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Two Years into the Kashmir Lockdown

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On 24th June, Indian PM, Narendra Modi, met with Kashmiri politicians for the first time since the imposition of direct rule in 2019. Many Kashmiri leaders have since been demanding for elections to be held and for the restoration of their semi-autonomy. Yet, these demands have been denied as India continues to work under its policy of delimitation; a process of demarcating the boundaries of parliamentary or assembly constituencies so that each constituency has a more equal number of voters. Modi took to twitter to reiterate his firm stance: “Delimitation has to happen at a quick pace so that polls can happen and J&K [Jammu and Kashmir] gets an elected Government that gives strength to J&K’s development trajectory.” In opposition, Kashmiri regional leaders continued to press for the restoration of autonomy and called for a reversal of the lockdown imposed on 5th August, 2019. As expressed by Omar Abdullah, leader of the regional party National Conference, “We told PM that we don’t stand with what was done on 5th Aug 2019... We’re not ready to accept it, but we won’t take law into hands, we will fight this in court.”¹

Timeline

Indian occupied Kashmir (IoK) has been facing a criminal lockdown since 5th August, 2019, when Modi’s government revoked Article 370 of the constitution; curfews were imposed, mobility restricted, and a communication blackout enforced. This measure also allowed people from India to acquire land in Kashmir; a move critiqued by Kashmiris as a tool to change the demography of the land. One month into the lockdown, there was a severe shortage of food and medicines, which would only worsen with time. Protests by the Kashmiris were met with tear gas and pellets from Indian forces. By late August, stories of brute torture and beatings by Indian forces had begun to surface. Given the undemocratic conditions, the UN Security Council held a meeting solely on the Kashmir issue for the first time since 1965 on August 16, 2019. In September, Amnesty International launched an urgent campaign to end the blackout of Kashmir. And on 28th September, PM Imran Khan critiqued India for its annexation of IoK at the UN General Assembly’s 74th session. By late October, IoK’s constitutional autonomy was officially revoked and it was split into two federal territories: Jammu and Kashmir, and Ladakh. This map was immediately rejected by Pakistan. In November, journalists gathered to protest against the internet black out and, in December, the US Congress moved a bipartisan resolution urging India to end restrictions on communication and mass detentions. Faced with mounting international pressure, the Indian government claimed to have eased some of the lockdown measures in 2020; such as the lifting of roadblocks and re-enabling of some mobile services, such as partial text services for the population and internet services in some government hospitals. Internet services, at large, remained unavailable leading to the Indian Supreme Court rebuking Modi’s government for the unconstitutional blackout. On 16th January, 2020, the UN Security Council met again to discuss Jammu and Kashmir. At this meeting, the Chinese FM affirmed Pakistan’s demand for a plebiscite enabling Kashmiri’s to decide their own future. Yet, India’s policies remained unchanged, seen in the draconian detention extension of four political leaders in IoK

¹ Al Jazeera. “Modi Meets Kashmir Leaders for First Time SINCE Autonomy Revoked.” *Al Jazeera*, 24 June 2021, www.aljazeera.com/news/2021/6/24/india-modi-meets-kashmir-leaders-for-first-time-since-autonomy-revoked.

(including former CMs Omar Abdullah and Mehbooba Mufti), in early February. Later in the month, Indian authorities cracked down on the use of VPNs in Kashmir to restrict access to social media. Former US President, Donald Trump's, visit to India made the US's stance on the matter painfully obvious as he failed to remark on the lockdown, on 25th February. The given situation in Kashmir was further agitated with the detection of the Corona Virus Pandemic in March, 2020. In May, Indian troops launched operations against separatist group Hizbul Mujahideen resulting in the deaths of four Kashmiri fighters, including Commander Riyaz Naikoo. Soon after, on May 13, clashes and protests erupted across IoK, triggered by the fatal shooting of a young man at an Indian checkpoint. Protesters chanted: "Go India, go back." Protests again erupted in July, when Indian troops killed an elderly man travelling with his 3-year-old grandson. These events culminated in the issuance of a special UN report calling on the Indian government to investigate alleged torture and custodial killings of Kashmiris. The lockdowns have also been crippling to the economy, particularly as exports of agricultural produce have been halted. There has been an estimated devastation of \$5.3 billion, with half a million jobs being lost, as per 2020.² The situation worsened as at least 10 civilians were reported to have been injured as cross border firing erupted between India and Pakistan, on 13th November, 2020.³ Tensions heightened later in November, when India strongly rejected a report by the Organization of Islamic Corporation, criticizing its Kashmir policy.⁴ Though a ceasefire has been reached since February 2021, tensions between both states over Kashmir remain high. This year has seen further restrictions places upon the Kashmir people as the 2019 lockdown is coupled with Covid-19 restrictions and curfews.

UN Remarks

Everyday life for Kashmiris has drastically deteriorated since India imposed lockdown; the international community can no longer turn a blind eye to their plight for humanity. The UNHCR has recently remarked upon the discrimination against Kashmiri Muslims in matters of political participation, employment, and land ownership. UN experts have also raised concerns that the number of special domicile certificates from outside of Jammu and Kashmir depicts "that demographic change on a linguistic, religious and ethnic basis is already underway."⁵ Moreover, the first ever UN human rights report issued upon Kashmir calls upon Indian forces to practice restraint and criticizes the unlawful use of force and killings of civilians by Indian troops. The report also draws attention to the mass rapes of Kashmiri women by Indian troops, dating back to the 1980s. Moreover, the need to ease restrictions on mobility and expression, and enable the right to peaceful assembly are emphasized. The report strongly urges India to follow its international human rights obligations.⁶

² DAWN. "One Year of India's Clampdown in Occupied Kashmir - Here's Everything You Need to Know." *DAWN*, 13 Aug. 2020, www.dawn.com/news/1514652.

³ Al Jazeera. "India, Pakistan Report Deadly Violence along Kashmir Border." *Al Jazeera*, 13 Nov. 2020, www.aljazeera.com/news/2020/11/13/pakistan-summons-top-indian-diplomat-over-kashmir-violence.

⁴ Special Correspondent. "India Rejects OIC Reference to Kashmir." *The Hindu*, 29 Nov. 2020, www.thehindu.com/news/national/india-rejects-oic-reference-to-kashmir/article33207774.ece.

⁵ OCHCR. "India: UN Experts Say Jammu and KASHMIR Changes Risk Undermining Minorities' Rights." *OHCHR*, Feb. 2021, www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26758&LangID=E.

⁶ OCHCR. "First-Ever UN Human Rights Report ON Kashmir Calls for International Inquiry into Multiple Violations." *OHCHR*, 2018, www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=23198+.

Implications

Kashmiri Muslims are facing a devastating genocide at the hands of Indian forces. Due to this genocide, there has been a staggering approximate of 700,000 Muslim deaths, since 1947. Incidents of military attacks are an almost daily occurrence for the people of IoK. These factors place IoK's 9 million Muslims at serious risks of ethnic cleansing, as warned by Genocide Watch.⁷ Ethnic cleansing is part and parcel of Modi's policies of brining a "saffron revolution" to Jammu and Kashmir. A pact he made as early as August, 2015.⁸

Part of their policy of ethnic cleansing, the Indian army has time and again resorted to the mass rapes of Muslim women as a way to demean the Kashmiri people, discourage freedom fighters, and propagate hate. Indian officials have also irresponsibly encouraged the "taking of Kashmiri brides." Disgusting remarks such as these reflect Hindu nationalists' very real practices of fostering a rape culture, and promoting demographic changes in IoK.⁹

The militaristic suppression has been made worst due to the pandemic. Medical facilities in Kashmir were unable to cater to the thousands of Covid-19 patients due to a lack of adequate facilities. Al Jazeera approximates that hospitals in the region have "450 units for a population of 12.5 million – or one ICU bed for every 27,000 residents." In comparison, there is no shortage of military personnel, with 1 soldier for every 14 citizens. Pleas for oxygen supplies have been continuously denied since the outbreak. Lockdowns have become tools to impose further military control through siege like conditions. Furthermore, vaccinations have been slow as having no internet access has barred many from registering via the national vaccination system. There are serious implications of aggravated Covid-19 conditions.¹⁰

The full extent of brutality against Kashmiris remains unknown as the Indian state has curtailed journalists. Many are wrongfully tried under the anti-terror law if they attempt to report on ground. Others are unable to report at all due to the communication blackout and military policing. There have been numerous cases of journalist harassment and intimidation by police. At times, harassment can even escalate to death when armed conflict is at its peak. The crackdown against journalists is a gross violation of human rights as it curbs free democratic speech.¹¹

Genocide, ethnic cleansing, militaristic mass rapes, black outs of communication, attacks against civilians, denial of peaceful assembly and the detaining of politicians, activists, and journalists, can all be classified as war crimes committed by the Indian State.

Moreover, the above-mentioned factors have also caused a mental health crisis in Kashmir. A 2015 study shows that nearly 1 in 5 Kashmiris in IoK show signs of PTSD. Numbers which have been further exacerbated since the imposition of lockdown and the pandemic outbreak. Despite the widespread trauma,

⁷ Idrus, Pizaro Gozali. "Islamic Body URGES World to Stop 'Genocide' in Kashmir." *Anadolu Ajansı*, Anadolu Agency, 5 Feb. 2021, www.aa.com.tr/en/asia-pacific/islamic-body-urges-world-to-stop-genocide-in-kashmir/2135533.

⁸ Greater Kashmir. "'Will Bring Saffron Revolution IN JK'." *Greater Kashmir*, 14 Mar. 2015, www.greaterkashmir.com/more/will-bring-saffron-revolution-in-jk.

⁹ Ahmar, Moonis. "Kashmir and the Reality of Ethnic Cleansing." *The Express Tribune*, 30 Aug. 2019, tribune.com.pk/story/2045160/6-kashmir-reality-ethnic-cleansing.

¹⁰ Misgar, Umar Lateef. "Kashmir: Surviving Covid-19 under the Military Boot." *Al Jazeera*, 8 June 2021, www.aljazeera.com/opinions/2021/6/8/kashmir-surviving-covid-19-under-the-military-boot.

¹¹ Parvaiz, Athar, and Swagata Yadavar. "2020 Saw Surge in 'HARASSMENT' of KASHMIR JOURNALISTS." *Al Jazeera*, 30 Dec. 2020, www.aljazeera.com/news/2020/12/29/india-govt-crackdown-forces-kashmir-media-to-self-censor.

there is a lack of treatment. Mental health facilities remain inaccessible to rural populations and even urban populations now struggle with the enforcement of strict checkpoints. Decades of conflict have caused intergenerational trauma which will continue to be passed down if the situation remains unchanged.¹²

Pakistan's Response

PM Imran Khan maintained, in early May, that there would be no talks of reconciliation with India unless the semi-autonomous status of Kashmir was reinstated. Similarly, FM Shah Mehmood Qureshi, was open to the thwarting of relations between both states, only if India would be willing to revisit its decisions taken in August, 2019. Some of the specific changes Pakistan was demanding from India are a reversal of the demographic changes, restoring the statehood reducing military presence, the release of political prisoners, and lifting of restrictions on travel and communication in IoK.¹³

Recommendations

There is a pressing need for active intervention by the UN Security Council. To date, discussions have been ineffective as the Security Council merely attempts to facilitate dialogue between India and Pakistan on the matter. Serious attempts to try India for war crimes and genocide against Kashmiri Muslims must be made. By doing so, the UN will also be supporting indigenous right to the land and the right to self-rule. Various other multilateral platforms should also increase their presence in and coverage on Kashmir, in order to shed light upon the drastic conditions and reject India's "guided tours" which paint a false picture of normalcy in IoK. Pakistan and other Muslim countries can further this move by gathering under the umbrella of Muslim togetherness to support Kashmiris by fostering their indigenous revolution, providing aid, and imposing sanctions against India. The awakening of the OIC is necessary to enable such united support. China can also prove a useful ally to Kashmir; it has backed Pakistan's support of Kashmiris various times at multilateral platforms. Being an emerging superpower, they can further use their clout to directly support Kashmiris. Lastly, the Financial Action Task Force (FATF) must place India on their grey list to condemn its genocide of Kashmiri Muslims.

¹² Sidiq, Nusrat. "Kashmir's Mental Health Crisis Goes Untreated as Clampdown Continues." *The New Humanitarian*, 7 Feb. 2020, www.thenewhumanitarian.org/news/2019/12/23/Kashmir-conflict-mental-health.

¹³ Hashim, Asad. "Pakistan Ready for INDIA Talks If KASHMIR ACTIONS 'Revisited': FM." *Al Jazeera*, 26 Apr. 2021, www.aljazeera.com/news/2021/4/26/pakistan-ready-for-india-talks-if-kashmir-actions-revisited-fm.