

CHANGING THE DEMOGRAPHICS OF INDIAN-OCCUPIED JAMMU AND KASHMIR

UNDERSTANDING THE DOMICILE LAWS

Over the past weeks, India has detailed the processes by which Indian settlers will be able to obtain domicile certificates in occupied Jammu & Kashmir (J&K), leading to settler-colonialism and demographic change in the region.

WHAT IS A DOMICILE CERTIFICATE?

It's a government-issued document that proves a person's residency and allows them to avail various benefits such as access to education, government employment, and welfare schemes.

WHAT DO THESE CHANGES MEAN?

India is systematically paving the way for settler colonialism by forced demographic change, institutionalizing a system of domination over indigenous populations, and obviating the people's exercise of their right to self-determination.

WHAT DOES THE CATEGORY OF DOMICILE APPLY TO SO FAR?

- Eligibility for government jobs.
- Eligibility for admission to educational institutions.
- Eligibility for applying for professional entrance exams.
- Expectation that it will be extended to land rights, voting rights and other benefits or welfare schemes previously reserved for Permanent Residents.

WHAT DOES THE NEW DOMICILE ORDER DO?

Previously, only J&K permanent residents could claim residency benefits but now "domicile" is extended to:

- Anyone who has resided in J&K for 15 years.
- Anyone who has studied in J&K for 7 years or appeared in class 10th/12th exams.
- All children of central government employees who have served in J&K for 10 years (even if they have never resided in J&K).
- All migrants that are registered with Relief and Rehabilitation Commissioner in J&K.

WHAT IS THE NEW PROCESS TO APPLY FOR DOMICILE?

- Applications can be submitted in person or online.
- The responsible 'competent authority' has 15 days to issue or reject the application; applicant may appeal before appellate authority.
- If the appellate authority accepts the appeal, the competent authority has to issue the certificate within 7 days; if they don't, 50,000 INR (approx. 660 USD) will be deducted from their salary.

The new changes will discourage the 'competent authority' from denying dubious domicile claims.



CHANGING THE DEMOGRAPHICS OF INDIAN-OCCUPIED JAMMU AND KASHMIR

UNDERSTANDING THE DOMICILE LAWS

HOW DO THESE CHANGES COMBINED WITH THE READING DOWN OF ARTICLE 370 IMPACT THE INDIGENOUS PEOPLE OF JAMMU AND KASHMIR?

- They no longer automatically qualify for educational opportunities or public employment.
- Category of “Permanent Resident” which protected indigenous Kashmiris’ rights has been undermined and replaced with “domicile”.
- Many indigenous Kashmiris might not have their permanent resident certificate (PRC), a legal document that will allow them to obtain the new domicile certificates.
- It remains unclear how indigenous Kashmiris without their PRC will be able to obtain the domicile certificate.
- Without adequate documents, they will be rendered stateless in their own homes and dispossessed from education, employment & land rights, leading to **massive displacement**.
- Diaspora Kashmiris and their children who do not have PRC will be ineligible, as will refugees or exiles from Indian occupied Kashmir.
- Indian settlers will be able to fast-track eligibility for employment, education, and land via the domicile certificates by submitting minimal documentary proof
- Increased **unemployment** & competition for scarce resources for indigenous Kashmiris.
- Indian settlers who obtain domicile certificates will be part of the settler-colonial project, resulting in “**demographic flooding**”.
- As suggested by Indian officials, “Israeli-like” settlements can now be introduced in J&K making the region’s Muslim-majority into second-class citizens, a demographic minority, & pave way for **ethnic cleansing**.
- Demographic flooding of Indians, that could impact the results of a potential plebiscite or referendum in India’s favor.

UNDER INTERNATIONAL LAW, CHANGING THE DEMOGRAPHICS OF OCCUPIED OR DISPUTED TERRITORIES IS ILLEGAL.