kashmir-european-parliament-vice-president/2319724>.
- ⁵³ <https://www.hrw.org/news/2020/08/04/india-abuses-persist-jammu-and-kashmir>
- ⁵⁴ <https://tribune.com.pk/story/2318115/geelani-passes-away-in-iiojk>
- ⁵⁵ <https://www.genocidewatch.com/single-post/genocide-emergency-india>
- ⁵⁶ Jammu & Kashmir Dispute – Ministry of Foreign Affairs (mofa.gov.pk)
- ⁵⁷ <https://www.news18.com/news/india/jk-govt-allots-land-in-10-places-of-restive-valley-for-permanent-crpf-facilities-pdp-cries-foul-4379384.html>
- ⁵⁸ <https://www.bbc.com/news/world-asia-india-59383554>
- ⁵⁹ <https://www.thequint.com/news/india/oxford-university-students-protest-demand-release-khurram-parvez-kashmir>.
- ⁶⁰ <https://www.radio.gov.pk/29-11-2021/modi-to-sack-47-more-govt-employees-in-iiojk-on-fabricated-charges>.
- ⁶¹ <https://www.trtworld.com/opinion/voiceless-no-more-the-russell-tribunal-on-kashmir-52898>
- ⁶² <https://thewire.in/government/why-jks-proposed-delimitation-is-being-viewed-as-unfair-to-kashmir>
- ⁶³ <https://kashmirilife.net/real-estate-concerns-vol-13-issue-40-282979/>
- ⁶⁴ <https://indianexpress.com/article/india/kashmir-realty-summit-7695174/>
- ⁶⁵ <https://www.aa.com.tr/en/asia-pacific/49-civilians-among-350-killed-in-kashmir-in-2021-claims-pro-freedom-alliance/2462814>
- ⁶⁶ <https://theprint.in/ani-press-releases/jammu-kashmir-inks-6-investment-agreements-with-global-investors-at-expo2020/798217/>
- ⁶⁷ <https://www.thequint.com/news/india/expert-who-foresaw-rwandan-genocide-sounds-alarm-for-india-cites-haridwar-event-gregory-stanton-genocide-watch-muslim-community-hate-speech>
- ⁶⁸ <https://www.aa.com.tr/en/europe/uk-law-firm-seeks-arrest-of-top-indian-officials-for-kashmir-war-crimes/2480397>
- ⁶⁹ <https://www.thefridaytimes.com/indian-govt-forcibly-takes-over-kashmir-press-club-journalists-lose-a-safe-space/>
- ⁷⁰ <https://www.aljazeera.com/news/2022/1/31/india-forces-kill-five-suspected-rebels-kashmir>.
- ⁷¹ India: Kashmiri Journalist Held Under Abusive Laws | Human Rights Watch (hrw.org)
- ⁷² Global rights bodies urged to take notice of abuses in IIOJK (tribune.com.pk)
- ⁷³ <https://www.oic-oci.org/docdown/?docID=8657&refID=4261>.
- ⁷⁴ India redraws Kashmir political constituencies ahead of elections | Asia | An in-depth look at news from across the continent | DW | 12.05.2022.
- ⁷⁵ OIC expresses 'deep concern' over India's delimitation exercise in occupied Kashmir - World - DAWN.COM
- ⁷⁶ Yasin Malik gets life in jail instead of death penalty - Global Village Space
- ⁷⁷ India: Increase in unlawful killings in Jammu & Kashmir highlights Government's failure to protect its minorities - Amnesty International.
- ⁷⁸ Geneva Reverberates with Freedom for Indian Occupied Jammu Kashmir - Daily Times
- ⁷⁹ India Stops Pulitzer-Winning Kashmiri Journalist From Leaving Country (thefridaytimes.com).
- ⁸⁰ India Gets YouTube Short Film About Rights Abuses In Occupied Kashmir Blocked (thefridaytimes.com).



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