



# WOUNDS OF REPRESSION

Bi-annual Human Rights Report on Kashmir



Wounds of Repression: Bi-annual Human Rights Report on Kashmir  
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## Executive Summary

For the past 76 years, the people of Indian-administered Kashmir have been struggling for their U.N.-mandated right to self-determination. The Indian state's occupation of Kashmir and its persistent repression of Kashmiri political aspirations have resulted in ongoing and egregious human rights violations.

This report, prepared by Justice For All, offers an overview and analysis of the multifaceted human rights violations and political developments in Indian-administered Kashmir, from July to December 2024. While India presents Kashmir as “normal” and communicates a discourse of development, the report reveals the many wounds that India inflicts on the Kashmiri body politic; injuries that it conceals from the world's eyes, or worse, that the world turns a blind eye to.

Some of the major human rights violations observed during this period include: i) ongoing army violence and police abuse, including torture, arbitrary and illegal detentions, and mistreatment of political prisoners; ii) dispossessing Kashmiris of their properties including land and houses; (iii) economic disenfranchisement due to industrial and development projects that ignore ecological issues, disempower Kashmiri farmers and workers, and send profits outside the region to Indian investors and workers; iv) suppression of religious freedoms like the right to congregate for prayer and targeting of religious leaders; and v) erasure and Indianization of Kashmiri cultural heritage.

This report includes information from local and international press, human rights organizations, government records and the families of victims of human rights violations. However, during our consultations, we found that many Kashmiri families remain silent about the oppression they face due to fear of reprisals. Additionally, state officials heavily censor the work of journalists, hindering the free flow of information about these violations. This report aims to make a significant intervention by presenting the Kashmiri perspective, countering the Indian government's narratives enforced on local journalists and conveyed to the world.

Human rights violations in Indian-administered Kashmir are not isolated events but rather systematic, organized and sanctioned by the state apparatus. Efforts by Kashmiris to seek justice through domestic legal channels are routinely obstructed, with rare court orders that grant some

relief to them often disregarded. The legal system perpetuates a culture of impunity for those that attack Kashmiris. While India's occupation of Kashmir is often reduced to a territorial dispute between India and Pakistan, the profound human cost and individual suffering it causes in Kashmir are frequently overlooked. This report aims to shed light on, and amplify, the human toll of the occupation.

The tables below provide a numerical overview of this toll. Table One summarizes key human rights violations, while Table Two offers a monthly statistical breakdown of the impact of the occupation. Due to space limitations, the report below focuses on selected incidents in detail, as it cannot cover comprehensively all violations that occur. It contains brief descriptions and analysis of several incidents organised in the following subsections: I. Military and Police Violence and Abuse against Kashmiri Bodies; II. Economic Dispossession, Seizing Livelihoods: Property Confiscation, Land Grabs and Job Losses; and III. Religious, Cultural and Political Freedom Violations. The final concluding section includes recommendations for the U.N., the U.S. and Canadian governments, and civil society groups.

**Table One: Bi-Annual (July-Dec) Human Right Violations in Kashmir**

<b>Bi-Annual Human Rights VIOLATIONS</b> in the <b>Indian occupied Kashmir</b> (July-Dec)	
Killings and Injuries due to Indian occupation	316
Detentions/Arrests	324
Gunfights between pro-freedom armed fighters and occupation forces	47
Cordon and Search Operations/Military Raids	168
Structures Damaged	28
Internet Blockades	32

(Data from Legal Forum for Kashmir)

**Table Two: Monthly Statistics on the Impact of Indian Occupation**

<b>MONTHLY STATISTICS</b> on the Impact of <b>Indian Occupation</b>						
Month	Killings and Injuries due to Indian Occupation	Detentions/Arrests By India	Gunfights Between pro-Freedom Armed Fighters and Indian Army	Number of Cordon And Search Operations	Structures Damaged	Number of Internet Blockades
July	60	118	15	45	4	8
August	31	53	12	35	5	5
September	43	26	8	31	6	7
October	77	51	4	24	4	5
November	62	46	6	10	5	3
December	43	30	2	23	4	4

(Data from Legal Forum for Kashmir)

## Introduction

This report on the human rights violations India is committing in Kashmir covers the period July to December 2024. Justice For All has documented such abuses in a previous bi-annual report, *Peace of a Graveyard: Bi-annual Human Rights Report on Kashmir*, that covered January to June 2024.<sup>1</sup>

For the past 76 years, the people of Indian-administered Kashmir have been struggling to exercise their UN-mandated right to self-determination. Kashmir is part of the former princely state of Jammu and Kashmir, a contested region located in the northern part of the Indian subcontinent, bordered by India, Pakistan and China, and divided administratively between these three countries. This report focuses on Indian-administered Kashmir, with occasional reference to Jammu when relevant. The Indian state's occupation of Kashmir and its persistent repression of the political aspirations of the Kashmiri population have resulted in ongoing and egregious human rights violations.

*Kashmir's Wounds* compiles information from local and international press, human rights organizations, government records and the families of victims of human rights violations. However, during our writing and consultation process, we found that many Kashmiri families remain silent about the oppression they face due to fear of reprisals. Additionally, state officials heavily regulate the work of journalists, hindering the free flow of information about these violations. This report aims to spotlight the Kashmiri perspective, countering the Indian government's narratives enforced on local journalists and conveyed to the world.

As we will see, human rights violations in Indian-administered Kashmir are systematic, organized and state-sanctioned, rather than isolated incidents. Kashmiris' efforts to seek redress through domestic legal avenues have been persistently thwarted, with rare court orders that grant them nominal relief often disregarded. The state's legal machinery fosters a culture of impunity against those who would harm Kashmiris. While India's occupation of Kashmir is frequently framed as a land dispute between India and Pakistan, the human cost and personal sufferings in Kashmir are often overlooked. This report seeks to highlight and disseminate the human cost of the occupation.

This report contains brief descriptions and analysis of several incidents

<sup>1</sup> Justice For All, *Peace of a Graveyard: Bi-annual Human Rights Report on Kashmir* (Chicago: Justice For All), 2024, <https://www.kashmiraction.org/peace-of-a-graveyard-kashmir-report/>

organized in the following subsections: I. Military and Police Violence and Abuse against Kashmiri Bodies; II. Economic Dispossession, Seizing Livelihoods: Property Confiscation, Land Grabs and Job Losses; and III. Religious, Cultural and Political Freedom Violations. The final concluding section includes recommendations for the U.N., the U.S. and Canadian governments, and civil society groups.

# Methodology

The primary and secondary sources of data gathered by Justice For All's Kashmir Action research team serve as the foundation for this report. It includes communication with families of imprisoned Kashmiris and other Kashmiris. The report also draws upon data obtained from government sources in Indian-administered Kashmir, reputable media outlets, fact-finding reports from non-governmental organizations and multiple firsthand accounts from the families of victims. To guarantee its veracity, every detail in this report has been confirmed from multiple sources.

## I. Military and Police Violence and Abuse Against Kashmiri Bodies

### 1.1 Military Violence against Kashmiri Bodies: Landmines and Torture

This section documents Indian army violence against Kashmiri civilians, looking first at the situation of landmines and second at torture by the Indian army. In villages near the Line of Control (the line marking an unofficial division between Pakistani- and Indian-administered Kashmir),<sup>2</sup> landmines planted by the Indian Army continue to endanger local residents. Civilians, often unaware of hidden explosives around them, face constant risks, as these landmines are rarely marked or adequately flagged by military authorities. Injuries from landmines are tragically frequent.

A Kashmiri civilian, Mohammad Haneef, was seriously injured on October 26, 2024, in a landmine blast in Poonch district of Jammu and Kashmir.<sup>3</sup> He had been gathering firewood on his land in Shahpur near the Line of Control when he unknowingly stepped on a landmine. He sustained severe injuries and was quickly evacuated to a hospital for treatment.

The presence of landmines not only threatens lives but also restricts access to essential land and resources, impacting agriculture and daily routines in these communities.

Al Jazeera reported that, “according to the research group, the Landmine and Cluster Munition Monitor, the total number of casualties among civilians is not officially recorded. But the group gathers the figures it can from a

2 Mato Bouzas, “The Line of Control in Kashmir,” Asian History, Oxford Research Encyclopedias, January 2024, <https://doi.org/10.1093/acrefore/9780190277727.013.746>

3 “Civilian injured in landmine blast near LoC in J-K’s Poonch,” *Greater Kashmir*, October 25, 2024, <https://www.greaterkashmir.com/latest-news/civilian-injured-in-landmine-blast-near-loc-in-j-ks-poonch/>



patchwork of anecdotal reports and media accounts. Between 1999 and 2015, the Monitor identified 3,191 victims of activated mines or improvised explosive devices (IEDs) and explosive remnants of war (ERW). Of these, 1,083 were killed and 2,107 were injured, with the fate of one victim unknown.”<sup>4</sup>

India is a state party to the Amended Protocol II of the Convention on Conventional Weapons. Article 4 of that convention requires that “measures are taken to protect civilians from their effects, for example, the posting of warning signs, the posting of sentries, the issue of warnings or the provision of fences.”

In mountainous regions such as Kashmir, landmines can be moved from their original positions by rain, snow or hail storms. Consequently, even if a warning sign is put up, it might not be in the correct location.

In 2016, the International Campaign to Ban Landmines requested that the Indian state put an end to all mine-placing activities and to become a part of the 1997 Mine Ban Treaty. However, India has not paid heed to any such calls.<sup>5</sup>

As noted, Kashmiri civilians are still injured by this negligence.

## **Kashmiri Civilians Subjected to Torture by Indian Army**

According to Article 7 of the International Covenant on Civil and Political Rights, torture under any circumstances is banned, and no individual can be “subjected to torture or to cruel, inhuman or degrading treatment or punishment.” While India has signed the U.N. Convention Against Torture, it has not ratified it.<sup>6</sup> Arguably, this is because torture has been consistently used by the military and police forces in Kashmir against various detainees and prisoners.<sup>7</sup>

One such example occurred on November 20, 2024 in the remote village of Kwath in Jammu’s Kishtwar district. Four laborers were tortured while in the custody of the Indian Army after being summoned for questioning about suspected pro-freedom armed fighters’ activity. The men, all poor daily-wage workers, were called to the Chas Army Camp, located an hour’s trek from their village, and were reportedly subjected to severe abuse.<sup>8</sup>

By evening, when the men had not returned, anxiety spread across Kwath. Villagers launched a search and discovered the men severely injured, dumped outside the camp gates. Their bodies were covered in bruises and some were

4 Nawal Ali and Fouziya Tehzeeb, “A ghost that haunts’: Living with landmines in Kashmir,” *Al Jazeera*, January 27, 2021, <https://www.aljazeera.com/features/2021/1/27/a-ghost-that-haunts-living-with-landmines-in-kashmir>

5 Ashutosh Sharma, “India’s morbid obsession with landmines,” *National Herald India*, February 22, 2018, <https://www.nationalheraldindia.com/national/indias-morbid-obsession-with-landmine>

6 Sanchita Kadam, “Why has India still not ratified UN Convention against torture?” *CJP*, July 23, 2021, <https://cjp.org.in/why-has-india-still-not-ratified-un-convention-against-torture/>

7 Office of the United Nations High Commissioner for Human Rights, “Report on the Situation of Human Rights in Kashmir: Developments in the Indian State of Jammu and Kashmir from June 2016 to April 2018, and General Rights Concerns in Azad Jammu and Kashmir and Gilgit-Baltistan,” June 14, 2018, <https://www.ohchr.org/Documents/Countries/IN/DevelopmentsInKashmirJune2016ToApril2018.pdf>

8 Jehangir Ali, “Some of Them Were Unable to Walk’: Army to Probe ‘Custodial Torture’ of Civilians in Khishtwar,” *The Wire*, <https://m.thewire.in/article/rights/some-of-them-were-unable-to-walk-civilians-allegedly-tortured-in-army-custody-in-kishtwar>

vomiting blood. One of the men suffered extensive eye injuries, and they were unable to walk or speak due to the extent of their injuries.

Irshad Ahmad, a carpenter who helped carry the men back, described the scene as harrowing. “When I lifted their clothes, I was numb. They had been beaten ruthlessly,” he said.<sup>9</sup>

The villagers, determined to help the injured men, took turns carrying them on foot to a nearby hospital, but faced significant obstacles. Initial attempts to get medical treatment were blocked by the army. Village defense guards (VDGs) advised them to take the men to a smaller hospital, but when the villagers insisted on taking them to Kishtwar’s main hospital, the army intervened, pressuring them to admit the men to a military facility instead. The villagers refused, prioritizing proper treatment over military appeasement.<sup>10</sup>

Medical examinations later confirmed extensive physical trauma, indicating that the men had been subjected to prolonged and brutal torture. Dawood Ahmad, a local resident, reported that the army discouraged them from filing a police report, promising to resolve the issue internally. He said the army warned that the “brotherhood” between the army and the villagers would end if they pursued the matter further.

In response to public outcry, the Indian Army issued a statement acknowledging reports of “ill-treatment” during a counter-terror operation. They announced an investigation into the incident and promised “necessary follow-up action.” However, villagers expressed skepticism, pointing to similar previous cases where investigations into army actions had led to little or no consequences.<sup>11</sup>

In a controversial move, the army reportedly offered the families of the victims Rs 25,000 each, along with a promise of assistance for three months. Villagers believe this was an attempt to buy their silence, an accusation that echoes concerns about impunity in the military’s operations in the region.<sup>12</sup>

This incident is not isolated. Last year, three men in Poonch district reportedly died due to custodial torture, and investigations into such cases are often seen as inadequate.<sup>13</sup> Local residents have rejected claims by the army that the men were detained for failing to report rebel activity.

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9 “Activists and Civilians from Kishtward Detained and Tortured Copy,” *Stand With Kashmir*, December 17, 2024, <https://standwithkashmir.org/activists-and-civilians-from-kishtwar-detained-and-tortured-copy/>

10 Safwat Zargar, “In Jammu, alleged Army torture leaves a remote village rattled,” *Scroll.in*, November 27, 2024, <https://scroll.in/article/1076057/in-jammu-alleged-army-torture-leaves-a-remote-village-rattled>

11 Zaid Bin Shabir, “Army ‘action’ on civilians deepens crisis in Kashmir’s Kishtwar,” *Frontline*, December 7, 2024, <https://frontline.thehindu.com/the-nation/kashmir-army-torture-four-civilians-kishtwar-counter-terror-operation/article68937380.ece>

12 Arjun Sharma, “Got Rs 25,000, free ration from Army: Father of Kishtwar ‘torture’ victim,” *The Tribune India*, November 25, 2024, <https://www.tribuneindia.com/news/j-k/got-rs-25000-free-ration-from-army-father-of-kishtwar-torture-victim/>

13 Peerzada Ashiq, “We were beaten throughout the day, says J&K civilian,” *The Hindu*, December 26, 2023, <https://www.thehindu.com/news/national/growing-evidence-suggests-torture-of-civilians-after-december-21-poonch-attack/article67676798.ece>

The Indian occupation of Kashmir is thus deadly or injurious to Kashmiris.

## **1.2 Police Abuse Against Kashmiri Bodies: Arbitrary Detentions, Climate Activists' Arrests and Denial of Rights to Prisoners**

### **Continued Use of Arbitrary Detention**

In the period under review for this report, Indian police have continued their use of arbitrary detention as a way to deter and control Kashmiri civilians. Indian police arrested two young Kashmiris on October 19, 2024, in Poonch district of Indian-administered Jammu and Kashmir while carrying out a cordon and search operation.<sup>14</sup> The youth were labelled “hybrid militants” (by which they mean someone who has not officially or openly joined a rebel group, but works with them covertly and is otherwise a civilian<sup>15</sup>). The police alleged they had provided support to Kashmiri pro-freedom combatants. Indian occupation forces often use this term, “hybrid militant,” and similar allegations of supporting pro-freedom combatants, to detain Kashmiri civilians.

### **Lawyers Subjected to Illegal Detention**

Mohammad Ashraf, the former General Secretary of the Jammu and Kashmir High Court Bar Association, was arrested under the Public Safety Act (PSA) on July 27, 2024, and transferred to Kathua jail.<sup>16</sup> Human rights organizations and legal professionals have condemned his arrest, viewing it as an attempt to silence dissenting voices in Kashmir.

The PSA, often referred to as a “lawless law” by human rights organizations,<sup>17</sup> allows authorities to detain individuals without charge or trial for up to two years. Its rampant use in Jammu and Kashmir has been widely criticized as a tool to silence dissent, suppress political activity and perpetuate a climate of fear, especially for its use against political activists, journalists and lawyers who speak out against the Indian government’s policies in the region.<sup>18</sup>

Ashraf’s arrest is part of a broader pattern of targeting Kashmiri legal professionals who advocate for the rights of their clients and the broader Kashmiri community. The use of the PSA in this manner can be seen as an abuse of power and a violation of the rule of law.

Mr. Bhat was the fourth lawyer of the former Bar to be arrested in July. Earlier,

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14 “Indian Forces Arrest Two Youth in Poonch District of Occupied Jammu and Kashmir,” *Kashmir Action*, October 31, 2024, <https://www.kashmiraction.org/indian-forces-arrest-two-youth-in-poonch-district-of-occupied-jammu-and-kashmir/>

15 Muheet Ul Islam and Pirzada Shakir, “Who Are Kashmir’s ‘Hybrid Militants’? Are “part-time terrorists” on the rise, or is the term used to evade accountability for police abuses?” *Diplomat*, November 30, 2021, <https://thediplomat.com/2021/11/who-are-kashmirs-hybrid-militants/>

16 “Former general secretary of Kashmir Bar, Ashraf Bhat arrested in Srinagar,” *The Hindu*, July 17, 2024, <https://www.thehindu.com/news/national/jammu-and-kashmir/former-chief-of-kashmir-bar-ashraf-bhat-arrested-in-srinagar/article68414934.ece>

17 “Activists and Civilians from Kishtwar Detained and Tortured Copy,” *Stand With Kashmir*, December 17, 2024, <https://standwithkashmir.org/activists-and-civilians-from-kishtwar-detained-and-tortured-copy/>

18 “India: Cease wrongful detentions in Jammu and Kashmir,” *Amnesty International*, October 15, 2016, <https://www.amnesty.nl/actueel/india-cease-wrongful-detentions-in-jammu-and-kashmir>

ex-Bar chief Mian Qayoom, acting Bar chairman Nazir Ahmad Ronga, and Mr. Qayoom's nephew, advocate Mian Muzaffar, were arrested by the police and taken to jails in the Jammu province, which is around 300 km from Srinagar.<sup>19</sup>

Mian Qayoom is in his 70s and is a patient of various cardiac issues. He had previously suffered a heart attack in prison during his illegal detention in 2020.

## Detaining Climate Advocates

The Public Safety Act is used to detain other Kashmiris as well. Five trade union leaders, Mohammad Abdullah Gujjar, Noor-Din, Ghulam Nabi Choppan, Mohd Jaffer Sheikh and Mohammad Ramzan were arrested in the Kishtwar district on November 9, 2024, by the Hindu-nationalist District Magistrate of Kishtwar region, Rajesh Kumar Shavan. The allegations were “anti-India activities.”<sup>20</sup> The authorities also claimed these leaders were involved in so-called “anti-national” activities and expressed reluctance to cease their actions, an allegation that is often criticized for lacking transparency or accountability.

The media reported that the district administration also directed security agencies to monitor 22 other individuals, who were similarly accused of opposing “projects of national importance.”<sup>21</sup> These individuals are alleged to have fostered resistance to development initiatives by spreading “misinformation” and cultivating an “anti-national” mindset—charges that pro-freedom groups dismiss as part of a broader campaign to silence local voices.

The PSA was used to detain yet another young Kashmiri activist protesting environment related issues. Rehmatullah Paddar was arrested on November 9, 2024, in the Doda district, Jammu and Kashmir, after posting a viral video criticizing the district administration's failure to manage waste disposal properly, particularly its decision to establish a waste dumping site near a residential area.<sup>22</sup>

Paddar's video, which garnered significant attention on social media, alleged that the waste dumping project was part of a larger scam, involving millions of rupees, and called for a more suitable location for the site. Netizens quickly rallied behind him, calling for his immediate release and condemning what they described as the authorities' attempt to silence dissent.

However, district authorities, including Deputy Commissioner Harvinder Singh, have justified Paddar's detention under the PSA, citing his alleged past

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19 “Former general secretary of Kashmir Bar, Ashraf Bhat arrested in Srinagar,” *The Hindu*, July 17, 2024, <https://www.thehindu.com/news/national/jammu-and-kashmir/former-chief-of-kashmir-bar-ashraf-bhat-arrested-in-srinagar/article68414934.ece>

20 “‘22 on radar’: Five booked under PSA for ‘anti-national’ activities in Kishtwar, say officials,” *Free Press Kashmir*, November 9, 2024, <https://freepresskashmir.news/2024/11/09/22-on-radar-five-booked-under-psa-for-anti-national-activities-in-kishtwar-say-officials/>

21 “22 on radar.”

22 “‘Held for questioning Admin’: Activist detained under PSA in Doda; MLA slams authorities,” *Free Press Kashmir*, November 11, 2024, <https://freepresskashmir.news/2024/11/11/held-for-questioning-admin-activist-detained-under-psa-in-doda-mla-slams-authorities/>

involvement in activities deemed “anti-national” by the administration. Singh claimed that the police had submitted a dossier outlining Paddar’s previous arrests and links to pro-freedom groups.

Paddar’s supporters and civil rights groups argue that the use of the PSA in this case is a blatant attempt to suppress peaceful activism and legitimate concerns about local governance.

A month later, on December 26, 2024, the draconian PSA was again used by police in Udhampur to detain Abdul Qayoom, also known as Bittu, citing allegations of supporting pro-freedom activities.<sup>23</sup>

Qayoom, a resident of Kadwah in Basantgarh, is accused of providing logistical support for pro-freedom groups. The family members contest the claims, but under PSA, authorities can detain an individual without being legally obliged to provide any grounds for arrest.

Officials justified his detention under PSA as a measure to prevent what they called “further threats to security,”<sup>24</sup> a vague and ambiguous categorization that is readily exploited by India.

Yet, climate experts state that the kinds of projects mentioned above are disastrous for the local population and the ecosystem.<sup>25</sup> Critics argue that detaining Kashmiris who protest the projects reflect the authorities’ prioritization of suppressing dissent over addressing legitimate grievances of local communities. The targeting of individuals under vague accusations of obstructing “developmental projects” raises concerns about the growing use of collective punishment to quell opposition to state-led initiatives.

The detentions catalogued in this section add to the long list of cases where the Public Service Act has been invoked to target individuals without due process, eroding trust in the justice system. The “justice system” acts as an extension of India’s military occupation.

## Women Under Arbitrary Arrest

In another instance of the use of the controversial PSA, on December 3rd, Indian authorities detained two Kashmiri women from Udhampur district,<sup>26</sup> accusing them of being “over-ground workers” (OGWs) for pro-freedom groups. (An “overground worker” is a slippery term similar to “hybrid militant,” by which the Indian government tags people who are not officially part of a rebel/combatant group but allegedly have some form of “association” with them, ranging from ideological to logistical support.<sup>27</sup>)

23 Umar Khurshid, “Man arrested under UAPA for ‘supporting militancy’ in Udhampur, says police,” *Free Press Kashmir*, <https://freepresskashmir.news/2024/12/26/man-arrested-under-uapa-for-supporting-militancy-in-udham-pur-says-police/>

24 “Man arrested under UAPA.”

25 Rajib Hameed Naik, “Homes, nature lost for seven new dams in Kishtwar, Jammu & Kashmir,” *Dialogue Earth*, October 30, 2020, <https://dialogue.earth/en/justice/homes-nature-lost-for-seven-new-dams-in-kishtwar-jammu-kashmir/>

26 “Two women held under PSA in Udhampur for ‘providing logistics support to militants’, says police,” *Free Press Kashmir*, December 3, 2024, <https://freepresskashmir.news/2024/12/03/two-women-held-under-psa-in-udham-pur-for-providing-logistics-support-to-militants-says-police/>

27 International Federation for Human Rights, *Your Land is Our Land: India’s land rights violations in Kashmir*

The detainees, identified as Maryama Begum and Arshada Begum, have been labeled threats to “state security” without transparent evidence or a trial.

According to a police statement, the women were accused of providing logistical support to pro-freedom groups and facilitating their movements. However, no details substantiating these allegations were made public, raising concerns about arbitrary detentions and the criminalization of dissent.

## **Kashmiri Prisoners in Tihar Jail Deprived of Phone Calls**

The families of Kashmiri prisoners in New Delhi’s Tihar jail have told Justice For All that in July 2024, their jailed family members were deprived of their right to make phone calls to their families.<sup>28</sup> This caused immense distress among the families, adding to their already existing fears, given the reports of poor living conditions and inadequate medical care for their loved ones who are held in Tihar jail.

Many of these prisoners are political detainees who have been incarcerated for their activism and advocacy for Kashmir’s right to self-determination. The denial of phone calls was seen as a deliberate attempt to isolate the prisoners from their families and communities.

To take an example, since 2018, Kashmiri pro-freedom leader Asiya Andrabi has been held in Tihar jail, where a court order from July 13, 2023, allowed her to maintain phone contact with her family. This order, which remains valid unless revoked by a higher court, was a reiteration of a 2022 directive issued due to impediments by prison authorities. Despite this, Andrabi and other Kashmiri prisoners were denied regular phone calls. Prison authorities advised families to apply again to the court - clearly a vindictive move meant to place hurdles in front of prisoners and their families. Though the calls have been reinstated now, it is important to document such denials that take place regularly.<sup>29</sup>

This restriction violates Chapter 8 of the Delhi Prison Manual, which guarantees prisoners the right to communicate with their families, and disregards the standing court order. The continued hardship faced by Kashmiri prisoners appears to be a targeted measure, as they have been vocal in challenging prison authorities over their rights.

## **II. Economic Dispossession, Seizing Livelihoods: Property Confiscation, Land Grabs and Job Losses**

### **2.1 Property Confiscation and Land Grabs**

This section documents land seizures, by which, under various guises, Kashmiris are losing ownership and control over their property. The Indian administration has been systematically transferring large tracts of land to

(Paris: International Federation for Human Rights, October, 2024), 39,

<https://www.fidh.org/IMG/pdf/kashmir832a.pdf>

28 Sukanya Shantha, “‘Move Court for Phone Call With Family’: Tihar Jail Now Issues Unwritten Diktat for Kashmiri Prisoners,” *The Wire*, July 25, 2024, <https://thewire.in/rights/tihar-jail-kashmiri-prisoners-phone-call>

29 Shantha, “Move Court for Phone Call With Family.”



security forces since the abrogation of Article 370 in 2019.<sup>30</sup> (Until 2019, Article 370 had given Kashmir some autonomy, even under Indian-administrative rule, such as its own constitution, flag and ability to make laws, including who could live in Kashmir or own property there.<sup>31</sup>)

The Indian administration transferred 6 acres of indigenous Kashmiri land in Baramulla district, on July 3, 2024, to the Indian army. The land will be used to establish an army camp in the area.<sup>32</sup>

Local residents told Justice For All they are worried about the increasing presence of security forces in civilian areas, which they believe disrupts their daily lives and exacerbates the atmosphere of fear and control. They are concerned that the transfer of land is part of a broader strategy to militarize the region further. The transfer of land to security forces also limits the land available for public use, contributing to local communities' dispossession.

Despite occupying over 54,000 acres of land in Kashmir, in 2020 the Indian administration removed a 1971 rule that had required Indian security forces to have a special certificate to take over land. Now, no such restriction remains. In addition, land can be termed "strategic" and then given to the army. Kashmiri scholars say this process leads to settlements, further dispossessing Kashmiris of their land.<sup>33</sup>

## **Empowering non-Kashmiri Land Owners at the Expense of the Local Population**

In addition to transferring land to the Indian army, the Indian government also consistently transfers land to outside investors for industrial development. Local communities fear that such industrial infrastructure will lead to environmental degradation and displacement. Such projects have led, in the past, to displacement and eviction of local Kashmiris.<sup>34</sup> The administration, however, claims that the transfers create job opportunities and contribute to the economic development of the region.

On July 27, 2024, the Indian government transferred 398 acres of Kashmiri land for the development of industrial estates.<sup>35</sup> The land, spread across various districts, will be allegedly used to establish industrial infrastructure aimed at boosting the region's economy.

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30 Zainab Ramahi, "Kashmir and Palestine share the struggle for self determination against colonial occupation," Mondoweiss, August 8, 2019, <https://mondoweiss.net/2019/08/palestine-determination-occupation/>

31 "Article 370: What happened with Kashmir and why it matters," BBC News, August 5, 2019, <https://www.bbc.com/news/world-asia-india-49234708>

32 "JK Admin transfers 53 kanals of state land to CRPF in Baramulla," *Free Press Kashmir*, July 3, 2024, <https://freepresskashmir.news/2024/07/03/jk-admin-transfers-53-kanals-of-state-land-to-crpf-in-baramulla/>

33 Zainab Ramahi and Azadeh Shahshahani, "Destroying to Replace: Settler Colonialism from Kashmir to Palestine," *Verso*, August 10, 2020, <https://www.versobooks.com/en-gb/blogs/news/4817-destroying-to-replace-settler-colonialism-from-kashmir-to-palestine>

34 "Why are Kashmiri Muslim nomads being evicted?" *Al Jazeera*, November 20, 2020, <https://www.aljazeera.com/news/2020/11/20/tribal-community-face-eviction-from-forests-in-kashmir>

35 "India transfers 398 acres of land for development at the expense of local Kashmiri population," *Kashmir Action*, August 12, 2024, <https://www.kashmiraction.org/india-transfers-398-acres-of-land-for-development-at-the-expense-of-local-kashmiri-population/>

This transfer came soon after the Indian government had allocated to outside investors over 1,200 acres of Kashmiri land toward industrial development. Kashmiris, instead, are demanding the government focus on establishing agricultural land and creating green jobs.<sup>36</sup>

New revelations emerged in December about the controversial Srinagar Ring Road project, which includes 30 town planning schemes along its length, spanning regions from Gallandhar in Pulwama to Tulmulla in Ganderbal and Mirgund in Baramulla. According to a report by *The Wire*, these schemes, each covering around 200 hectares of land through “land pooling,” will collectively convert around 6000 acres of prime agricultural land into urban developments.<sup>37</sup>

The proposed plans have sparked widespread alarm, particularly among small and marginal farmers who rely on these lands for their livelihoods. Critics argue that the project threatens the backbone of Kashmir’s economy—its agriculture sector—while deepening fears of environmental degradation.<sup>38</sup>

A Srinagar-based activist who wished to remain anonymous, told Justice For All, “destroying fertile agricultural land for urban expansion is not development; it’s a deliberate attack on the livelihoods of Kashmir’s farmers and the region’s self-reliance.” Communities in districts like Budgam, which have already witnessed large-scale land acquisitions, report displacement, disruption of income sources and growing uncertainty about their futures. The transformation of fertile lands into urban spaces also raises serious ecological concerns, as it disrupts the delicate balance that sustains Kashmir’s biodiversity.

The projects also align with broader fears of demographic engineering and dispossession, as successive policies continue to erode Kashmiri ownership of land and resources. Kashmiri anthropologist, Muhamad Junaid, stated on X “30 ‘townships’! For whom? Every act of “development” is an act of dispossession.”<sup>39</sup> He said that these townships are not meant for the local population but as an attraction for outsiders so as to enable demographic alteration.

Critics of these land transfers argue that the benefits of such projects often bypass the local population and instead serve the interests of outside investors and corporations. There is also a strong concern that the development of industrial estates could further marginalize the already disenfranchised Kashmiri population by taking away their land and resources. Pro-freedom groups have condemned the Srinagar Ring Road project as part of a larger strategy to weaken Kashmir’s local economy, displace its people and consolidate control over the region’s natural assets. The looming

36 Zulfikar Majid, “1,200 industrial units in pipeline for Jammu & Kashmir,” *Deccan Herald*, February 4, 2022, <https://www.deccanherald.com/india/1200-industrial-units-in-pipeline-for-jammu-kashmir-1078030.html>

37 “30 townships planned along Srinagar Ring Road; locals fear displacement, land loss and ecological impact,” *Free Press Kashmir*, December 5, 2024, <https://freepresskashmir.news/2024/12/05/30-townships-planned-along-srinagar-ring-road-locals-fear-displacement-land-loss-and-ecological-impact/>

38 Jehanger Ali, “Proposed Townships Along Srinagar Highway Sparks Concerns Over Livelihoods,” *The Wire*, December 4, 2024, <https://thewire.in/society/proposed-townships-along-srinagar-highway-threaten-farmers-livelihoods>

39 Muhamad Junaid, <https://x.com/mjunaidr/status/1866140150884929693>



developments underscore the need for urgent resistance against policies that prioritize occupation and profit over the well-being and autonomy of the Kashmiri people.

## **Confiscating the Properties of Kashmiris under Flimsy Pretexts**

In the period under review for this report, on October 3, 2024, Indian authorities announced they had blacklisted the properties of 4,212 Kashmiri exiles residing in Pakistan-administered Kashmir and Pakistan.<sup>40</sup> To blacklist such properties, the Indian government often uses the Unlawful Activities (Prevention) Act (UAPA), a law criticized internationally for its broad and vague definitions of “unlawful activities.” The law has been weaponized to target individuals without transparent legal proceedings or verifiable evidence.<sup>41</sup> Officials claim these measures target active threats to “peace and stability” in Jammu and Kashmir. Pro-freedom groups and rights activists, however, condemn these blacklistings as a continuation of India’s systematic policy of economic strangulation and collective punishment in Kashmir - a crackdown that is a tool of suppression, stripping Kashmiris of assets and livelihoods, and silencing dissent.

The individuals whose properties are taken in this way, many of whom left Kashmir due to conflict and state repression, now face a ban on the sale, purchase or transfer of their assets as part of what officials describe as a broad crackdown on pro-freedom networks in the region.

An example of this was on December 2, 2024, when police in the Islamabad district of Kashmir (known in state parlance as Anantnag) seized a residential property under the aforementioned Unlawful Activities (Prevention) Act (UAPA). The property, a double-storied residential house is about 8167.52 square feet and valued at approximately 577,349 USD, belonged to Firdous Ahmad Bhat.<sup>42</sup>

Authorities justified the seizure under Section 25 of the UAPA, claiming that the individual supports the pro-freedom struggle in Kashmir. The police statement asserted that the operation adhered to “legal protocols,” with a police team and executive magistrate overseeing the attachment.<sup>43</sup>

Another house confiscation under the draconian UAPA happened on December 13, 2024, when Indian authorities seized a residential property in Kulgam, citing allegations of sheltering pro-freedom armed fighters. The house, owned by Mushtaq Ahmad Bhat, and located in the Chenigam area of Frisal, spans 2722 square feet of land, according to a police statement.<sup>44</sup>

40 Irfan Yattoo, “Crackdown on terror networks: Properties of over 4000 terrorists blacklisted in J&K: Police,” *Rising Kashmir*, October 3, 2024, <https://risingkashmir.com/crackdown-on-terror-networks-properties-of-over-4000-terrorists-blacklisted-in-jk-police/>

41 Harsh Mander, “The UAPA Is One Of Many Modern-Day Avatars Of The Draconian, Colonial Rowlatt Act,” *Article-14*, July 30, 2021, <https://article-14.com/post/the-uapa-is-one-of-many-modern-day-avatars-of-the-draconian-colonial-rowlatt-act--6102c435172cf>

42 “₹5 crore house of militant associate seized in Anantnag, says police,” *Free Press Kashmir*, December 2, 2024, <https://freepresskashmir.news/2024/12/02/%e2%82%b95-crore-house-of-militant-associate-seized-in-anantnag-says-police/>

43 “₹5 crore house of militant.”

44 “House seized for providing shelter to militants in Kulgam,” *Free Press Kashmir*, December 13, 2024, <https://>

The seizure is linked to case FIR No. 53/2024 at Yaripora Police Station. Authorities claim the house was used to provide shelter to four pro-freedom armed fighters who were killed during a military operation on July 6, 2024.

A local activist told Justice For All, on the condition of anonymity, “The seizure of homes under UAPA has become a tool to intimidate Kashmiris into submission.”

The UAPA, frequently condemned by human rights organizations, permits sweeping actions against individuals and properties without transparent trials or evidence. Critics argue that by targeting civilian properties, authorities aim to stoke fear and suppress any form of resistance. The targeting of homes—often critical to families’ survival—raises questions about the legality of such actions in international law.<sup>45</sup>

Such actions, framed by India as efforts to safeguard “national sovereignty and integrity,” serve to intimidate local Kashmiri populations and further entrench the occupation. They are a form of collective punishment that emphasizes that these measures target not just individuals accused of dissent but also their families and communities, perpetuating cycles of fear and insecurity.

## 2.2 Kashmiri Muslim Job Losses

In addition to land transfer and house confiscations, the Indian administration in Kashmir, under the leadership of Hindu-nationalist Lieutenant Governor Manoj Sinha, uses Article 311(2)(c) of the Indian Constitution to render Kashmiris unemployed.<sup>46</sup> The law, which has faced criticism from free speech advocates, concerns the dismissal or demotion of individuals employed in civil positions under the Union or a State. Originally intended to protect employees from unjust dismissals by their superiors, rights activists argue that its sweeping powers have been exploited by the state to suppress free speech and dissent.

Under sub-clause (c) of Clause 2 of Article 311, the government has the authority to dismiss an employee without conducting an inquiry if the President or Governor believes that holding such an inquiry would not be in the best interest of state security. Activists contend that this law undermines the principles of justice by denying employees the opportunity to contest or respond to their termination.

A case in point was the termination of six Kashmiri Muslim employees on August 3, 2024, including five policemen and a teacher, citing alleged financial support to Kashmiri self-determination movement through drug sales.

Under the pretext of combating “narco-terrorism,” these dismissals are part

[freepresskashmir.news/2024/12/13/houses-seized-for-providing-shelter-to-militants-in-kulgam-says-police/](https://freepresskashmir.news/2024/12/13/houses-seized-for-providing-shelter-to-militants-in-kulgam-says-police/)

<sup>45</sup> “Jammu & Kashmir: New report details India’s land rights violations since the abrogation of statehood,” *Fidh International Federation for Human Rights*, October 2, 2024, <https://www.fidh.org/en/region/asia/india/jammu-kashmir-new-report-details-india-s-land-rights-violations-since>

<sup>46</sup> “5 cops, teacher sacked over narco-terror links, say officials,” *Free Press Kashmir*, August 3, 2024, <https://freepresskashmir.news/2024/08/03/5-cops-teacher-sacked-over-narco-terror-links-say-officials/>

of a broader strategy by the Indian state to suppress any form of dissent in Kashmir. The authorities presented a narrative that claims that these employees were involved in a network allegedly run by Pakistan's ISI and rebel groups. However, this move fits within a well-documented pattern of the Indian government using draconian measures to silence those who are perceived as threats to its occupation of Kashmir.

The termination of these employees is not an isolated incident but part of a larger campaign to target Kashmiris under the guise of national security. By labeling them as participants in a “narco-terror” network, the administration seeks to further delegitimize the Kashmiri struggle for self-determination, branding resistance as criminal and terroristic.

The data, available to October, 2024, indicates that 72 public employees have been dismissed without trial under Article 311, accused of pro-freedom affiliations.

The actions documented in this section of the report reveal a coordinated strategy to marginalize and oppress the Kashmiri people through resource exploitation, property confiscation and employment expulsions. These measures not only infringe on fundamental human rights but also perpetuate a cycle of economic and social disenfranchisement. Addressing these violations requires urgent international attention and intervention to uphold the rights and dignities of the Kashmiri population. India's actions contravene several international standards, including the Universal Declaration of Human Rights (UDHR) and the International Covenant on Civil and Political Rights (ICCPR).

### **III. Religious, Cultural and Political Freedom Violations**

This section of the report focuses on the ongoing restrictions on religious practices and assembly rights, and cultural and political restrictions in the Kashmir region, highlighting specific incidents that underscore a continued pattern of interference by the occupying authorities in the religious activities, cultural and political life of the Muslim population.

#### **3.1 Restrictions on Religious Practices and Assembly Rights**

##### **Religious Figure Detained and Denied Right to Lead Prayer**

Kashmiri pro-freedom leader and chief Muslim preacher, Mirwaiz Dr. Umar Farooq, was placed under house arrest four times in December 2024. (“Mirwaiz” is a title given to the chief Muslim preacher of Kashmir.) Each time it was a Friday, the day he was scheduled to deliver the Friday sermon at the historic Jama Masjid in Srinagar, Jammu and Kashmir's largest city. Each time police vehicles were deployed outside his house, preventing him from leaving. And each time, the Mirwaiz decried the house arrest in the media. After his second arrest, he was quoted in the Free Kashmir Press as saying the authorities have an “authoritarian mindset,” and remarked, “As I raise people's issues and concerns from the pulpit as is my duty, it seems to make the authorities jittery and uncomfortable. So, lock him up! As if by locking me up,

issues will disappear, and reality will be altered.”<sup>47</sup>

The first house arrest on December 6, 2024, coincided with the 32nd anniversary of the Babri Masjid demolition on December 6, 1992, in India.<sup>48</sup> The demolition had been carried out by Hindutva groups including the Vishva Hindu Parishad (VHP), an organisation sharing ideological goals with India’s current ruling party, the Bharatiya Janata Party.<sup>49</sup>

On the third house arrest, on December 20, 2024, the Indian military barricaded the gates of the mosque, where despite the biting cold, thousands of worshippers—including elderly individuals, women, children and physically challenged persons—had gathered outside the mosque in the hope of hearing his sermon. Unfortunately, due to the Indian military’s obstruction, the worshippers were unable to pray.<sup>50</sup>

“These restrictions are impervious to the grief and pain they inflict upon the Muslim community,” the Mirwaiz said at the time, adding that such actions represent a continued assault on Kashmir’s religious and cultural freedoms.

The Mirwaiz was likely punished for raising the plight of thousands of political detainees languishing in prisons, whom he described as “victims of this [authoritarian] mindset.” He condemned their continued imprisonment as an extension of India’s oppressive policies aimed at crushing Kashmiri aspirations for justice and self-determination.

His own detention is a blatant violation of religious freedom and an attempt to suppress voices advocating for Kashmir’s political and religious rights. His house arrest reflects the broader pattern of repression in Jammu and Kashmir, where political and religious leaders are routinely silenced, and fundamental freedoms continue to be curtailed under the guise of maintaining “law and order.” The Mirwaiz has been repeatedly put under house arrest since the abrogation of Article 370 in 2019, as documented by our previous bi-annual human rights report.<sup>51</sup>

House arrest to silence critical speech and prevention of worship contravene several international human rights instruments, including the Universal Declaration of Human Rights (UDHR) and the International Covenant on Civil and Political Rights (ICCPR), to which India is a party. Article 18 of the UDHR and ICCPR guarantees the right to freedom of thought, conscience and religion, while Articles 19 and 20 of the UDHR and articles 19 and 21 of the ICCPR protect the rights to freedom of expression and peaceful assembly,

47 “‘Authoritarian mindset’: Put on house arrest again for raising people’s concerns, says Mirwaiz,” *Free Press Kashmir*, December 13, 2024, <https://freepresskashmir.news/2024/12/13/authoritarian-mindset-put-on-house-arrest-again-as-i-raise-peoples-concerns-says-mirwaiz/>

48 “‘Is it related to Babri Masjid demolition?’: Put under house arrest ahead of Friday prayer, says Mirwaiz,” *Free Press Kashmir*, December 6, 2024, <https://freepresskashmir.news/2024/12/06/is-it-related-to-babri-masjid-demolition-put-under-house-arrest-ahead-of-friday-prayer-says-mirwaiz/>

49 Manjari Katju, “50 years of the VHP: Where it’s coming from and what it wants for India,” *Scroll.in*, August 30, 2014 <https://scroll.in/article/675451/50-years-of-the-vhp-where-its-coming-from-and-what-it-wants-for-india>

50 “‘Brute force’: Again prevented from going to Jama Masjid for 3rd consecutive Friday, says Mirwaiz,” *Free Press Kashmir*, December 20, 2024, <https://freepresskashmir.news/2024/12/20/brute-force-again-prevented-from-going-to-jama-masjid-for-3rd-consecutive-friday-says-mirwaiz/>

51 Justice For All, *Peace of a Graveyard*.

respectively.

## Arrest of Muharram Mourners

Several Muharram mourners<sup>52</sup> were arrested by Jammu and Kashmir police on July 18, 2024, in Kashmir for chanting pro-Palestine slogans and waving a Palestinian flag during a religious procession.<sup>53</sup> The arrests were made under the pretext of maintaining public order, but locals view them as a suppression of free speech and religious expression.

A Shia member of India's parliament from the area, Aga Ruhullah Mehdi, criticized the arrests. He argued that mourners had the right to freedom of expression, including to support oppressed communities around the world, such as the Palestinians.<sup>54</sup>

India banned Shia Muslims from Muharram processions in Kashmir following an anti-India uprising in 1989. In 2023 India allowed some processions again, but the big procession down a particular street in Srinagar, is still banned.<sup>55</sup> The ongoing ban against Muharram processions, and the recent arrests of Kashmiris mourners showing solidarity with the Palestinian cause is part of a broader effort by the Indian authorities to stifle dissent in the region.

## 3.2 Indian State Intensifies Cultural Erasure in Kashmir

In addition to suppression of religious practices, the Indian authorities in Kashmir are conducting an Indianization of the landscape and cultural heritage. The Indian administration's Commissioner Secretary, Sanjeev Verma, issued an order on August 7, 2024, to rename 45 educational institutions and roads after Indian occupation military personnel and other pro-occupation figures.<sup>56</sup> The order extended to renaming a playground, a popular road and a street link road.

The official order directed relevant administrative secretaries to amend records promptly to reflect these changes. The Divisional Commissioners of Kashmir and Jammu were instructed to oversee personally the renaming process in their respective regions. The Deputy Commissioners were also mandated to organize events to commemorate the renaming of these

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52 Muharram is the first month in the Islamic calendar and of special significance to Shia Muslims, being the month in which the Prophet's grandson, Imam Hussain, was killed by a Sunni caliph. Shia Muslims have processions and other religious activities to commemorate this historic tragedy. About 10-15% of Kashmir's Muslims are Shia. Mohammad Mamun, "Muharram: History, Significance, and Observances in Islam," October 2, 2024, <https://islamicinfocenter.com/muharram/>; Sajjad Haider Ansari, "Shias of Kashmir: Socio-political dilemmas," IUVM Press, June 13, 2017, <https://web.archive.org/web/20190606010137/http://iuvmpress.com/10665>

53 "Muharram mourners arrested in Kashmir for pro-Palestine slogans: Lawmaker," *Anadolu Agency*, July 17, 2024, <https://www.aa.com.tr/en/asia-pacific/muharram-mourners-arrested-in-kashmir-for-pro-palestine-slogans-lawmaker/3277665>

54 "Muharram mourners arrested in Kashmir."

55 "Muharram mourners arrested;" "Shia mourners in Kashmir allowed Muharram procession after three decades," *Al Jazeera*, July 27, 2023, <https://www.aljazeera.com/news/2023/7/27/shia-mourners-in-kashmir-allowed-muharram-procession-after-three-decades>

56 "45 Edu institutions, roads and playground to be named after slain armed forces: JK Admin," *Free Press Kashmir*, August 7, 2024, <https://freepresskashmir.news/2024/08/07/45-edu-institutions-roads-and-playground-to-be-named-after-slain-armed-forces-jk-admin/>

infrastructure and assets.

This move is part of a broader strategy by the Indian state to impose its narrative on Kashmir, erasing Kashmiri identity and history by systematically replacing local heritage with symbols of Indian military occupation. This is not the first time the administration has undertaken such measures. Earlier this year, in January 2024, the administration renamed 33 educational institutions and roads after Indian military personnel, a clear attempt to glorify the oppressors while effacing the indigenous identity of the region.<sup>57</sup>

The renaming of these public spaces is more than just a symbolic act: it represents the Indian state's ongoing campaign to culturally assimilate Kashmir, rewriting history to legitimize its occupation. Such actions further alienate the Kashmiri population and underscore the systematic efforts to suppress their identity and resistance.

### **Erasure of Kashmiri Muslim Saints from School Textbooks**

Lieutenant Governor Manoj Sinha, a Hindu nationalist administrator in Kashmir, oversaw a change to Jammu and Kashmir's Class 9 English textbook in December, 2024, in which a chapter about one of Kashmir's most revered Sufi Muslim saints, Sheikh Nooruddin Wali, was removed. The erasure of this Kashmiri Muslim cultural heritage from a school textbook, triggered widespread outrage.<sup>58</sup>

Sheikh Nooruddin Wali, known as Sheikh-ul-Alam, is a deeply respected figure among both Muslims and local Hindus alike. His teachings of peace, unity and spiritual wisdom are considered integral to Kashmir's Muslim culture. His shrine at Charar-e-Sharief, which was destroyed in a devastating Indian military operation in the 1990s, remains a vital cultural and spiritual landmark.

The removal of his chapter is a deliberate attempt to erase Kashmir's Muslim identity and spiritual heritage. A Srinagar-based educator told us, "This isn't just about a textbook chapter; it's part of a larger agenda to disconnect Kashmir's youth from their history and cultural roots."

By targeting figures like Sheikh Nooruddin Wali, whose legacy represents unity and resilience, the administration is deepening cultural alienation among Kashmiris. Acts like this need to be seen alongside India's enforcement of mandatory recitals of the Indian national anthem and Hindu hymns in schools.<sup>59</sup> Such decisions are emblematic of broader Indian attempts to homogenize education and impose "Hinduizing" narratives that

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57 "Jammu and Kashmir govt to rename 33 schools, roads," *Times of India*, January 31, 2024, <https://timesofindia.indiatimes.com/city/srinagar/jammu-and-kashmir-govt-to-rename-33-schools-roads/articleshow/107277024.cms>

58 "Chapter on Sheikh Noor-ud-din Wali removed from JK Class 9 textbook," *Free Press Kashmir*, December 18, 2024, <https://freepresskashmir.news/2024/12/18/chapter-on-sheikh-noor-ud-din-wali-removed-from-jk-class-9-text-book/>

59 "Muslim students being forced to sing Hindu hymns draws ire in Kashmir," *The Hindu*, September 20, 2022, <https://www.thehindu.com/news/national/other-states/muslim-students-being-forced-to-sing-hindu-hymns-draws-ire-in-kashmir/article65910773.ece>; Peerzada Ashiq, "J&K schools told to play national anthem daily," *The Hindu*, June 14, 2024, <https://www.thehindu.com/news/national/jk-schools-told-to-play-national-anthem-daily/article68286400.ece>



marginalize Kashmir's Muslim identity.

### 3.3 Political Pro-freedom Groups and Activists Targeted

#### Pro-Freedom Election Candidates Rejected

In addition to physical assaults, economic dispossession, and restrictions on freedom of religion and culture, the Indian government targets pro-freedom activists' political involvement. Two such candidates for the September 2024 Jammu and Kashmir assembly elections were rejected.<sup>60</sup>

The first was Sarjan Ahmad Barkati, a well-known Kashmiri religious preacher and pro-freedom activist. Barkati, who gained widespread popularity for his unique style of peaceful pro-freedom rallies, is often referred to as "Azadi Chacha" (Uncle Freedom) and "the Pied Piper of South Kashmir."<sup>61</sup> Barkati was first arrested in 2016, spending over four years in detention before his release in 2020. However, he was re-arrested in September 2022 and has remained in arbitrary detention since then. He had filed his nomination papers for the first phase of elections. The State Election Commission disqualified his candidacy.

The second rejected candidate was Abdul Bari Naik. Naik is a Kashmiri social activist who is famous for exposing corruption in the Indian government as well as the Indian army's encroachment of Kashmiri village land.<sup>62</sup>

The rejection of Barkati's and Naik's nomination is part of the Indian state's broader strategy to suppress pro-freedom voices in Kashmir. Barkati's exclusion from the electoral process, in particular, underscores the ongoing Indian crackdown on Kashmiri leaders even when their advocacy for self-determination and dissidents is peaceful. Despite his peaceful activism, Barkati and his family have faced relentless state repression. His wife, Shabroza Bano, was also arrested in November 2023 under the UAPA, leaving their children without both parents.<sup>63</sup>

#### Tribunal Upholds Extension of Ban on Jammu and Kashmir Liberation Front

A tribunal under the Unlawful Activities (Prevention) Act (UAPA) upheld, on October 5, 2024, the Union Home Ministry's decision to extend the ban on the non-violent pro-freedom group Jammu and Kashmir Liberation Front (JKLF) for an additional five years.<sup>64</sup> The group is led by imprisoned pro-freedom

<sup>60</sup> "Assembly polls: Nomination of Sarjan Barkati, Dr Abdul Bari Naik and 24 others rejected," *Free Press Kashmir*, August 28, 2024, <https://freepresskashmir.news/2024/08/28/assembly-polls-nomination-of-sarjan-barkati-dr-abdul-bari-naik-and-24-others-rejected/>

<sup>61</sup> "In Kashmir, a jailed cleric takes a shot at freedom – by trying to contest elections," *Scroll.in*, September 04, 2024

<https://scroll.in/article/1072808/in-kashmir-a-jailed-cleric-takes-a-shot-at-freedom-by-trying-to-contest-elections>

<sup>62</sup> "Assembly polls."

<sup>63</sup> Anees Zargar, "J&K: Sarjan Barkati's Wife Arrested by SIA for Allegedly Raising Funds to 'aid Militancy,'" *News Click*, November 25, 2023, <https://www.newsclick.in/jk-sarjan-barkatis-wife-arrested-sia-allegedly-raising-funds-aid-militancy>

<sup>64</sup> Rahul Tripathi, "UAPA tribunal upholds 5-year ban on jailed Yasin Malik-led JKLF-Y," *The Economic Times*, October 6, 2024, <https://economictimes.indiatimes.com/news/politics-and-nation/uapa-tribunal-upholds-5-year-ban-on-jailed-yasin-malik-led-jklf-y/articleshow/113992535.cms?from=mdr>

leader Yasin Malik, who has been sentenced to life imprisonment for his role in the Kashmiri freedom struggle.<sup>65</sup> The ban, initially renewed by the Ministry of Home Affairs (MHA) on March 15, 2024, categorizes the JKLF as an “unlawful association” under UAPA provisions.

In its decision, the MHA alleged that the JKLF engages in activities deemed harmful to “security and public order,” with potential to disrupt “the unity and integrity” of the country. The UAPA tribunal, led by Delhi High Court Justice Neena Bansal Krishna, supported this stance, stating that organizations promoting Kashmiri self-determination and freedom are “incompatible” with the framework of the Indian Constitution.

In Kashmir, as the above shows, the UAPA is being used to stifle all forms of dissent and expression of the people against the ongoing occupation. India is expanding the definition of “terrorism” to include all forms of resistance to occupation, including non-violent expression. This further endangers Kashmiri civil society and rights defenders. The extended ban on JKLF underscores these kinds of ongoing efforts by the Indian state to curb pro-freedom movements in Jammu and Kashmir amidst heightened measures to enforce compliance with repressive Indian constitutional mandates. All other pro-freedom non-violent political groups that advocate for Kashmiri self-determination are also currently facing bans, with their leaders in incarceration.<sup>66</sup>

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65 “India sentences Kashmir rebel Yasin Malik to life imprisonment,” Al Jazeera, May 25, 2022, <https://www.aljazeera.com/news/2022/5/25/iconic-kashmir-rebel-yasin-malik-sentenced-to-life-by-india-court>

66 Tariq Bhat, “MHA extends ban on JKLF and allies: Hardline approach in post-Article 370 Kashmir, *The Week*, March 16, 2024, <https://www.theweek.in/news/india/2024/03/16/mha-extends-ban-on-jklf-and-allies-hardline-approach-in-post-article-370-kashmir.html>



## Conclusion and Recommendations

This report by Justice For All comprehensively documents the severe human rights violations in Indian-administered Kashmir from July to December 2024. These include torture, arbitrary detentions and extrajudicial killings, property confiscation, economic development that causes ecological problems and disenfranchises Kashmiris, Indianization of Kashmiri cultural heritage, systematic infringements on religious freedoms, targeted persecution of religious leaders and suppression of press freedom.

India's failure to ensure Kashmiri citizens' safety from landmines, despite being a signatory to the Amended Protocol II of the Convention on Conventional Weapons, is grossly negligent, showing a disregard for the lives of those under its charge. The Indian army's use of torture contravenes both the Universal Declaration of Human Rights (UDHR) and the International Covenant on Civil and Political Rights (ICCPR).

With fuzzy definitions of "hybrid militant" or "over-ground worker," plus alleging connections to pro-freedom groups, the Indian state is able to arbitrarily arrest and detain civilians. If jailed, prisoners lose access to phone calls with their families, leaving both themselves and their families in anguish at the cut in ties.

The Indian state is targeting not only those who would call for freedom for Kashmir, but also those who advocate for ecological protections for their land.

The coordinated strategy to marginalize and oppress the Kashmiri people through resource exploitation, property confiscation and employment expulsions not only infringes on fundamental human rights but also perpetuates a cycle of economic and social disenfranchisement. These actions contravene several international standards, including the Universal Declaration of Human Rights (UDHR) and the International Covenant on Civil and Political Rights (ICCPR).

Putting the Chief Muslim preacher under house arrest, preventing him from praying and leading his congregation in worship, and banning religious processions violate freedom of religion clauses under the Universal Declaration of Human Rights (UDHR) and the International Covenant on Civil and Political Rights (ICCPR).

Tampering with national anthems, renaming institutions and roads, and

removing key Kashmiri figures from textbooks, is an Indianization of Kashmiri identity. All of these contravene the Fourth Geneva Convention, the Hague Regulations and the International Covenant on Civil and Political Rights (ICCPR).

India's systematic banning of pro-freedom political groups, under laws like the Unlawful Activities (Prevention) Act (UAPA), highlights its stringent repression of dissent and advocacy for Kashmiri self-determination. The ongoing settler-colonization aims to alter the demographic and cultural landscape, undermining the rights and identity of the indigenous population.

Addressing these violations requires urgent international attention and intervention to uphold the rights and dignity of the Kashmiri population.

**Based on the findings of this report, Justice For All proposes the following recommendations to address the ongoing human rights violations in Indian-administered Kashmir and to support the rights and dignity of the Kashmiri people:**

## Recommendations for the United Nations:

### 1. General Assembly Action:

- Urge the United Nations and other international bodies to hold India accountable for its human rights violations in Kashmir. Advocate for a special session of the U.N. Human Rights Council to address the situation in Kashmir and consider appointing a special rapporteur to investigate the abuses.

### 2. Diplomatic Channels:

- Use diplomatic channels to pressure India to comply with international human rights obligations that it is signatory to, including those under the Universal Declaration of Human Rights (UDHR) and the International Covenant on Civil and Political Rights (ICCPR).

### 3. Demilitarization:

- Pressure India to demilitarize civilian areas in Kashmir and reduce the presence of armed forces to alleviate the impact on daily life and restore a sense of normalcy for residents.

### 4. International Monitoring Body:

- Establish an independent international monitoring body to regularly assess and report on the human rights situation in Kashmir. This body should have the mandate to conduct on-the-ground investigations and provide recommendations to the U.N. and other international entities.

### 5. Women's Rights:

- Address the specific needs and rights of women in Kashmir, who are often disproportionately affected by the conflict. Support initiatives that protect women from violence, provide healthcare and promote their participation in decision-making processes.

### 6. Education and Economic Development:

- Invest in educational and economic development programs in Kashmir to improve living conditions and provide opportunities for youth. These should include scholarships, vocational training and support for small businesses.

## **Recommendations for the U.S. Government:**

### **1. Leverage Diplomatic Influence:**

- Use diplomatic channels to consistently raise concerns about human rights abuses in Kashmir during bilateral meetings with Indian officials and in international forums. Highlight the importance of adhering to democratic principles and human rights.
- Urge diplomatic visits to prisoners in Tihar Jail in Delhi to assess prison conditions and ensure prisoners' rights are being upheld according to international human rights standards.

### **2. Legislation and Congressional Action:**

- Encourage Congress to pass resolutions condemning human rights violations in Kashmir and calling for specific actions by the Indian government. Utilize congressional hearings to bring attention to the issue and hold India accountable.

### **3. Human Rights Conditionality on Aid and Trade:**

- Implement conditionality clauses in foreign aid and trade agreements that require India to improve its human rights record in Kashmir as a prerequisite for receiving certain benefits or engaging in trade deals.

### **4. Sanctions and Visa Restrictions:**

- Have the U.S. State Department impose targeted sanctions and visa restrictions on Indian officials and entities responsible for human rights abuses in Kashmir. Use mechanisms like the Global Magnitsky Human Rights Accountability Act to hold perpetrators accountable.

### **5. Support Civil Society and Human Rights Defenders:**

- Provide financial and technical support to Kashmiri civil society organizations and human rights defenders. Facilitate their participation in international forums and provide them with platforms to share their experiences and advocacy efforts.

### **6. Enhance Refugee and Asylum Policies:**

- Strengthen policies to provide asylum and refugee status to Kashmiri individuals facing persecution. Expedite the processing of applications and provide legal assistance to those seeking refuge in the U.S.

## Recommendations for the Canadian Government:

### 1. Parliamentary Advocacy:

- Initiate a parliamentary inquiry into human rights violations in Indian-administered Kashmir that would examine and report on human rights conditions. The findings should inform Canada's foreign policy and humanitarian advocacy regarding the region.

### 2. Sanctions and Accountability Measures:

- Impose sanctions on the Home Minister of India and the Governor of Indian-administered Kashmir, under the Canadian Magnitsky Act.
- Impose targeted sanctions on Indian military officers and troops stationed in Kashmir for their alleged role in perpetuating settler colonialism and committing serious human rights abuses against the Kashmiri Muslim majority. These measures aim to hold accountable those implicated in actions that violate international human rights standards.
- Sanction officials in Indian detention facilities such as Tihar, Rohini and Jammu jails for their involvement in the arbitrary detention and ill treatment of Kashmiri prisoners. This would address concerns regarding violations of prisoners' fundamental civil and religious rights, ensuring that those responsible for these abuses are held to account.

### 3. International Collaboration:

- Collaborate with other countries and international organizations to form a coalition advocating for human rights in Kashmir. Work towards joint statements and actions in international bodies such as the U.N.

### 4. Human Rights-Based Foreign Policy:

- Integrate human rights considerations into Canada's foreign policy towards India, ensuring that trade agreements, aid and diplomatic relations prioritize the protection of human rights in Kashmir.
- Urge diplomatic visits to prisoners in Tihar Jail in Delhi to assess prison conditions and ensure prisoners' rights are being upheld according to international human rights standards.

### 5. Support for Media and Information Freedom:

- Provide grants and resources to support independent journalism

and media freedom in Kashmir. Offer training and legal aid to journalists facing persecution and work to counteract internet and communication blackouts in the region.

## **6. Engage the Diaspora:**

- Engage with the Canadian Kashmiri and broader South Asian diaspora to advocate for human rights in Kashmir. Support community-led initiatives and amplify their voices in Canadian and international forums.

## **7. Refugee and Asylum Support:**

- Enhance support for Kashmiri refugees and asylum seekers in Canada by providing legal assistance, expedited processing and resettlement programs tailored to their needs.

## Recommendations for Civil Society Groups:

### 1. Action on International Trade and Investment:

- Urge governments to use international trade and investment policies as leverage to encourage India to improve its human rights record in Kashmir. Governments and multinational companies can condition trade agreements and investments on India's compliance with human rights standards.

### 2. Action on Sanctions:

- Advocate that governments implement targeted sanctions against Indian officials and entities responsible for human rights abuses in Kashmir. These sanctions could include travel bans, asset freezes and restrictions on financial transactions. Some of these individuals have been named in this report.

### 3. Freedom of the Press:

- Advocate for the protection of journalists and the restoration of press freedom in Kashmir. Support independent media outlets and journalists reporting on the region through grants, training and legal assistance.

### 4. Legal Action:

- Provide legal assistance and support to Kashmiri victims of human rights abuses, including those arbitrarily detained or facing unfair trials. Also, advocate for the establishment of an independent judiciary in Kashmir to ensure fair trials and the protection of legal rights.

### 5. Indian Military:

- Advocate for the reform of the Indian armed forces' conduct in Kashmir, including the implementation of strict accountability measures for human rights violations. This should include repealing draconian laws like Armed Forces Special Powers Act and the Unlawful Activities Prevention Act.