



## KEY DEVELOPMENTS IN THE HUMAN RIGHTS SITUATION IN INDIAN-ADMINISTERED KASHMIR

November 1, 2023 - November 30, 2023

### SUMMARY

In November 2023, Indian authorities continued to commit grave human rights violations in Indian-administered Kashmir (IAK). Indian forces killed at least 12 individuals and destroyed at least 2 homes. Indian authorities continued to deny the exercise of the right to free expression, including specifically as related to the grave humanitarian situation in Palestine. Indian authorities substantially escalated their ongoing campaign of mass arbitrary detention by detaining hundreds of Kashmiris, including students for allegedly cheering for a team disfavored in India, continued their ongoing campaign of mass property expropriation and continued to block internet access in parts of Kashmir.

Numerous Kashmiri journalists, human rights defenders, political activists, and dissenters continue to be arbitrarily detained. In a case emblematic of Indian repression targeting Kashmiri human rights defenders, Khurram Parvez has been illegally imprisoned in a maximum-security facility in New Delhi for 766 days. In a case emblematic of the repression targeting Kashmiri journalists, Aasif Sultan has been illegally imprisoned for 1,949 days as of the date of this publication. While a preventive detention order targeting Sultan was reportedly quashed last week, he has not been reported released.

**Due to ongoing repression by Indian authorities, key developments in the human rights situation in IAK have likely gone unreported.**

*Note: Indian authorities often label any victim of state violence or violations (and not just armed resistance fighters) as a "terrorist" or "militant" and any dissenter in IAK as a "terrorist," "secessionist," or "militant." If a violation occurs near the Line of Control (LOC), the victim is typically labeled a "foreign terrorist," "intruder," or "infiltrator." If the victim is not affiliated with any organized dissent, they are often labeled an "overground worker" (or "OGW"), "hybrid militant," "hybrid terrorist," or "militant associate." If the individual is a journalist, scholar, or human rights defender, they are often labeled a "narrative terrorist" or "white collar terrorist." These unsubstantiated, demonizing and dehumanizing labels are used to legitimate violations against civilians, including extrajudicial killings, arbitrary detentions, raids, and the forcible taking of property.*

### VIOLATIONS OF THE RIGHT TO LIFE AND EXCESSIVE USE OF FORCE

Indian forces continued to extrajudicially kill a number of individuals

On November 4, 2023, an Indian Central Reserve Police Force (CRPF) vehicle [hit and killed](#) Manzoor Ahmad Wani of Budgam, in the Baghat Chowk area of Srinagar. On November 6, 2023, a Kashmiri police officer, [Ghulam Mohammad Dar](#) of Wailoo Tangmarg, Baramulla district was shot and killed outside his home by the Indian army – although the Jammu & Kashmir Police claimed he was killed by "militants."

On November 9, 2023, Indian forces killed [Myser Ahmad Dar](#) in Kathohalan, Shopian district. Jammu & Kashmir Police [labeled](#) him a “terrorist.” On November 17, 2023, Indian forces killed an [unidentified individual](#) in the Guller-Behrote, Budhal, Rajouri district following a cordon and search operation (CASO). On November 17, 2023, Indian forces killed [Sameer Ahmed Sheikh, Danish Ahmed Thokar, Hunzallah Yaqoob Shah, Ubaid Ahmed Padder, and Yasir Bhat](#) in Samnoo, Kulgam district. Jammu & Kashmir Police [labeled](#) them “militants.”

*Indian forces destroyed homes in connection with these killings (see [Indian forces destroyed homes under EXPROPRIATION OF LAND, TAKING OF PROPERTY, DESTRUCTION OF PROPERTY.](#))*

Indian forces continued to extrajudicially kill near the LOC

On November 15, 2023, Indian armed forces [killed two unidentified individuals labeled "infiltrators"](#) along the LOC Uri, Baramulla district. On November 23, 2023, Indian forces [killed two unidentified individuals labeled "infiltrators"](#) in southern Rajouri district near the LOC.

## **VIOLATIONS OF THE RIGHT TO FREEDOM OF EXPRESSION**

Public sector employees were prohibited from striking

On November 3, 2023, the Jammu & Kashmir administration [prohibited public sector employees from striking](#) under threat of reprisals. Employees had been [seeking relief](#) for non-payment of wages and employment benefits.

Indian authorities prohibited Palestine-related expression or assembly

On November 8, 2023, Indian authorities [prohibited demonstrations in support of Palestinians.](#)

Indian authorities suspended internet service

On November 7, 2023, Jammu & Kashmir Police [suspended mobile data services](#) in parts of Pulwama district for at least 24 hours.

Jammu & Kashmir administration terminated more public sector employees for alleged dissent

On November 22, 2023, the Jammu & Kashmir administration [terminated](#) Dr. Nisar ul Hassan of Achabal Sopore, an Assistant Professor of Medicine, Abdul Majid Bhat of Kunan, Kupwara, a police constable, Farooq Ahmad Mir of Malik Mohalla Kupwara, a teacher, and Abdul Salam Rather of Yamrach Yaripora, a laboratory bearer, for alleged “ties to militancy.” In IAK, [employment termination](#) is a systematic practice to punish dissent, is carried out [without due process](#) or meaningful recourse, even if the disfavored sentiment is allegedly held by relatives or associates, and has [impacted](#) dozens if not hundreds of [individuals](#) and their families in recent years.

## **ARBITRARY DETENTION**

Indian authorities continued to arrest and arbitrarily detain people in IAK

In early November, Indian authorities arbitrarily detained at least hundreds of [individuals](#) across Kashmir who they alleged were “over-ground workers.” While there was limited public reporting of this new round of mass detention, private reporting confirmed the occurrence, although the scale is unknown.

On November 2, 2023, Jammu & Kashmir Police [arrested](#) Yawar Rashid and Basit Nabi, residents of Saderbala, Bandipora district, at a checkpoint along Shalteng Bridge who they labeled “terrorist associates.”

On November 6, 2023, the Jammu & Kashmir administration’s State Investigation Agency (SIA) [filed charges](#) against Hamaad Farooq Trambo, Danish Ahmad Koul, and Faizan Ishtiyah Kharadi, all residents of Srinagar, for allegedly raising funds from Saudi Arabia and Oman.

On November 8, 2023, Jammu & Kashmir Police [arrested](#) Seheran Bashir Nadaf of Shirpora Deva Colony, Ubaid Nazir Laigroo of Shirpora New Colony, Umer Amin Thoker of Waghama, Huzaif Shabir Bhat of Wachi Shopian, Nasir Farooq Shah of Wanteng Mohalla Bijbehara, and Suveed Showkat Bhat of Fatehpora. Police labeled them “militants.”

On November 20, 2023, Jammu & Kashmir Police [arrested seven Kashmiri students](#) at Sher-e-Kashmir University of Agricultural Sciences and Technology for “anti-national activity” for allegedly supporting the Australian team in the 2023 Men’s Cricket World Cup final.

On November 21, 2023, India’s National Investigation Agency (NIA) [arrested](#) Zakir Hussain of Kathua district, based on alleged connections to “terrorism.”

On November 24, 2023, the SIA [arrested](#) Shabroza Bano, for allegedly crowdfunding money for “militancy.” Bano is married to Sarjan Barkati, who was [most recently arrested](#) in August 2023. Barkati is a prominent Islamic religious cleric and senior leader of Ummat e Islami, an Islamic socio-religious organization. Barkati has repeatedly been subject to arbitrary detention, including in [September 2022](#) as part of Indian authorities’ escalated detention campaign targeting Islamic scholars and *imams*.

On November 26, 2023, Jammu & Kashmir Police [arrested](#) Farman Khursheed Wani of Gagren Shopian at Haddipora, Shopian Crossing who they labeled a “terrorist associate.” Also on November 26, 2023, Jammu & Kashmir Police [arrested](#) Zameer Ahmad Khanday of Madiyan Kamalkote and Mohammad Naseem Khanday of Madiyan Kamalkote at a checkpoint in Kalgai, Uri, Baramulla district who they labeled “militant associates.”

At least five Kashmiris were released after prolonged arbitrary detention, including two journalists

On November 8, the Jammu & Kashmir High Court [ordered the release](#) of Muhammad Iliyas Dar, a 22-year-old from Kulgam district who was arbitrarily detained under the Public Safety Act (PSA) in May 2022 for alleged “anti-national behavior.”

On November 11, 2023, the Jammu & Kashmir High Court [ordered the release](#) of Shabir Ahmad Khanday who was arbitrarily detained on June 25, 2022 without any claim being made against him and Aamir Amin Dar who was arbitrarily detained on April 7, 2022 on a claim previously rejected as illegitimate during a prior period of arbitrary detention.

On November 18, 2023, the Jammu & Kashmir High Court [ordered the release](#) of Sajad Gul, a Kashmiri journalist detained under PSA since January 2022 for doing journalism.

On November 24, 2023, Fahad Shah was [released from jail](#). Shah, the former editor of The Kashmir Walla (which Indian authorities force to close) had been arbitrarily detained for doing journalism since February 2022. *For more background on Shah's detention, [see this article](#).*

## **EXPROPRIATION OF LAND, TAKING OF PROPERTY, DESTRUCTION OF PROPERTY**

Indian authorities continued to seize property based on purported links to “terrorism”

On November 1, 2023, Jammu & Kashmir Police [expropriated the homes](#) of Sanaullah Mir in Kulgam and Azad Ahmad Teli in Awantipora. Indian authorities claimed they had “harbored terrorists.” On November 14, 2023, the [NIA expropriated property](#) of Mohammad Tika Khan of Singoo Narbal, Pulwama district, including two apple orchards, a residential house, and land at Begum Bagh, Kralpora, Pulwama. The NIA also expropriated property belonging to Mohammad Shafi Wani of Singoo Narbal.

Indian forces destroyed homes

On November 17, 2023, Indian forces used [chemical substances delivered via drone](#) to [destroy two homes](#) and damage another.

## **STATE SURVEILLANCE**

Jammu & Kashmir Police introduced new surveillance technology

Jammu & Kashmir Police installed a [GPS ankle tracker](#) on Ghulam Muhammad Bhat, a lawyer who was arrested for and political activist for his alleged involvement in pro-self-determination political activity. In addition to systematic, pervasive physical surveillance, Indian authorities utilize extensive [digital data collection](#) and [surveillance systems](#) in IAK, including [CCTV](#), [facial recognition systems](#) and spyware like NSO Group's [Pegasus](#).

## **COLLECTIVE PUNISHMENT**

On November 11, 2023, Indian armed forces launched cordon and search operations (CASOs) and fired several bullets at different areas [in the Pulwama district](#). On November 17, 2023, Indian forces [openly fired](#) in the Guller-Behrote area of Budhal tehsil in Rajouri during a CASO based on ‘suspicious activity’ in the area.

*See also **EXPROPRIATION OF LAND, TAKING OF PROPERTY, DESTRUCTION OF PROPERTY** above. [Since 2019](#), Indian authorities have expropriated at least 200 properties in IAK, mostly based on allegations of “terrorism.”*

## **LACK OF ACCESS TO JUSTICE AND IMPUNITY**

On November 9, 2023, an Indian military tribunal [suspended the sentence](#) and granted conditional bail to Bhoopendra Singh, an army captain convicted of abducting and extrajudicially killing three civilians in Shopian district on July 18, 2020 and falsely claiming that they were killed in an “armed encounter.”

## **PUBLIC STATEMENTS, COMMUNICATIONS, AND REPORTS**

November 22, 2023, marked [two years](#) of human rights defender Khurram Parvez’s illegal imprisonment. Several organizations issued a [joint statement](#) calling for the release of Parvez and journalist and human rights defender Irfan Mehraj.

[The Intercept reported](#) that leaked Pakistani intelligence documents revealed India’s intelligence operatives have been targeting Sikh and Kashmiri activists living outside of India.

The Kashmir Law & Justice Project published [Complete Injustice: The Indian Supreme Court and the misrule of law in Kashmir](#) which critically analyzes the Indian Supreme Court’s conduct regarding IAK and the fundamental rights of Kashmiris.

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