

Kashmir Issue

Stop killing Kashmiri People Respect the popular demand of Kashmiri people for Right to self determination.

Civil Liberties Monitoring Committee condemns in the strongest terms the ongoing reprehensible onslaught of the Indian armed forces on the unarmed civilians in Kashmir. We express our deep concern on the ever increasing Human rights and civil rights violations in Kashmir at the hands of armed forces which are resulting in enormous losses to the innocent lives.

Since the protest began on 8th July after Burhan Wani's killing, over 70 Kashmiri's has been put to death and over 9000 injured due to the use of lethal force. By turning civilian residential areas into a war zone government both at the Center and State is following dangerous precedents which have in the past pushed the whole region into turmoil.

Double standards of the Indian government have become clear for the whole international community to witness. During the Patel and Jat agitations which turned extremely violent in Gujarat and Haryana, states where the ruling central party BJP is in power, lethal weaponry was not even considered as an option. Maximum restraint was maintained even at the cost of heavy economical loss. But when it comes to Kashmir and Muslim protestors Government's and security establishment first option is gunfire with intent to kill.

Till now 200 civilians have been left permanently disabled due to the usage of controversial pellet guns. Among those blinded are women, children, young boys and old men. This action of encouraging the infliction of lethal injuries on the civilians and then sending doctors from Delhi to operate on those injured is a malicious joke played by the BJP Central Government.

It is appalling to witness the Government following a pattern where it is conceive that crushing popular uprisings under military boots will soon give a sigh of relative normalcy. As it was done in 2008 than in 2010 and now the same narrative is getting repeated in 2016 where civilians are killed mercilessly and lethally injured to bring 'normalcy'.

This kind of normalcy and status quo where civilian population is kept under shadows of military might is a futile exercise in a democracy. Message on the streets of Kashmir is loud and clear that they want their grievance addressed and status quo is not a solution. The popular demands of the people of Kashmir for the right of self determination should be accepted as it is the only way to bring a long lasting peace in the region.

Civil Liberties Monitoring Committee believes that rampant killings of Kashmiri civilians at hands of armed forces are a crime against humanity. It should be noted that since 1992 around one lakh Kashmiri's are killed by the security forces. It should be a matter of grave concern for the whole civil society of this world that mass shootings, kidnappings, molestation, rape, etc. have become the tools in the hands of the Security forces to suppress the popular demand of Kashmiri people for self determination.

Civil Liberties Monitoring Committee strongly believes that in Kashmir there is grave infringement to the charter of Universal Declaration of Human Rights that Kashmiri people cannot enjoy right to life with human dignity; where they do not have the right to expression nor they have right to self determination.

Civil liberties Monitoring Committee demands Govt. of India to uphold Universal Declaration of Human Rights and to stop suppression of human rights and civil liberties in Kashmir. We demand Govt. of India to repeal AFSPA and demilitarize Jammu & Kashmir immediately.

Lateef Mohammed Khan

END THE WITCH-HUNTING OF LAWYERS, ACTIVISTS AND REPRESSION ON THE PEOPLE OF KASHMIR!!

Indian Association of People's Lawyers (IAPL), expresses its outrage and strongly condemns the continuing use of brute force by the Indian Army, Security Forces and J&K Police on unarmed civilians in Kashmir including a crack down on lawyers.

The current escalation of violence in Kashmir, one of the world's most militarized zone where the ratio of civilian to security personnel is 1:7, is a result of the killing of militant leader Burhan Wani by the armed forces of the Indian State, on July 8, 2016. The reactions to the death of this 22 year old youth leader, who embodied the deep frustrations of the Kashmiri youth suffering under the repression of the Indian security forces, lifted the veil on the reality of the constantly-simmering valley and rejuvenated the demand for Self-Determination or Azadi. The ongoing Intifada has been met by deadly state force, numerous reports from the ground speak of police tear-gassing and then shooting bullets and pellets at protesters to kill. Many of the killed protesters have been found with bullet injuries in the chest and pellet injuries to eyes showing that the police shot to kill, rather than incapacitate the protesters. The present phase of suppression of popular agitation which has been going on for almost two months has ended up killing more than 70 unarmed civilians and injuring more than 8500 in different parts of the Kashmir valley, out of which more than 1400 were the victims of pellet injuries and are now on the verge of losing their eye sight forever. Apart from this

killing spree, 1300 civilians and activists have been arrested and many of them have been slapped with draconian laws such as Jammu and Kashmir Public Security Act, 1978 (PSA). The valley has also witnessed a sharp rise in cases of sexual violence and more than 90 such incidents were witnessed in month of July alone. The security forces have not even spared the medical services and ambulances, which is in violation of international humanitarian laws. . The Indian State's policy of governing the region through draconian laws such as the Armed Forces Special Powers Act, a British-era law that allows soldiers to shoot dead anyone on sight, on mere suspicion, has virtually allowed the police and other security forces to play with the lives of the people, with total impunity.

The government of Kashmir has broken all past records in imposing the longest curfew in the territory which has been on for 55 consecutive days. The Indian state has continued its old tactics of curbing the press, snapping all forms of communication including mobile and internet services, besides incarcerating political and community leaders, thus denying the people all avenues to express and demand the fulfillment of their aspirations democratically and peacefully. It seems that for all practical purposes martial law has been imposed in the state and lawyers too are not being spared.

On, 27 August, 2016, the J&K Government arrested prominent peoples' lawyer, social activist and human rights defender, Babar-ul-Islam Nehru from Saah Mohallah of Doda district in Chenab valley and booked him under the draconian PSA. The PSA allows arresting and incarcerating a person without trial for two years on the mere 'suspicion' of disrupting law and order. In the name of 'security of the state', the law has been abused to imprison juveniles on charges of 'stone pelting'. The police have filed three different FIRs against Adv Babar for alleged 'anti-India activities'. Advocate Babar is the founder of Ababeel, an NGO, which actively mobilized resources from the Chenab valley during 2014 floods in Kashmir. His organization, amongst other issues, works on health and education sector. Adv. Babar, a people's lawyer in the true sense, used to provide free legal aid to the poor.

Other than this youth icon, senior advocate and senior leader of Hurriyat Conference (G), Advocate Muhammad Shafi Reshi is under continuous house arrest for more than a month now. This is not the first time that Advocate Muhammad Shafi Reshi has been illegally and unlawfully detained. In November last year when he was en route to Srinagar from Supreme Court of India in connection with a case filed at the Supreme Court for scrapping of Article 35-A of the Constitution, he was arrested illegally from Srinagar airport and unlawfully detained at the police station Humham. The PSA was slapped against Adv. Mohammad Shafi Reshi, which was later revoked after strong resistance by the Kashmir High Court Bar Association.

Similarly, Adv. Shabir Ahmad Bukhari, a noted lawyer and member of Kashmir High Court Bar Association, was arrested in November, while on his way from lower court to

High Court, and has been in continuous incarceration since then. Advocate Javed Hubbi's father, a senior Hurriyat leader Dr G M Hubbi has been arrested and kept in illegal detention at the Police Station in Chrari Sharief. When Adv. Javed went to see him in the Police Station, he was not only dragged out from the Police Station but was also humiliated by the SHO and other police staff. Recently, J&K Government invoked PSA to book 169 persons among an estimated 1,000 identified, who have been accused of being 'organizers and provocateurs' playing a 'leading role in the current unrest in Kashmir'. The people on this list are mostly community leaders, activists, and lawyers.

IAPL strongly condemns the witch-hunting of lawyers and the motivated systematic repression on lawyers, activist and journalists in Kashmir which only points to the continuing impunity at the highest level.

IAPL further condemns the attack on citizen's freedom of speech and expression. The recent registration of sedition cases under section 124-A of the Indian Penal Code against the Amnesty India, an international human rights group, for organizing an event focusing on human rights abuses in Kashmir, where allegedly anti-India slogans were raised, and another against Tausif Ahmad, resident of Sopore, Kashmir for allegedly sharing and forwarding a post on social media endorsing Kashmir's independence, is illogical and unconstitutional. Ahmad was arrested from a train on his way back to his home in Kashmir from Chhattisgarh, where he had been working since the last seven years. He is incarcerated in Durg jail of Chhattisgarh. IAPL also condemns the filling of sedition case against actor-politician Divya Spandana for allegedly praising the people of Pakistan and their hospitality. In the last one year, more than 150 people have been booked under this draconian British-era law, to clamp down on any form of dissent. The misuse of this tyrannical law has reached the stage where any voice against the Modi-Government is now being branded anti-India and criminalized. Other than this, there have been repeated acts of censorship on the social media, of the people who have come out in support and solidarity for the people of Kashmir. This level of oppression and censorship is unprecedented and unacceptable in a democratic country where freedom of speech and expression are constitutional rights.

IAPL strongly condemns the grossly disproportionate military response and repression by the security forces in Kashmir, which is not only in violation of basic human rights and international humanitarian laws, but also perpetuates state terror. IAPL demands that the Indian state must shun state violence and uphold international law, respect and adhere to the UN charter and especially the UN resolutions on Jammu and Kashmir. IAPL demands the initiation of political process, by acknowledging the genuine aspirations of the people of Kashmir, who have suffered grievously for nearly seven decades under Indian military suppression and are claiming the right to self-determination or Azadi. IAPL believes that self-determination of the Kashmiri people is an inalienable right, and demands that the Indian state honour its long standing promise and conduct plebiscite in Kashmir. We appeal to the mainstream Indian media

to break the silence on Kashmir. Kashmir is under siege and is facing a humanitarian crisis that requires urgent international attention and intervention. We appeal to the democratic sections of India and the international community to take serious notice of the current volatile situation in Kashmir and respect the democratic aspirations of the people of Kashmir and stand in solidarity with them.

IAPL Demands:

1. To release all lawyers preventively arrested and detained immediately and unconditionally, including Advocates Babar-ul-Islam Nehru, Advocate Muhammad Shafi Reshi, Adv. Shabir Ahmad Bukhari, and stop obstructing the access of Kashmiri people to legal recourse and aid.
2. To release all activists and political prisoners, immediately and unconditionally, including those kept under illegal indefinite house arrest and hundreds of children and teenagers detained for stone pelting.
3. To prohibit and ban the usage of pellet guns or any other lethal weapons on unarmed resisting masses, with immediate effect.
4. To repeal draconian laws like AFSPA, PSA, and sedition.
5. To end the war on the people of Kashmir by Indian security forces and to conduct plebiscite in Kashmir so as to honour the long standing promise of the Indian State.

Sd/-

Adv. Surendra Gadling (Nagpur),
Adv. Ravindra Balla (Hyderabad),
Adv. Maharukh Adenwalla (Mumbai),
Adv. Sudha Bharadwaj (Bilaspur),
Adv. Ankit Grewal (Chandigarh)

for **INDIAN ASSOCIATION OF PEOPLE'S LAWYERS**

(Affiliated to International Association of People's Lawyers; www.iapl.net)