

HUMAN RIGHTS REVIEW 2016



Insha Malik, 14, blinded in both her eyes due to pellets fired at her by government forces



Jammu Kashmir Coalition of Civil Society

The Bund, Amira Kadal, Srinagar J&K

www.jkccs.net

BRIEF OVERVIEW OF YEAR 2016

The year of 2016 has just ended. The year of 2016 has singularly been one of the most violent years of the last decade. The scale of human rights violence perpetrated against the people of Jammu and Kashmir alone suggests that the governments in Kashmir continue to repress the political aspirations of people with absolute and total violence. The year of 2016 has not just seen the killing of almost 145 civilians at the hands of police and paramilitary personal, but it has seen an upward trend in the number of militants and armed forces killings.

The year of 2016 was marred with an unprecedented cycle of violence. Throughout the year Kashmiris witnessed gross violations of human rights in the form of extrajudicial executions, injuries, illegal detentions, torture, sexual violence, disappearances, arson and vandalism of civilian properties, restriction on congregational religious activities, media gags, and ban on communication and internet services, etc. The most fundamental rights of people were curtailed through the imposition of curfew, strikes and continued violence. The long pending conflict in Jammu and Kashmir continues to take human lives every year, endlessly.

In 2016 the Jammu and Kashmir witnessed the killing of 383 persons which is statistically the highest in last five years. Moreover, thousands and thousands of persons were injured and there were illegal detentions of around 10,000 people besides arson and clampdown of communication services.

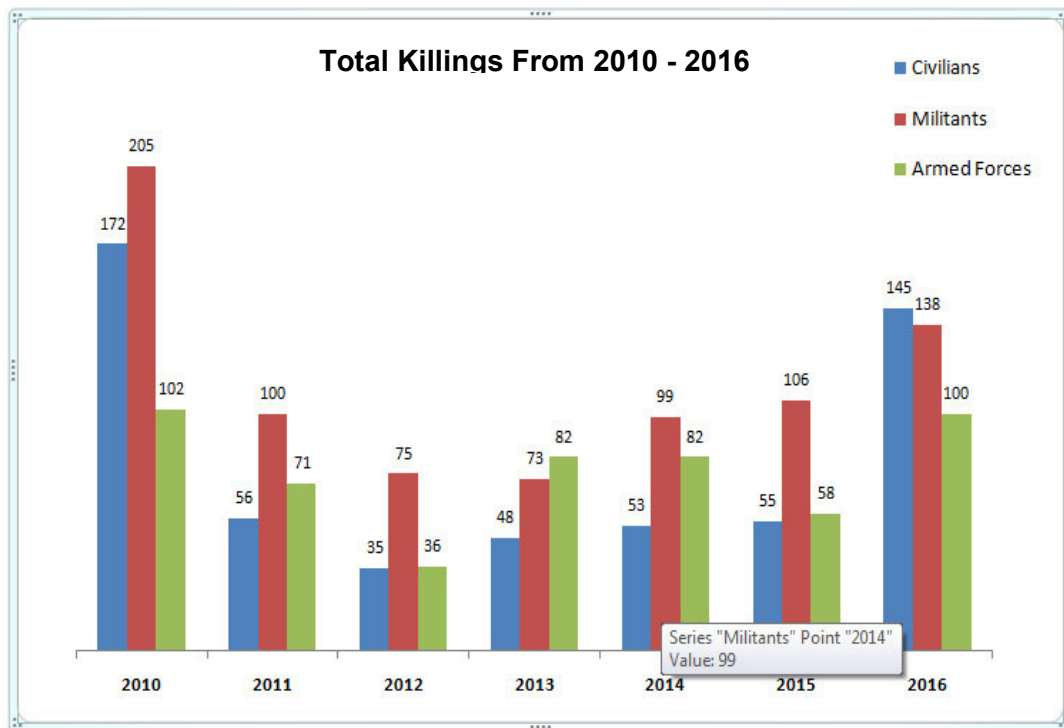
The violence intensified on July 8, after the militant commander, Burhan Wani was killed in an encounter in South Kashmir along with two of his associates. His killing was followed by a mass uprising of people all across Kashmir, protesting the militant commander's death. In order to quell the uprising, the government pressed into service police, military and paramilitary forces, which resorted to excessive use of unbridled force that resulted into large-scale abuse of human rights. During the unrest, there was extrajudicial execution of more than 100 civilians; more than 15,000 persons got injured in the State forces action with 4500+ injuries by the use of pellet shotguns with 1000+ civilians receiving eye damage fully or partially. Protest gatherings and marches, including funeral processions and public prayers, were met with violence. Essential services including telecommunication and internet services remained by and large curtailed. Freedom of Press was

violated as media professionals were attacked and injured. There were instances of ban on publication of few dailies and seizure of daily newspapers. The Medical aid services during the uprising were also affected as there were attacks on ambulances, assault on doctors and paramedical workers and crackdown on voluntary aid workers by various security agencies.

The yearlong cycle of violence and persistent abuse of human rights has been classified and analyzed as follows:

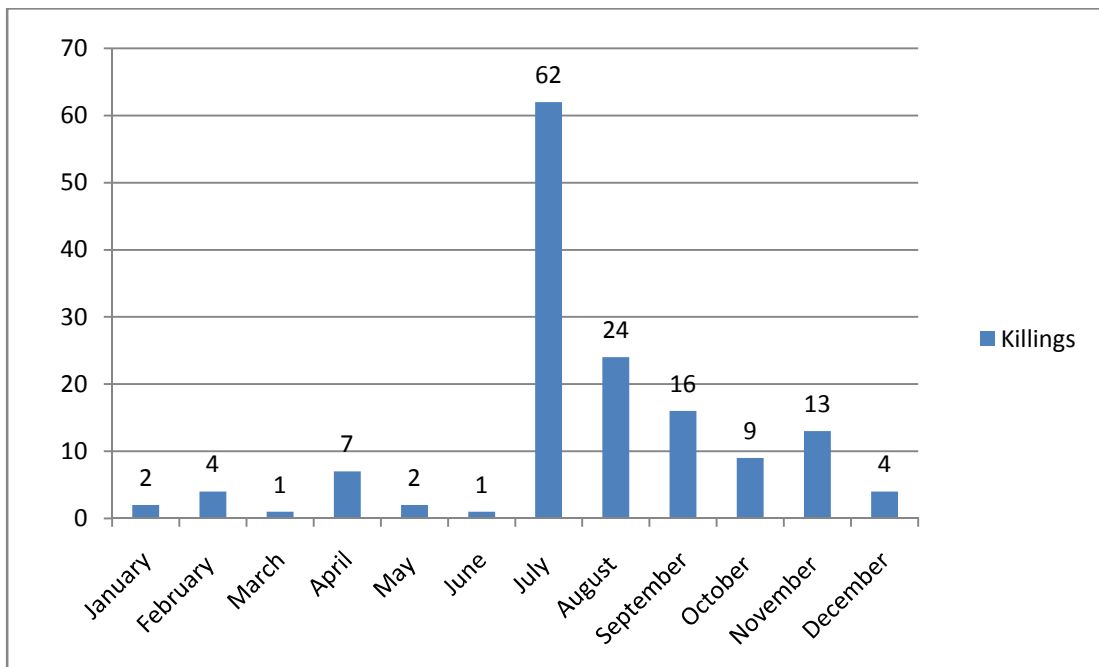
KILLINGS

The protracted conflict in Jammu and Kashmir continues to consume lives every year. This year, though, the killings were statistically higher than the number of killings during the last half-a-decade. The total number of killings in 2016 is at 383. This is singularly the largest number of killings, of both civilians and armed combatants, in the last six years – except the year of 2010 when there were 478 killings. In 2015, there were 217 killings, in 2014 there were 236 killings, while in 2013, there were a total of 204 fatalities. In the year 2012, there were 148 killings and in 2011, the total of number of fatalities was 233.



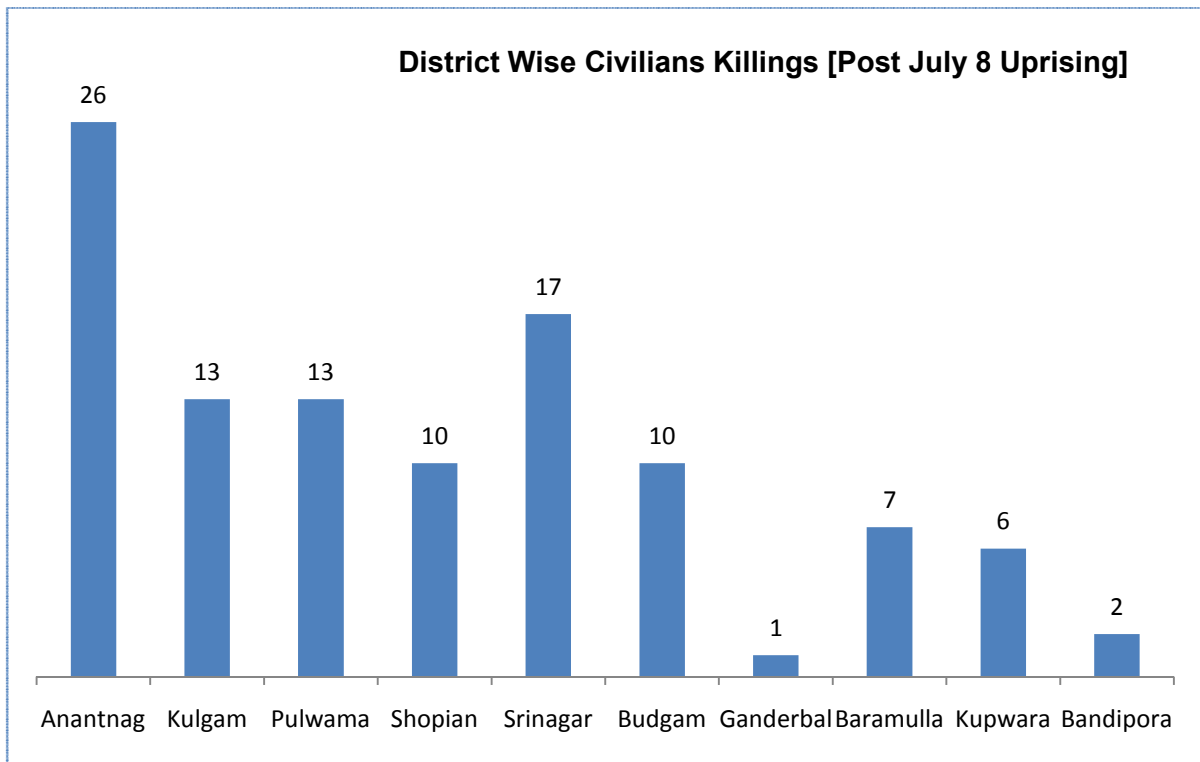
This year, among 383 killings – 145 are civilians, 138 are militants and 100 are state and Indian armed personal. The frequency with which the civilian killings occurred this year was alarming, especially during the mass uprising following the killing of Hizbul Mujahideen commander Burhan Wani and two of his associates in an encounter on July 8. In the first few days after Burhan Wani’s killing, a reign of absolute bloodshed was let loose on Kashmiri people who were protesting the death of Burhan Wani. In the first five days after July 8, a total of 57 civilians were killed in government forces action. Even the Chief Minister of J&K Mehbooba Mufti, on December 14, admitted the use of excessive force by state armed forces during the uprising triggered after the killing of Burhan Wani on July 8.

Monthly wise break up of civilians killed this year



The death due to pellet shot guns, 14 of them, has been highest in last six years, since pellets were introduced in Jammu and Kashmir in 2010. 71 civilians died due to bullet injuries while as 6 people drowned to death during protests. 8 persons were killed after being hit with tear smoke shells while as one civilian allegedly died due to inhaling of PAVA smoke shell. Five people, including three political activists, were shot dead by unknown gunmen. Nine civilians lost their life due to cross border shelling near the Line of Control while as 6 people died of cardiac arrest during raids, accompanied by shelling, by government forces during the uprising.

The cross LOC/Ceasefire Line became volatile after Sep 18 Uri attack, followed by Indian Army claimed surgical strikes across the ceasefire line. This was followed by week's long skirmishes between Indian and Pakistani forces in which both the sides have claimed loss of lives of civilians and their troopers. According to reported figures, 15 Indian army forces died at the LOC due to shelling across Line of Control.



ENFORCED DISAPPEARANCES

This year, there was yet another attempt by the state government to mislead about the disappeared persons whose number is over 8000 since 1989. The new Chief Minister Mehbooba Mufti, on June 22, in her written reply in state legislative came up with another contradictory figure of 4587 'missing' persons. She claimed, like her predecessors, that these 'missing' persons, had 'crossed over to Pakistan and its administered Kashmir' for arms training, a claim strongly refuted by the relatives of the disappeared. Instead of probing the cases of disappeared persons successive governments have repeatedly tried unsuccessfully to hoodwink the people about the truth. The government has developed a shameless habit of lying about human rights violations. From time to

time different governments in Jammu and Kashmir made contradictory statements about what it calls 'missing persons'.

There is a glaring example of three Kupwara men who had disappeared last year on November 17, 2015 when PDP led coalition was yet to complete its first year's rule. The tireless efforts made by their families have so far failed to yield any results. The men were lured by Manzoor Ahmed Khawaja, working for 160 Battalion of the Territorial Army. According to their families they have evidence that the trio had been last seen with Manzoor. According to the families, Manzoor had promised them jobs in Indian Army.

Pertinently, in recent years, APDP has made couple of submissions to the State Human Rights Commission (SHRC) to look into the cases of disappearances. On 10th December 2011, Association of Parents of Disappeared Persons (APDP) submitted 132 cases of enforced disappearances from Banihal to the SHRC.

A year later, on 30th August 2012, the International Day of Disappeared, APDP submitted 507 cases of enforced or involuntary disappearances from Baramulla and Bandipora districts to the State Human Rights Commission (SHRC) for investigations into the causes and circumstances which led to their disappearances.

However, the governments are reluctant to launch in-depth investigations into these cases. They are instead, trying to brand them (disappeared persons) as militants, who had gone across for arms training.

This year, four persons have disappeared from Kashmir valley, three among them went missing during the mass uprising, which started in July with the killing of militant commander Burhan Wani on July 8. Three persons were recorded as disappeared, however, their bodies were later found from different locations. In all the four cases the families accused the state forces of killing them and tried to disappear their bodies by throwing them away to cover up the crime.

1. On Jan 17, exactly after fourteen days of his disappearance corpse of Ghulam Mohammad Hajam, 55, was found abandoned in a field at Katipora, Awantipora in south Kashmir. Ghulam Mohammad, a barber, son of Ghulam Qadir of Tengguna, Pulwama disappeared on January 3, his family alleged, after being taken into custody by the JK police. Ghulam Mohammad allegedly arrested and disappeared while the protesting youth were chased away by police in Pulwama.
2. Fayaz Ahmad Sofi, 45, son of Ali Mohammad Sofi r/o Naidyar, Rainawari, Srinagar disappeared on 9 July 2016 and later his dead body was found on July 16 in Kangan, Ganderbal, a district 30 kilometers away from Srinagar. According to Fayaz's family, his hands were tied, grave injuries were quite visible on his head and he had bruises all over his body, it appears he was tortured before being killed. His family alleged he was being chased and arrested by the state forces.
3. Zahoor Ahmad Mantoo, 17, s/o Sanullah Mantoo of Kakapora, Pulwama disappeared on July 9 and his body was fished out from a river body on July 13. State forces hit a teargas shell on his back and he drowned in river Jhelum. His family accused the forces of throwing him into the Jhelum. Throwing him in river was done with the intent to make him disappeared, as in past scores of disappeared were thrown in rivers and lakes to make them disappear.
4. Aqib Ramzan, 17, s/o Mohammad Ramzan Lone of Lone Mohalla, Khanmoh disappeared on July 24, 2016 and his body was found on 27 July. He was tortured to death by the state forces before being thrown in Khanmoh industrial area. An FIR was registered in the case but the fate of investigation is yet unknown.

INJURIES

This year, as estimated, over fifteen thousand persons received grave to minor injuries that includes blinding, maiming, bone fractures of the civilians in state forces action particularly after July 8, 2016 killing of Hizbul Mujahideen Commander Burhan Wani, which triggered wave of massive protests across Kashmir. Among the bulk of injured were students and minors. It is also pertinent to mention here that hundreds of injured people chose not to get admitted into the govt. hospitals. They treat their injuries in private hospitals and clinics to avoid police harassment, therefore,

making it difficult to ascertain the actual number of injured. There is no actual record of the injured who avoided hospital for treatment to their injuries inflicted by state and paramilitary forces. It appears that the government has disowned the injured youth since July 8. According to reliable sources of JKCCS, organizations working on treatment of injured particularly the pellet victims were being tacitly discouraged by the government not to help the injured, especially the pellet victims. The organizations fearing government backlash are now reluctant to help the victims. This is disastrous because most of the pellet injured victims belong to economically weaker section of the society, and are not in a position to bear the surgical and medical expenses.

As per the data available among the 15,000 injured include 1178 persons have received pellets in their eyes that rendered 52 persons blinded, 300 persons partially lost vision including 150 minors, 4664 persons received bullet injuries in different parts of the bodies. Of the injured, 243 fall under the age-group of 1-12 while 1005 are under the age of 12-15. However, majority (7762) belong to the age group of 16-25.

The state forces used bullets, pellets and teargas shells indiscriminately against the protestors. On August 4, police records revealed that in the past more than three weeks, CRPF personnel have fired more than 6000 pellet cartridges in Kashmir to disperse protestors. On August 18, Central Reserve Police Force informed the Jammu and Kashmir High Court in an affidavit that it had fired **1.3 million pellets** from pump-action guns in the period July 8 to August 11. The CRPF said **it fired 8,650 tear-gas shells during the same period.**

On July 16, a three-member team, headed by ophthalmologist Prof Sudarshan K Kumar from All India Institute of Medical Sciences New Delhi, after examining 60 patients with injuries in retina after their arrival from New Delhi, compared the magnitude of damage caused by the “lethal” weapon to a “war-like situation”.

The world renowned Dr Natrajan, who has served in several conflict zones across the world, says “he has never seen a situation where so many people are liable to lose their eyesight.”

JKCCS CAMPAIGN AGAINST PELLETS

In August, Jammu & Kashmir Coalition of Civil Society (JKCCS) started a campaign for the banning of pellet shot guns. JKCCS created posters with text written in Braille script to make the “blind world” aware about the sufferings of people in Kashmir. *“When you don’t see eye to eye with the brutal occupation in Kashmir. This is how they make you see their point,”* reads a campaign poster.

JKCCS campaign was aimed to make the world notice the use of pellet guns against civilians in Kashmir. The JKCCS want to make a larger point with this campaign about the State aggression and draw the international attention towards Kashmir. The world has gone blind towards the situation in Kashmir.

JKCCS has created a special webpage for its campaign against pellet guns and included Quick Response (QR) codes on the posters directing the viewers to its website. “Scan this QR code to know more about the carnage. Tweet #KashmirBlindSpot and share this poster widely on social media to make the world take notice,” the poster created by the local ad agency BlackSheep.Works.

JKCCS said the rights groups would share the campaign with politicians, academicians, civil society and students in different countries of the world. The 12-gauge, pump-action shotguns first put to use during the 2010 uprising are maiming and blinding the unarmed civilians who include kids as young as 5-year-old and elderly as old as eighty.

ARBITRARY ARRESTS AND ILLEGAL DETENTIONS

Frustrated by the intensity by which people expressed their political aspirations, after Burhan Wani’s killing on July 8, the government resorted to arbitrary and indiscriminate arrests across Jammu and Kashmir to crush these protests. The widespread arrests across Kashmir constitute massive crack down of State to clampdown protests, unforeseen in last two decades. The State resorted to indiscriminate arrests with an estimated 8000+ civilians under illegal detention including **more than 582 under the Public Safety Act, 1978** – a preventive detention law internationally condemned as a “lawless law”. APDP Chief Coordinator Khurram Parvez was also booked and illegally detained under the repressive Public Safety Act in the month of September. Even the UN

High Commissioner for Human Rights, in a public statement expressed concern of the UN, and in effect the international community, for the ongoing violence in Jammu and Kashmir.

Young, minors, aged, human rights activists including renowned civil rights activist Khurram Parvez, lawyers, mentally challenged, cancer patients, and political as well as non-political persons were arrested and booked under controversial Public Safety Act (PSA). Dozens of government employees including 33 of education department have been booked for participating in pro-freedom protests.

Most of the arrests were made during nocturnal raids on the houses by police and CRPF. Reportedly, five persons were booked under sedition charges in Kishtwar in Jammu provision. The FIRs were registered at Kishtwar police station on July 11 and 15 under Sections 120B (criminal conspiracy), 124A (sedition) and 153A (promoting religious enmity) of Ranbir Penal Code (the equivalent of Indian Penal Code in Valley).

Before the onset of July uprising, between January to May, 59 persons were booked under PSA, as per official records.

As per available reports, 9000 persons were arrested in year 2016. Police has registered 2602 FIRs. 582 were booked under PSA, out of whom, PSA warrants have been executed against 524 persons. Most of the arrests have been carried out in south Kashmir districts of Anantnag, Pulwama, Awantipora, Kulgam and Shopian, followed by north Kashmir's Baramulla, Kupwara, Bandipora, Sopore, Handwara and central Kashmir's Srinagar, Budgam and Ganderbal districts.

In an interview to a local daily Special Director General of Police, Coordination, Law and Order S. P Vaid admitted the arrest of 5084 people, including 500 people under PSA. Earlier on November 22, the Indian central government put the number of arrested at 7392 in four months of agitation in Kashmir. In another statement, on November 21, Ministry of Home Affairs, Government of India, replying to questions of parliamentarians during ongoing session of Rajya Sabha said 280 Hurriyat leaders in Kashmir were arrested. However, the figures given by the police and Indian home ministry have been disputed by the human rights groups saying the number of arrests hover around

10,000. The HR groups maintain that many of the boys who were arrested and illegally detained in police stations for days without any charges have not been registered anywhere. There are complaints that in many areas boys were taken to police stations without their record of arrest being registered in official records.

TORTURE

This year as well, as in the past, torture has been used by the armed forces in Jammu and Kashmir against civilians, particularly the youth. The frequency with which torture has been inflicted on people of Jammu and Kashmir demands rigorous research. After the July 8 uprising in Kashmir, the allegations of humiliation and torture of youth was comparatively high this year.

During the uprising, hundreds of youth were tortured on the streets by the forces and many of them died in the hospital later. There are allegations that youth arrested post July 8 uprising were humiliated and unclothed in jails.

According to human rights activist Khurram Parvez, who was detained under PSA for over two months in Kot Bhalwal jail Jammu, the boys arrested on charges of stone pelting were stripped on their entry inside the jail. This was done to humiliate and demoralize them.

Many youth who were arrested during the post July 8 uprising in Kashmir alleged to have been tortured in various police stations.

Civilians who died due to torture by government forces:

Hilal Ahmad Parrey of Tengpora was beaten by CRPF personnel on July 10 and on July 16 he died in the hospital. On July 11 Irfan Ahmad Dar of Kaimoh, Kulgam was severely beaten by CRPF when he was trying to save his bullet injured younger brother. Irfan died on July 14. On July 20, Ghulam Mohi-ud-Din Mir of Lolab, Kupwara was tortured to death by army of 41 RR. Body of Aqib Ramzan of Lone Mohalla, Khanmoh was recovered on July 27. His body bore severe torture marks. Ishfaq Ahmad Dar of Tarzoo, Sopore was tortured by CRPF on July 23 and he died on July 31. A government employee, Abdul Qayoom Wangnoo of Aali Kadal, Srinagar was beaten severely by the CRPF personnel at Hyderpora in Srinagar outskirts on September 9 while he was on his way

to work. Few hours later he died in the hospital. Shabir Ahmad Mangoo of Khrew was beaten to death by armed forces on August 18 in front of his family members. Mansoor Ahmad Lone of Harudshiva, Sopore was tortured by 22 RR in their custody and he died on September 14. A teenager, Kaiser Amin Sofi was first torture and then poisoned by the police on October 10 and on November 4, he died in the hospital.

ARSON AND VANDALISM OF CIVILIAN PROPERTIES

There is no such survey conducted, by this end of this year, through which the actual damage caused to the public property by the armed forces, who were deployed in strength across Kashmir to curb mass protests, could be known. The intensity with which people expressed their political sentiments, were dealt brutally by government forces. Besides killing and injuring people massive property was vandalized to afflict collective punishment on people.

According to conservative estimates hundreds of cases of vandalisation and beating of house inmates has been reported, which includes a death by beating of a young lecturer in Khrew area of Pulwama district by army soldiers on August 17, 2016. Most of the vandalization took place during mid-night raids by armed forces on houses to arrest youth.

Numerous video clips showing armed forces damaging public property also emerged on regular basis. Not only the household goods and windowpanes were damaged, vehicle and two wheelers parked on roads were also smashed. There was also an incident in north Kashmir where the water supply to villages was blocked by the forces.

As per the records gathered from various sources:

- In September, Schichan, Pethbugh, Ugjan, Hari Dialgam, Boni Dialgam, Check and Fatehpora area of south Kashmir and elsewhere, scores of power transformers were made dysfunctional by state forces intended firing at various places. The reports were also from some other areas where forces target power transformers to make them dysfunctional.
- August 18-2016: Armed forces cut water supply to local populace in Saderkote Bala in district Bandipora.

- September 27-2016: in Budran village of Budgam the forces have set ablaze rice crop and grass stacks on fire in four villages of Budgam district, the local villagers said. The villagers said the forces, whom they said were police, paramilitary troopers and soldiers, fired incendiary projectiles into the harvested rice crop that had been left to dry in sun in Budran, Aadina, Kanihama and Mazhama villages. “There was no clash or stone pelting. They burned the crop only to punish us,” said Bashir Ahmad, a victim. He said the forces have also damaged the standing paddy crop in several fields. “This was both the source of our income and daily diet. Ours is a big family. It is the new means of oppression. First, they damaged our electric transformers,” said Mohammad Hussain, a resident of Budran. Hussain said the farmers were already finding it difficult to harvest the crop because of curfew and because of the fear of government forces. Many farmers who spoke to media said the yield has been abundant this year and but for the restrictions they would have completed harvesting by now. Residents of Sundepora village in Bijbehara in Anantnag district alleged that troops set afire at least six paddy stacks in rice fields in the village. The apple boxes have also been damaged by the force.
- Over 6000 to 7000 private vehicles were damaged by the state forces, according to a service executive of a leading car dealership agency.
- More than 500 electricity transformers were allegedly damaged by security forces across Kashmir as an act of vengeance against people. As per officials in the Power Development Department, forces fired bullets, pellets and shells on transformers to plunge areas where protests were taking place into darkness. According to a senior PDD official “most of the damages have been recorded in South Kashmir.”
- As per official figures, around 1100 transformers were damaged in Kashmir during the last three months (July, August, and September).

BURNING OF EDUCATIONAL INSTITUTIONS

Unidentified persons set on fire at least 35 school buildings across Kashmir post July 8 uprising triggering serious concern among the general people, particularly in academic circles. The Jammu and Kashmir High Court took cognizance of destruction of the schools, directing the government

for ensuring the safety of the schools. The organized manner in which the schools were burnt compels for investigation in order to unmask the perpetrators.

Even though police claimed that some of the persons ‘responsible for this destruction’ were arrested but no breakthrough was achieved in identifying the actual people behind this shameful act and bringing them before public. The pro-freedom leadership blamed the state agencies for burning of schools to defame the resistance movement while police accused the stone pelting youth for the destruction of educational institutions.

According to official data: 7 schools torched were in Kulgam, 4 schools were torched in Budgam, 3 schools were torched in Baramulla, 2 schools were torched in Ganderbal, 2 schools were torched in Bandipora, 2 schools were torched in Shopian, 1 school was torched in Srinagar, 1 school was torched in Pulwama, 1 school was torched in Anantnag and 1 school was torched in Kupwara.

STRUCTURES DAMAGED IN ARSON

In 6 months 645 structures damaged in fire incidents

- During past four months of ongoing unrest, at least 645 structures were damaged in mysterious fire incidents across Kashmir. Official data reveals, in October 2016, 242 structures were damaged in mysterious fire incidents. Structures, including residential houses, schools, shops and shopping complexes were gutted. Besides these structures vehicles were also burnt by the unknown persons.

The fire incidents first occurred in south Kashmir and later these spread to other districts across Kashmir.

- In October, this year, the highest number of mysterious fire incidents occurred in Kupwara witnessing damage to 47 structures, followed by Baramulla 38, Anantnag (Islamabad) 34, Srinagar 25, Budgam 19, Shopian 19, Pulwama 18, Ganderbal 17, Kulgam 13 and Bandipora 12.
- On October 29, this year, Kashmir, Kashmir Economic Alliance (KEA), while expressing its concern over rise in mysterious fire incidents had said, “Not only schools but even shrines and shops are going up in flames.”

- On October 11, at least six shops were gutted in a mysterious fire incident at Qamarwari Chowk.
- On October 21, this year, a two storey Masjid and the famous Lalbab Sahib Shrine were gutted in a fire in late evening, in north Kashmir's Baramulla district. On the same evening, the shrine of Lader ud Din Sahab was gutted in Anderwan area of central Kashmir's Ganderbal district.
- On October 24, four mutton shops were gutted in a mysterious fire during the night at Kunzar in north Kashmir's Tangmarg area.
- Official data reveals that in the month of July, this year, 176 structures were gutted in the fire. The structures include shops, shopping complexes, residential houses, vehicles and electronic transformers.
- In July this year the highest number of structures were gutted in south Kashmir's Anantnag (Islamabad) district, which was worst hit due to the present unrest. As per official records, 52 structures were damaged in Anantnag (Islamabad), followed by Kupwara 29 structures, Baramulla 18, Srinagar 15, Kulgam and Pulwama 14 each, Budgam 8, Bandipora 7 and Ganderbal 5.
- In August, 108 structures were gutted. Twenty two were damaged in Srinagar, followed by 18 in Budgam, 16 in Baramulla, 14 in Kulgam, 11 in Anantnag, 10 in Kupwara and 6 in Bandipora.
- In September, 119 structures were gutted in Kashmir. Anantnag (Islamabad) district again topped the list with 27 structures, it was followed by 17 in Baramulla, 14 in Kupwara, 14 in Srinagar, 11 in Ganderbal, seven in Budgam and Kulgam and six in Bandipora.
- On September 21, five shops were gutted in a mysterious fire incident at General Bus Stand Baramulla and on September 25 four more shops and a godown were gutted in the same General bus stand of Baramulla town in north Kashmir.
- A window of SP College in Srinagar was damaged in a mysterious fire incident on November 3 while a school was gutted in a mysterious fire in Naidkhai area of north Kashmir's Bandipora district same evening.
- On Nov 4, mysterious fire erupted in the building of Government primary School Dugpora Gadoora, in Ganderbal, damaging a makeshift kitchen and the school building partially.

- At least 30 shops were gutted in a mysterious blaze in north Kashmir's Kupwara district on November 4. A senior police official said that various private and public structures were set ablaze by arsonists, "All cases are not mysterious fire incidents. Many structures were set ablaze by miscreants. Many of them have been identified and arrested," he said. RS Sodhi, Director General of Fire and Emergency Services said that his department had responded quickly to these incidents and saved property worth crores. "Our priority is control the fire without any delay and avoid loss of human lives at any cost," he added.
- On Nov 9, At least eight residential houses went up in flames in Baramulla district in a devastating blaze. Reports and police said that eight residential houses came under mysterious blaze in Khawaja Bagh area of Baramulla. "Eight houses were damaged in fire at Khawaja Bagh on Tuesday night," a police official said adding that the cause of the fire is yet to be known. Reports said that fire tenders couldn't reach at the spot immediately, due to which fire couldn't be controlled.
- On Nov 9, four shops were gutted in Batamaloo area of Srinagar city. A police official claimed that fire was caused due to short circuit, a claim refuted by the owners of the shops. They demanded that a thorough probe should be conducted to ascertain the cause of fire.

During the uprising, there were also instances of burning of auto-rickshaws and cabs by unknown people. As per reports, at least 4 auto-rickshaws and at least 3 cabs were set ablaze by unknown persons.

ASSAULT ON HEALTH SERVICES and AID WORKERS

As per the data gathered as many as 200 ambulances were attacked mostly by the state armed forces for ferrying the injured, during protests, to different hospitals. At few places young protestors were also accused of hampering movement of ambulances and attacking them with stones. Over 20 ambulance drivers working with the Health Services, Kashmir were injured during the uprising. In one such incident, a CRPF personal in downtown Srinagar targeted an ambulance driver carrying pellet injured persons. However, the injured driver courageously drove the ambulance to the hospital to ensure the safety of the injured victim.

On one occasion, the ambulance drivers association threatened strike if immediate measures for their safety were not taken by the government.

According to reports, in Anantnag district 43 ambulances were damaged, followed by 36 in Kupwara, 22 in Kulgam, 20 in Budgam, 19 in Baramulla and 13 in Pulwama, 10 ambulances were damaged in Bandipora.

According to reports, several hospitals across the valley were attacked by government forces in order to spread terror among the patients and injured people there. On July 10, government forces fired tear gas shells inside SHMS hospital in Srinagar, in which four chronic lung diseases patients suffocated.

SEXUAL VIOLENCE

The sexual assault of a minor girl in Handwara allegedly by an army soldier on April re-confirms the notion that sexual violence has been employed as a strategic weapon of war in Kashmir. No justice has been provided to the minor girl from Handwara. Be it Kunan Poshpora mass rape in February 1991 or Shopian double rape and murder in 2009 or Bandipora rape case, justice seems a far cry. During this year's uprising, there were many allegations of beating of women, which amounts to molestation, by police and paramilitary forces reported by media.

On April 12, a 16-year-old school girl who alleged molestation by an army man had sparked violence in Handwara, leading to the death of five civilians in police and army firing. Immediately, after the incident, the police took the girl into illegal confinement. In the evening, on same day, police released a video of the girl in which she exonerated the Army of involvement in the sexual assault. The girl later made a public statement that the video was taken under coercion with the intent to defame her and fix the blame on the local boys. Instead of acting against the perpetrator, the police did everything to ensure distortion of facts and defame the survivor.

On May 16, in a crowded press conference the girl made a detailed statement about how deceitfully her video statement was shot and the mental torture she had gone through in the police custody.

While the governments and judiciary are ensuring the total impunity to the forces involved in sexual violence, the five young Kashmiri girls produced a book on Kunan Poshpora highlighting the trials and tribulation of the rape survivors.

On February 24 which marked the 25th anniversary of Kunan Poshpora mass rape in 1991 the book titled “*Do You Remember Kunan-Poshpora*” was released by the three Kunan Poshpora rape survivors. The book, dedicated to the Kunan Poshpora rape survivors, has been authored by five young Kashmiri women – aged between 23 and 28. The book was published by Zubaan publications as a part of its eight-volume series on “Sexual Violence and Impunity in South Asia”.

On June 27, the Indian Army [through Ministry of Defence, Union of India] has petitioned the Indian Supreme Court challenging orders of the Jammu and Kashmir High Court on investigations and compensation for Kunan Poshpora rape survivors.

Pertinently, in December 2014, Government of Jammu and Kashmir had challenged the same High Court orders before the Supreme Court on the issue of compensation, and got a stay on the orders. Union of India chose not to respond to this petition despite being given time and opportunity to do so and wasted one year of the courts and survivors time. The Supreme Court heard the fresh army petition on 13 May 2016, issued notice and tagged both petitions to be now heard before the court together. Besides the above two petitions in the Supreme Court, there are three petitions pending before the Jammu Kashmir High Court: one by the survivors seeking investigations and prosecution, and two by the army, against the implementation of the State Human Rights Commission recommendations in this case, and, against the police investigations ordered by the Judicial Magistrate, Kupwara on 18 June 2013.

MEDIA GAG AND ATTACK ON MEDIA PROFESSIONALS

Covering a conflict is not an easy task for media and Kashmir is no different where the situation is not less than warring. State used every means to suppress the raging and widespread protests, and the worst it did was to try to ensure that the repression is not reported by the media. In this regard state and its forces create a hostile atmosphere for local journalists in Kashmir.

Many journalists were attacked, humiliated and abused by the armed forces. Even in one instance, two photo-journalists were targeted by the forces with pellets – in which one photojournalist has lost vision in one eye. The forces show no respect to official curfew passes, therefore, making difficult the movement of media. The journalists were also attacked by some unknown persons in hospitals where they were taking the accounts from the injured.

On 16 July, the Jammu and Kashmir government imposed a press emergency. The police raided the newspaper installations and seized copies of newspapers and printing plates. They said that, in view of the curfew, movement of newspaper staff and the distribution of newspapers would not be possible "for a few days". For five consecutive days, July 16 to July 20, the Kashmir print media stopped its publication in view of the threats and raid conducted by the police at the office of Greater Kashmir. One of the leading newspapers Kashmir Reader was banned on October 1 till December 27. When the Chief Minister was asked about the reasons for banning media, she feigned ignorance.

Pakistani news channels were taken off air. The Govt. also ordered blockade of 5 Indian news channels for their reportage on Kashmir uprising. However, later due to unknown reasons the order was not implemented.

The government decision to shut the internet service was with the intent to disconnect the people. The ban invited the large-scale local and international condemnation.

Few incidents in chronological order:

Aug 05: Kashmir Reader photojournalist Muneeb ul Islam was beaten up by government forces at Semthan, Bijerbehara, in Anantnag district.

Aug 17: Sumaiya Yousuf Rising Kashmir female journalist was abused by police officials in Jawhar Nagar, Srinagar.

Aug 19: Journalists were asked by the forces to get the curfew passes from Govt. of India.

Aug 21: Journalists face harassment during evening hours at the hands of state forces.

Aug 29: Forces in Firdousabad locality of Batamaloo Srinagar allegedly damaged the house of senior photo journalist Danish Ismail.

Sep 04: Many journalists were beaten while two journalists namely, Muzamil Mattoo of Kashmir Reader and Zuhaib Maqbool working for an online new portal were targeted with pellets by the state forces while performing their professional responsibilities during the a protest in Rainawari. Zuhaib's eyes were badly injured with pellets.

Oct 19: A Greater Kashmir journalist Irfan Parray from Bandipora was ruthlessly beaten by CRPF at Karan Nagar where he was dragged out of his car. He was on his way to Press Enclave at Regal, Lal Chowk Srinagar. The beating was so severe that his left leg was fractured. He was abused and humiliated.

Oct 19: Founder/Editor of J and K Now, Vijdan Kawoosa was summoned by Jammu Kashmir Police at its cyber cell in Srinagar regarding a video statement of Hizbul Mujahideen outfit that he had published over a month ago as part of routine news. Police has also took notes of Vijdan's e-mail addresses, phone numbers and family members, and have also took the password of his Facebook profile to which his website's page is linked.

STATE VIOLENCE AGAINST PEACEFUL PUBLIC MEETINGS

The aftermath of Burhan Wani's killing in an encounter on July 8 saw an unprecedented public outpouring for the demand of right to self-determination by people of Jammu and Kashmir. People all across ten districts of Kashmir assembled for public meetings and rallies to demand right to self determination and resolution of Kashmir conflict. From 20 August to December 25, a period of strict curfew and shutdown, as many as 367+ public rallies for self-determination were held all over Kashmir. The government's unbridled use of force on these peaceful public meetings/rallies, which are either funeral processions of the civilians killed by government forces or peaceful political rallies where people demand their right to self determination, across Kashmir valley has resulted in death of at least three people, and injuries to 2370+ people, including severe injuries to a youth in Budgam during a peaceful rally when a police Rakshak vehicle ran over him in their attempt to foil the rally. Many of the injured were shot by pellet shot guns, causing injuries to eyes and other body parts.

The violence used by government forces against un-armed peaceful rallies deflates its claims that its forces only resort to violence when they are pelted with stones. Contrary to government claims, the use of force against the peaceful demonstrators acts as a provocation to people and youth in

particular who then retaliate by stone throwing on Indian forces. The sheer number of peaceful pro-freedom rallies held in the last six months alone symbolizes the nature of the current anti-India uprising which has seen lakhs of Kashmiris on streets to voice their demand for right to self-determination. Such attacks on peaceful public rallies are against the internationally, and domestically, recognized fundamental rights of peoples to peaceful assembly and association, and freedom of opinion and expression, including India's obligation under the ICCPR.

Killings due to violence on peaceful rallies:

1. On August 24 Wednesday a teenager identified as Amir Gul Wani, 18, of Ratnipora, Pulwama was killed in forces' firing at Prichoo village in South Kashmir's Pulwama district while 40 others were injured after forces fired pellets and teargas shells to foil a pro-freedom rally there. Witnesses said a peaceful pro-freedom rally was proposed at Prichoo village, in continuation with several such rallies being held almost daily in South Kashmir areas since July 8. "People as usual had made all arrangements for the rally, including erecting tents and installing generators and public address system. However, police, CRPF and Army raided the village in the wee hours (at around 3 am) and vandalized the venue and also set ablaze the tents," they said. They said the forces' action triggered massive protests in the area.
2. On Wednesday September 7, 65 year old Abdul Gani Mir of Chawalgam died of a heart-attack after government forces lobbed teargas shells and pepper gas to disperse protesters who had gathered for a rally in Chawalgam. Witnesses said Abdul Gani, an elderly person, who was in the compound of his house, consequently suffered a heart attack and died. His family members said he suffered a stroke because of loud bangs of teargas shells fired by forces. "Heavy clashes were going on in the village when Mir suffered the stroke. The loud bangs of teargas and sound shells led to his heart attack," they alleged. As soon as the word about his death spread, people hit the streets and held massive anti-India demonstrations.
3. On September 11, a youth Javaid Ahmed Dar son of Ghulam Ahmed of Wadwan, Budgam died of bullet injuries after he was shot by government forces at a freedom rally. He had sustained a bullet injury in his leg after forces fired on a freedom rally at Narbal area of Budgam on August 5. According to Dar's family members, he was part of a peaceful protest rally.

Severe injuries due to violence on freedom rallies:

1. On September 10, a youth Marifat Ahmad of Dardpora in Budgam district was seriously injured when government forces allegedly ran a Rakshak vehicle over him. The forces raided a freedom rally in the local school premises and when people ran, the forces ran Rakshak over Marifat. A girl Shagufta was also injured by pellets.

RESTRICTION ON FREEDOM OF RELIGION AND RELIGIOUS

ACTIVITIES

During the mass uprising of 2016, the state crackdown on free practice of religion and religious gathering was of unforeseen limits and scale. Several mosques across the length and breadth of valley were damaged due to government forces action. Valley's chief cleric condemned these attacks on religious places and said that 'government has declared war on religious places in Kashmir.' The grand mosque of Srinagar, Jamia Masjid was shut down for the entire 19 weeks, following the killing of Burhan Wani on July 8 and no prayers were allowed.

The attack on religious gatherings was also part of state's crackdown to crush the mass uprising of 2016. According to reports, hundreds of religious gatherings, including Ittehad e Millat conferences, were attacked by government forces in which hundreds of people were injured.

BLOCKADE OF COMMUNICATION SERVICES

In Kashmir, the phone and internet service remained subject to tense situation this year as well. The communication blockade has been longest in recent years. The mobile phone and internet services remained suspended for most of the time during this year. First, the mobile and internet services were suspended after the Handwara girl's molestation in April and then during the mass uprising which followed the killing of Burhan Wani killing in July. Suspending internet and phone services on January 26 and August 15 or whenever there is trouble in Kashmir has become a norm in Kashmir.

The idea behind snapping the internet and phone connections is to disconnect people. The July 8 killing of Burhan Wani in an 'encounter', which was immediately, followed by widespread protests unnerved the government. The government to stifle the protests responded with brute force, strict curfew and a massive communication blockade. The communication blockade not only caused

inconvenience and hardship to people in Kashmir, but the Kashmiri students and businessmen outside Kashmir were unaware about the welfare of their families for months altogether, given the communication blockade in Kashmir.

On July 9, the mobile phone except BSNL post-paid and internet services were suspended in Kashmir except the state owned broad band service. From August 12 to August 18 the government suspended all types of internet services in Kashmir including broadband service for six days. On October 14 evening, the pre-paid mobile services were restored by the government approximately after 100 days. Earlier after some months the pre-paid mobile services were restored partly. By the end of this year the mobile service of pre-paid phone services remains suspended.

Earlier on April 18, Divisional Commissioner Kashmir Asgar Hassan Samoon directed the operators of ‘social media news agencies’ to obtain proper permission from the deputy commissioners concerned for posting news on social media news groups along with sources. On May 04, the government has asked the Senior Superintendents of Police (SSPs) and Tehsildars to furnish the list of people including the government employees, who are provoking the public especially youth to “fan militancy” through their comments and uploads on Whatsapp groups.

CRACKDOWN AND ACTION AGAINST VOLUNTARY GROUPS

During the mass uprising, when thousands of injured people were being treated at various hospitals of the valley, several voluntary relief organizations sprung up to action to help the injured victims. The relief organizations were providing free medicines, ambulance services and free food and tea. However, the government forces didn’t spare these voluntary organizations either. The police cracked down on several such voluntary organisations who were organizing relief work in the premises of SMHS Hospital and in various other hospitals in the valley. According to some reports, several volunteers of these relief organizations were called to police stations and illegally detained.

PROBES AND INQUIRIES

Ordering probes and inquiries into killings continues to remain the government’s deceptive policy in order to deflate public anger. Whereas, this year, 145 civilians were killed in different incidents majority of killings took place in state forces action particularly after July 8. Besides killings, there

are large-scale allegations of destruction of property and beating of civilians by forces but the government chose to order probes only in ten cases. Among the 10 enquiries one was ordered during governor's rule. Only in one case i.e. local-non-local clashes in National Institute of Technology Srinagar in April, the probe has been completed and report submitted to the government. The fate of nine other probes is not known.

STATE HUMAN RIGHTS COMMISSION

Finally, the state controlled Human Rights Commission (SHRC) resumed its functioning after the gap of over two years. On October 7, 2016, a high-powered selection panel headed by Chief Minister Mehbooba Mufti recommended former Chief Justice of Orrisa High Court, Justice (retired) Bilal Nazki for the post of chairperson of J&K Human Rights Commission.

The SHRC comprising a chairperson and four members is completely defunct since June 28, 2014. It has been headless since Justice (retired) Bashir-ud-Din completed his tenure as its chairperson in October 2011. While Abdur Rashid Khan, former Inspector General of Police, completed his term as SHRC member in November 2011, another member Javaid Ahmad Kawoos attained superannuation on October 24, 2013. The remaining two members, Amlak Singh and Rafiq Fida, attained age of superannuation in June 2014, leaving the Commission defunct.

KILLING OF POLITICAL WORKERS

Killings of political activists continued this year as well. Three political activists of three different political parties were killed by unknown gunmen. Pro-freedom Tehreek-e-Hurriyat activist Fayaz Ahmad Rather was killed on July 30 by gunmen inside his house at Saidpora, Rafiabad in Baramulla. On October 12, Ghulam Nabi Khawaja of Langate Kupwara was killed on 12 October 2016 by unknown gunmen. Khawaja was associated with People's Conference. A Congress Sarpanch Sajad Malik alias Bitra of Botengoo, Duroo, Anantnag was shot dead on December 1, 2016.

HARASSMENT OF KASHMIRIS OUTSIDE JAMMU AND KASHMIR

Be it a cricket match or any sensitive academic activity or human rights related conference or beef controversy, or agitation in Kashmir – the Kashmiris working, travelling or studying across Indian

states has to bear the brunt of it. This year was no different. The rise in attacks on Kashmiris has shockingly gone up.

Despite the fact that as many as 13 states and union territories have appointed a special nodal police officer each for addressing issues of Kashmiri students studying in their respective territory in the wake of alleged attacks on them in campuses, no change was witnessed on the ground. Comparatively, this year the attacks and harassment was high than previous years.

Not all the incidents of violence against Kashmiris get reported and many victims particularly the students prefer silence over protests for saving their future. The repeated assurance of security by the successive JK governments is proving to be a hoax.

Incidents in chronological order:

Feb 22: A Kashmiri trucker was attacked and his vehicle burnt in Haryana where violent agitation by Jats over reservation quota issue had crippled normal life in Haryana and Delhi.

Feb 23: Seven Kashmiri boys undergoing training under Udaan scheme in Chandigarh were sacked for showing solidarity with Kunan-Poshpora mass rape victims.

Feb 28: A band of hooligans, some of them drunk, stormed into government residential quarters for employees in parts of Jammu and shouted provocative slogans directed towards Kashmiri Muslim employees after India defeated Pakistan in a cricket match on February 27 night.

March 07: State BJP's chief spokesperson Sunil Sethi, while reacting to the NIT row, warned of "similar reactions" against Kashmiri students studying in various parts of India.

March 16: Kolkata police asked all colleges in the city to give details of students hailing from Jammu and Kashmir. The direction comes in the wake of student protests at Jadavpur University against the arrest of JNU students in Delhi.

March 17: Four Kashmiri students were allegedly beaten at a private university in Rajasthan over rumours that they were cooking beef in their hostel room.

March 21: Three persons hailing from Jammu & Kashmir, living in a paying guest (PG) accommodation in Sohana, Mohali district, were assaulted recently, allegedly by the son of the PG facility's owner. One suffered serious injuries and two escaped with minor injuries.

April 06: The Mewar University said it has suspended nine students, who were released on bail on, along with seven others for creating nuisance on the varsity premises on March 31. Nine students and a hostel warden from Jammu and Kashmir were arrested following a clash in the hostel mess of a private university in Rajasthan's Chittorgarh district over Indian cricket team's loss against West Indies in the T20 World Cup last week.

April 09: Fearing more violence, as many as 20 Kashmiri students from Government Engineering and Technology College at Chak Bhalwal in Jammu have started returning to the Valley.

April 26: A Kashmiri student, Mujeeb Gattoo, was rusticated for two semesters and two other students, Umar Khalid and Anirban Bhattacharya for one semester and till July 15 respectively, by JNU authorities in connection with the February 9 event on the campus against Afzal Guru's hanging.

July 20: A Kashmiri research scholar from Barkatullah University was assaulted by right-wing activists on July 20 morning.

Aug 03: A paying guest (PG) accommodation warden from Jammu and Kashmir was arrested for not informing the city police about the foreigners he had accommodated, a senior officer said.

Aug 17: Kashmiri students selected under UDAAN scheme and presently under training at Gurgaon Mansar Sikandarpora of Haryana have alleged harassment by police and local students in the wake of uprising in Valley after the death of Hizbul Mujhadeen commander Burhan Wani.

Aug 23: A Kashmiri truck driver was ruthlessly beaten by a mob after sprinkling petrol on his vehicle and threatening to set it ablaze in Bhathindi area of Jammu.

Sept 19: A Kashmiri student was expelled from Aligarh Muslim University (AMU) for posting comments on Facebook over the militant attack on the army base in Uri, media reports said.

Sept 20: After 45 days, the family of Tauseef Bhat returned disappointed as Sessions Court Durg, in Chhattisgarh, has rejected bail application of the youth booked on sedition charges for a Facebook post. 24-year old Tauseef of Sopore was arrested on August 3 from Sagar railway station in Madhya Pradesh. He was about to board the Jammu-Tawi Express to his hometown.

Sept 26: Kashmiri students studying in Desh Bhagat University (DBU) at Amlah, Punjab held protest demonstrations alleging that the locals were manhandling and harassing them, even as the police there said that they were investigating the case.

Sept 28: Mudasir Rashid, a third year student of civil engineering at a private institute in Udaipur, has been booked for sedition and suspended from college for a Facebook post about Burhan Wani.

Sept 28: Kashmiri students of Ganga Institute of Technology and Management, Kablana Jhajjar (Haryana) staged a protest against the college authorities after six of their mates were allegedly beaten up by fellow students and security guards in Jhajjar area of northern Indian state of Haryana. Mudasir Rashid, has been booked on sedition charges for allegedly posting comments on Facebook after the Uri militant attack.

Nov 09: Three Kashmiri students including a girl were injured, one of them critically when unidentified persons attacked them at Noida during evening.

Nov 25: A Kashmiri student was allegedly beaten by his non-Kashmiri college mates in Kharar Mohali in Chandigarh when he was heading towards his college.

SUICIDE AND FRATRICIDES

This year as well, the trend of suicides continued in the ranks of Indian military and paramilitary forces engaged in Kashmir. As many as seven cases of suicide were documented. Out of seven cases four were from army including two officers of major ranks, two BSF soldiers and one CRPF trooper.

---ENDS---