

# Human Right Report 2012





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# Introduction

Human Rights situation In Indian occupied Jammu and Kashmir remains under severe criticism from local and international human rights organisations ever since 1989. The public outcry against Indian occupation for the achievement of United Nations recognised right to self-determination has been met with mere military might by Indian state without regard for the international human rights and fundamental rights as enshrined in the constitution.

Human Rights Desk of Kashmir Institute of International Relations monitors the human rights situation in Indian occupied Jammu and Kashmir besides monitoring daily human rights situations; it also monitors what national and International human rights institutions report about the human rights situation of Indian Occupied Kashmir.

This document is based on the reports produces by different human right organisations, United Nations special procedures and major events that took place during the year 2012.

Kashmir Institute of International Relations acknowledges the hard work and dedication of these organisations and also acknowledges the element of risk they took while documenting the reports. It commends the work of International tribunal for peace and justice Jammu and Kashmir and Association of parents of disappeared persons in this regard.

Year 2012 started with a killing Note, when a Altaf Ahmed Soud 21, a student of was killed at Boniyar by Para-military central industrial security Forces CISF personnel on January 2nd 2012 and ended up with killing of one and injuries to 15 innocent civilian in an unprovoked firing by Indian army at two different places in Pulwama town on 28th of December 2012.

## Excerpts from the reports of the national and international human rights groups and United Nations mandate holders

During the year 2012 many reports highlighting the human rights situation in Indian occupied Kashmir were released. Important among these reports are:

- The report of Amnesty International “ PSA” Public Safety Act still a lawless law,
- Report by Citizens Council for justice CCJ titled Atrocities and sufferings
- The report of International Peoples’ Tribunal On Human Rights And Justice In Indian-Administered Kashmir [IPTK] / Association Of Parents Of Disappeared Persons [APDP] : Alleged Perpetrators – Stories of Impunity in Jammu and Kashmir.
- The out of India UPR during the 21 session of United Nations Human Rights Council.
- Besides these reports United Nations special Rapporteur on situation of Human rights defenders submitted her report to the council during the 19th session on 6th of march about her country visit to India and Special Rapporteur on extra-judicial, summary and arbitrary executions Christophe Hynes also visited India and Indian occupied Kashmir in March, 2012.

All these reports besides other reports have adequately exposed the systematic and gross human rights violations in Indian occupied Jammu and Kashmir and also made valuable recommendation to overcome the culture on impunity that pervades because of series of draconian

laws, which are contrary to the international human rights standards. The laws like public safety act PSA, Armed Forces Special powers Act AFSPA , Jammu and Kashmir Disturbed area act DDA and National Security Act etc are laws that facilitate human rights violations and provide total impunity to the Indian armed forces and its other agencies from civil prosecution. From local human rights groups to international human rights watchdogs like Amnesty International and Human Rights Watch time and again in their reports have repeatedly asked government of India to repeal all these laws that assist human rights violation.

## Special Rapporteur on the situation of Human Rights defenders

Margaret Sekaggya, UN Special Rapporteur on the Situation of Human Rights Defenders, in her report presented to the UN- Human Rights Council in 19th session (March 2012) recommended repealing of Armed Forces Special Powers Act (AFSPA) and Jammu and Kashmir Public Safety Act (PSA). The report besides throwing light on AFSPA and PSA, also refers to Jalil Andrabi’s killing, Shopian



Margaret Sekaggya, UN Special Rapporteur on the Situation of Human Rights Defenders addressing press conference in New Delhi March 2011

“rape and murder”, killing of journalists and press censorship during the civilian unrest.

The Special Rapporteur is of the view that broad and vague definitions of terrorism contained in these security laws including the Unlawful Activities Prevention Act have allowed the State apparatus to wrongfully target defenders. She concluded that space for human rights defenders has contracted in India and; and government of India must provide protection to the human rights defenders and repeal the draconian legislations.

## **Special Rapporteur on extra-judicial arbitrary or summary execution**

Christophe Hynes ,United Nations Special Rapporteur on Extra-judicial, summary and Arbitrary Execution, in a press conference in New Delhi in early 2012 said , “The main finding in my report is that despite constitutional guarantees and a robust human rights jurisprudence, extrajudicial



Christophe Hynes ,United Nations Special Rapporteur on Extra-judicial killings addressing press conference in Srinagar March 2012

killings continue in India and it is a matter of serious concern,” He called for the repealing of controversial laws such as Armed forces

Special powers act and Jammu and Kashmir Disturbed area act and public safety act. Describing AFSPA a clear violation of international law, Hynes said “AFSPA allows the state to override rights. Such a law has no role in a democracy and should be scrapped”.

He demanded repeal of following laws as well, on the ground that they are not in conformity with international standards: the Code of Conduct on Extrajudicial Executions, J&K Public Safety Act, Jammu and Kashmir Disturbed Areas Act, 2005, Section 197 of the Code of Criminal Procedure Act, provisions of Unlawful Activities Prevention Act, 1967 and the Chhattisgarh Special Public Security Act, 2005. He added, “India also should ratify a number of international treaties, including the Convention Against Torture and the International Convention for the Protection of All persons from Enforced Disappearance,”

In Amnesty International’s current report entitled PSA –still a lawless Law”. The current report indicates that despite criticism from international and national human rights groups New Delhi has not reviewed or amended the PSA and new records of human rights violations are being set by the security forces in Indian occupied Jammu and Kashmir. The security forces are the major perpetrators of the violence but the State has failed to take any action against the culprits in Uniform. “The J&K authorities continue to use the PSA to circumvent the rule of law and the criminal justice system. They resort to PSA detentions instead of charging and trying persons suspected of offences in court” said Ananth Guruswamy, Director, Amnesty International India.

The Public Safety Act violates international

human rights law and must be repealed” said Ananth Guruswamy. “All PSA detainees must be charged and prosecuted through a fair trial in a court of law or else released”.

## Atrocities and sufferings, Report of CCJ Jammu and Kashmir

2- Atrocity and Suffering - A Report on Fifty Villages in Baramulla and Kupwara Districts of Jammu and Kashmir

Surveyed and Written by: The Citizens' Council for Justice

This dossier reveals, 502 people were either murdered or became victims of enforced disappearances, 2048 individuals were physically tortured, 6888 subjected to forced labour and 40 died while in custody,



Kashmiri women protesting against the custodial killing of youth in Sopore

more over mosques, 7000 civilian properties worth millions were destroyed under the grab of operations against outlaw elements.

## SUMMARY

The survey was conducted by CCJ in 50 villages of Baramulla and Kupwara districts. The results show that people of these villages were severely brutalised over a long period of time i.e., 1990-2011, by being

repeatedly subjected to torture (including violence against women), forced labour, disappearance, and death. The means of livelihood for the people in the 50 villages were also jeopardised through land occupation and militarisation

In these 50 villages, CCJ found that 437 people were killed and 65 persons were disappeared. Out of the 437 people, 320 were killed by Army, Central Reserve Police Force (CRPF), Border Security Force (BSF), Jammu and Kashmir Police, and government sponsored militants. Militants were responsible for 84 killings and unidentified gunmen were responsible for 33 killings. In the 50 villages, and 2048 persons have been tortured in 57 army camps.

According to this survey, 40 people were killed by armed forces and police in custody; 49 people were disabled; and 6888 persons were subjected to forced labour. A total of 700 properties were destroyed with damages of around 103.8 Crores Rupees; and 19 army camps occupied 2047 Kanals of prime village lands. Out of the 234 Mosques in the 50 villages, 5 were destroyed, and of 11 Hindu Temples, 4 were destroyed.

The people according to CCJ, demanded demilitarization of their villages, and asked that the perpetrators, whoever they be, be punished under law, and that the victims be awarded righteous compensation, and urgent provisions be made for the rehabilitation and reconstruction of their lives. CCJ found that, predominantly persons of Muslim faith have been targeted, and some Kashmiri Pandits of Hindu faith and a handful of Sikhs have also been targeted. Even while the people of these villages expressed their demands for justice, it was



Shrine of Dastgir sahib set on fire by Indian Agents at Srinagar

abundantly clear to CCJ that what has been physically, psychologically, and emotionally taken from these people is irreparable.

## **TORTURE**

In all these 50 surveyed villages, one of the most unreported human rights abuses that came across to CCJ field researchers was that of physical torture. In every village researchers were overwhelmed to hear the tales of torture. A large number of people spoke about their torture experiences. Given below is statistic of the torture victims:

- Total number of people tortured in 50 surveyed villages – 2048.
- Number of torture survivors who are named in 50 surveyed villages – 465.
- Number of torture survivors who for fear of reprisals did not want to be identified in 50 surveyed villages – 1583.

Despite many people being willing to speak to us regarding their torture, huge majority did not want to be indentified at all due to fear of reprisals. Around 1583 persons from these villages preferred to not be identified; and only 465 persons gave consent to be identified. The severe

physical torture of 2048 people out of an adult male population of approximately 67,000 is a striking number and highlights the gross abuse of human rights suffered by people in these areas.

The methods of torture had been extremely brutal. Many people complained besides harsh beatings by sticks, electrocution of private parts, rolling of wooden rollers over the legs, stretching of legs and arms, dipping the head in water bucket, burning of skin by cigarette bits or by blue lamps, denial of sleep, hanging upside down etc as some of the methods of torture they have experienced. Fear continues to haunt these torture survivors and their families, because of which a large number of torture survivors (1583 persons in all) have refused to be identified during this research.

## **PLACES OF TORTURE**

With the help of the torture survivors, it was possible to indentify list of torture centres, besides homes, fields, orchards and streets, where torture was inflicted on the people from these 50 surveyed villages. In total, CCJ identified 57 armed forces camps and police stations where these 2048 persons from 50 villages were tortured between 1990-2011. It was found that almost all the camps (57) listed below continue to exist: [this list can better be omitted, I think]

### **List of Camps Identified as Torture Centres**

- Amargarh Camp BSF Camp, Sopore, district Baramulla
- Khanoo Babagund Camp, Handwara, district Kupwara
- Baramulla J.I.C, district Baramulla



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- Baramulla Police Line, district Baramulla
  - Watergam Camp, Rafiabad, district Baramulla
  - Boitengoo Camp, Sopore, district Baramulla
  - Bomai Camp, Sopore, district Baramulla
  - Dangerpora Camp, Sopore, district Baramulla
  - Drugmulla Camp, district Kupwara
  - Payerpora Camp, district Kupwara
  - Ganju House Camp, Sopore, district Baramulla
  - Gushi Camp, district Kupwara
  - Hamray Camp, Pattan, district Baramulla
  - Kreeri Camp, Pattan, district Baramulla
  - Handwara Camp, district Kupwara
  - Hathlangoo Camp, Sopore, district Baramulla
  - Watlab Camp, Sopore, district Baramulla
  - Kalantra Camp, Pattan, district Baramulla
  - Kandi Shumlaran Camp
  - Keegam Camp, district Kupwara
  - Seeloo Camp, Sopore, district Baramulla
  - Langate Camp, Handwara, district Kupwara
  - Kot Balwal Jail, Jammu
  - Langate BSF Camp, Handwara, district Kupwara
  - Kupwara Camp, district Kupwara
  - Haripora Camp, Handwara, district Kupwara
  - Matches Factory Camp, Baramulla, district Baramulla
  - Fruit Mandi Camp, Sopore, district Baramulla
  - Pohrupeth Camp, Sopore, district Baramulla
  - Putukhah Muqam Camp, Sopore, district Baramulla
  - Shiva Camp, Sopore, district Baramulla
  - Shrakwara Camp, Kreeri, district Baramulla
  - Sopore Police Station, district Baramulla
  - Tarzoo Camp, Sopore, district Baramulla
  - Uplana Camp, district Baramulla
  - Wader Camp, Handwara, district Kupwara
  - Trehgam Camp, district Kupwara
  - 38. Warpora Camp, Sopore, district Baramulla
  - Zangli Camp, Lolab, district Kupwara
  - Town Hall Camp, Sopore, district Baramulla
  - Seer Camp, Sopore, district Baramulla
  - Saidpora Camp, Sopore, district Baramulla
  - Haigam Camp, Sopore, district Baramulla
  - Delina Camp, district Baramulla
  - Wagoora Camp, Kreeri, district Baramulla
  - Singhpora BSF Camp, district Baramulla
  - Malmapan Pora Camp, Sopore, district Baramulla
  - Yembarzalwani Camp, Sopore, district Baramulla
  - Batpora Camp, Pattan, district Baramulla
  - Chekseri Camp, Pattan, district Baramulla
  - Kunzar Camp, Pattan, district Baramulla
  - Zaloor Camp, Rafiabad, district
-

Baramulla

- Nutnussa Camp, Handwara, district Kupwara
- Chandigam Camp, Lolab, district Kupwara
- Nowpora Jaagir Camp, Kreeri, district Baramulla
- Sunwani Camp, district Kupwara
- Mirangund Camp, Keeri, district Baramulla

### 3- Alleged Perpetrators – Stories of Impunity in Jammu and Kashmir

## EXECUTIVE SUMMARY

This report, prepared over two year International Peoples' Tribunal On Human Rights And Justice In Indian-Administered Kashmir [IPTK] / Association of Parents of Disappeared Persons [APDP] s by using information gleaned mostly from official State documents, portrays the state of impunity prevalent in Jammu and Kashmir. Where identities of individual perpetrators of crimes are known it seeks a process of accountability for institutional criminality.

In the highly militarized space of Jammu and Kashmir, it reveals an entrenched culture of impunity. Cases of human rights violations committed by members of various State forces are analyzed within the context of an occupation, an armed conflict, and a state of structural impunity. These have evolved within State institutions, including the armed forces, and traverse the application and interpretations of special laws, and finally the judicial system itself.

The defining feature of human rights

violations here is that in the name of countering militant violence the Indian State authorizes armed forces to carry out every kind of operation, often without adherence to laws and norms. In a majority of cases crimes are not noted or investigated at all. Therefore, any listing or analysis of cases in this report would inevitably be an incomplete one.

The rudimentary statistics contained in it reveal an appalling picture. Out of 214 cases a list emerges of 500 individual perpetrators, which include 235 army personnel, 123 paramilitary personnel, 111 Jammu and Kashmir Police personnel and 31 Government backed militants/associates. The designations of some of these alleged perpetrators points to a deep institutional involvement of the Indian State in the crimes. Among the alleged perpetrators are two Major Generals and three Brigadiers of the Indian Army, besides nine Colonels, three Lieutenant Colonels, 78 Majors and 25 Captains. Add to this, 37 senior officials of the federal Paramilitary forces, a recently retired Director General of the Jammu and Kashmir Police, as well as a serving Inspector General.

The institutional culture of moral, political and juridical impunity has resulted in enforced and involuntary disappearance of an estimated 8000 persons [as on Nov 2012], besides more than 70,000 deaths, and disclosures of more than 6000 unknown, unmarked and mass graves. The last 22 years have also seen regular extra-judicial killings punctuated by massacres. The Gow Kadal [Srinagar] massacre of around 50 persons on 21 January 1990 and other mass killings discussed in this report are symbolic reminders of the persistent human rights

violations in Jammu and Kashmir.

It is obvious that it is the Indian State that fosters a climate of impunity in Jammu and Kashmir. As principles of command responsibility have been elaborated and evolved under international criminal law, this is particularly true in case of organized structures such as the armed forces, where senior officers [and often, the government] also bear responsibility.

There is an overwhelming reluctance to genuinely investigate or prosecute the armed forces for human rights violations. There is an occasional willingness to order compensatory relief, but not to bring the perpetrators to justice. Without adequate prosecution, and fixing of individual criminal responsibility, monetary compensation is at best a weak palliative measure, and at worst a bribe to buy the silence of the victims.

The role of the judiciary in a conflict zone is a vital and, often, only hope available for ensuring justice. Despite occasional passing of strong orders, this report contains numerous examples of the High Court effectively condoning the continuation of violations. The general experience in Jammu and Kashmir has been that the judiciary has allowed itself to be conscious of the power and will of the executive, thereby rendering itself subservient to the State.

Domestic processes of justice also do not appear willing to consider violations within this conflict in the light of relevant international humanitarian law i.e. the Geneva Conventions (1949), the Additional Protocols (1977), or international criminal law, as India has not yet legislated on crimes of Genocide, Crimes against Humanity and War Crimes. Domestic Indian law does not

even criminalize “Enforced Disappearance” or “Torture”, which means that it is unable to prosecute perpetrators of such crimes, thus depriving the people of appropriate instruments to force prosecution.

What is striking is that the documents in possession of the State itself indict the armed forces and the police by providing reasonable, strong, and convincing evidence on the role of the alleged perpetrators in specific crimes. Despite available documents that indict the alleged perpetrators, the response of the Jammu and Kashmir Police, Government of Jammu and Kashmir and the Indian State has been woefully inadequate. From denial of sanction for prosecuting members of armed forces under the Armed Forces Special Powers Act, 1990 [AFSPA] Indian State and its functionaries appear to have played a direct role in the commission of crimes and subsequent cover ups.

In the context of the Kashmir conflict, the IPTK does not consider this report to be a definitive or exhaustive list of alleged perpetrators. It merely seeks to begin a process of accountability. Further investigations would be necessary to understand more comprehensively the role of superior authorities involved in these crimes.

The cases discussed in this report go contrary to the Indian State narrative of human rights violations as mere “aberrations”. Crimes in Jammu and Kashmir have not been committed despite the Indian State but because of it. The structures of the Indian State, including the Government of Jammu and Kashmir, must be accused of not just standing by while human rights violations have taken place, but carry a far higher

culpability. They must be accused of wilfully putting in place structures specifically meant to carry out these crimes.

For reasons attributable more to the IPTK and less to all pervading criminality in the region, districts such as Baramulla, Kupwara and Srinagar receive more focused attention in this report, although the cases are from all over Jammu and Kashmir. The official designations of the alleged perpetrators and the geographical spread of the crimes committed against the people of Jammu and Kashmir indicate a decisive will of the Indian State, carried out by its functionaries as part of a design.

Based on the information before it, the IPTK cannot conclusively pronounce on the guilt of any of the alleged perpetrators, but it is clear that enough evidence exists to warrant further action. However, in the absence of any institutional or political will to take the evidence to its natural conclusion – a trial where the crime and the guilt of a perpetrator can be proven beyond reasonable doubt – the Indian State stands indicted.

## **UPR India, 2012 out come**

International concerns and Indian response

The outcome of Indian UPR Recommendations was adopted during the 21st session of United Nations Human rights Council. 169 recommendations were proposed by the different stakeholder to government of Indian to improve its human rights record. Indian accepted only 76 and rejected 83. The blunt response of government of India was that India has a self correcting mechanism and needs not advices from outside.

Concerns shown by Human rights watch at the outcome reflect the views of all human rights defenders. "India has failed to comprehensively address recommendations calling for an end to impunity and repeal of laws that have led to widespread human rights violations. At the same time, enacting laws, while an important step, will not be effective in light of consistent failures in implementation that have led to continued rights abuses.

Despite repeated pledges to "zero tolerance" for human rights violations, the government has not amended laws that effectively provide immunity to military and paramilitary personnel implicated in serious abuses. India claims that all allegations are investigated and action taken through internal mechanisms, but instead, what we find are routine denials that violations occurred at all. Without an impartial and transparent process, such abuses will continue and remain unpunished.

The government has also failed to accept recommendations to review the Armed Forces Special Powers Act. The law provides the armed forces with widespread powers in internal conflict situations, facilitating severe human rights violations while protecting personnel from criminal prosecution. Even the National Human Rights Commission cannot independently investigate allegations of abuse against members of the armed forces. The government said that



the Act was upheld by the Supreme Court, but failed to note that measures outlined by the courts to prevent abuses are routinely ignored.

The government has also not addressed concerns about limitations on the right to freedom of expression, including on the internet. In light of recent misuse of the sedition law to prosecute critics and peaceful protesters, we believe that the parliament should repeal the law. The intimidation of civil society activists remains of concern, particularly in light of recent comments that protests are instigated by foreign-funded NGOs, and increased scrutiny under the Foreign Contribution Regulation Act (FCRA). The Special Rapporteur on human rights defenders has made important recommendations to safeguard the right of genuine NGOs to operate without excessive restrictions.

Constitutional protections are not enough to end caste and other forms of discrimination in India. We hope the government will act on recommendations to institute a national action plan to eradicate all forms of discrimination and enforce training and sensitization to address caste, ethnic, religious or sectarian discriminatory practices of law enforcement officials.

The government should take steps to monitor measures to reduce the high level of maternal and child mortality. Despite its commitment, the Indian government has not done enough to ensure the protection of women, children, LGBT people and the persons with disabilities.

The government should prioritize the enactment of the prevention of torture law, ratify the Convention against Torture, and



Wailing children of Chewdara village in District Budgam whose houses were razed during gunfight between security forces and militants on Sunday

invite the Special Rapporteur on torture to visit India. And finally we are disappointed that the government has resisted the trend of UN member states and failed to adopt the recommendations to institute an official moratorium on capital punishment. Government of India should extend invitation to working groups on enforced disappearances'

Recommendations of Official Committees constituted by government of India Gather Dust

While Justice J S Verma committee's constituted after 23rd December Delhi Gage rape row to propose proposal for reviewing Armed Forces Special Powers Act (AFSPA) has renewed the debate on revoking the controversial law, several panels constituted by Government of India in past have also called for scrapping or reviewing the Act.

The recommendations of these panels strengthen the case of votaries of AFSPA revocation even as Ministry of Defence and Army is opposing repeal or review of the law.

## **WORKING GROUP:**

One of the Working Groups set up by Prime Minister Dr Manmohan Singh in 2006 had favoured review of the Act. The Working Group on confidence building measures headed by the then National Minorities Commission chief and incumbent Vice-President Muhammad Hamid Ansari had favoured discontinuation of the law.

“Certain laws made operational during the period of militancy (e.g. Armed Forces Special Powers Act, Disturbed Areas Act) impinge on fundamental rights of citizens and adversely affect the public. They should be reviewed and revoked. Law and order matters should be dealt with, to the maximum extent possible, through normal laws,” the Working Group recommended.

## **KASHMIR INTERLOCUTORS:**

The group of three interlocutors assigned with the task of finding political settlement of Kashmir issue also recommended review of the law along with amendments in Public Safety Act. While discussing the issue of AFSPA imposed in Jammu and Kashmir since '90s, the interlocutors said their impression is that AFSPA is more the symbol of a problem than its cause. “But symbols are important for peace processes, and thus the Ministry of Defence needs to consider how to respond positively to this issue rather than negatively,” the group said while referring to the insistence of the Ministry on continuation of the Act.

## **ADMINISTRATIVE REFORMS COMMISSION:**

The 2nd Administrative Reforms Commission which was set up in 2005 had also suggested repealing of the Act while suggesting that the Unlawful Activities (Prevention) Act be bolstered with a provision to enable the armed forces to operate in conflict zones.

## **JUSTICE JEEVAN REDDY COMMITTEE:**

The five-member committee under the chairmanship of Justice B P Jeevan Reddy, former judge of the Supreme Court, had also recommended repealing of the Act.

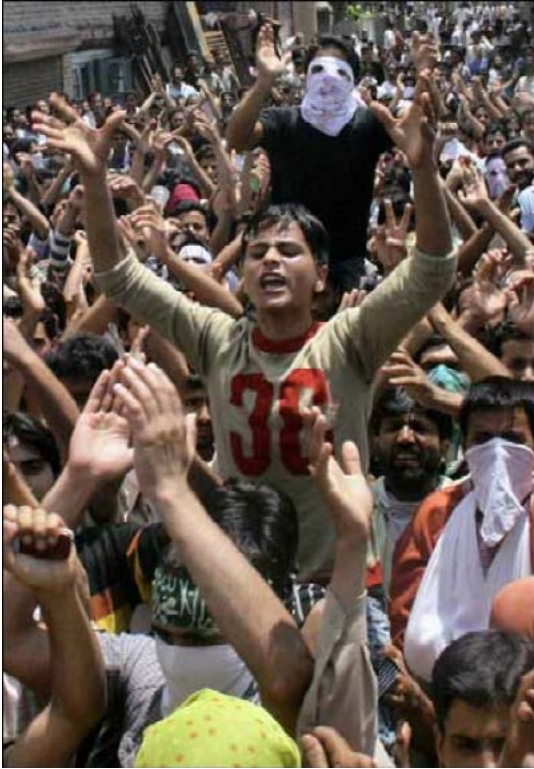
“The Act is too sketchy, too bald and quite inadequate in several particulars,” the Committee had said in its report, adding, “It is true that the Hon’ble Supreme Court has upheld its constitutional validity but that circumstance is not an endorsement of the desirability or advisability of the Act.”

The cry for repeal of AFSPA in J&K has received a boost in the backdrop of the recent recommendations of Justice J S Verma panel. The judicial panel, tasked to review the existing laws on crimes against women in the wake of protests over gang-rape of a physiotherapy student in New Delhi last month, has called for amendment in the section (6) of AFSPA to pave way for prosecution of soldiers involved in crimes against women in civil courts.

“Provided that, no sanction shall be required if the person has been accused of committing an offence under Section 354, Section 354A, Section 354B, Section 354C, Section 376(1), Section 376(2), Section 376(3), Section 376A, Section 376B, Section 376C, Section 376D, Section 376D or Section 376E of the Indian Penal Code-1860,” the

panel has recommends.

The Government of India has ignored all these recommendations till date, given the resistance by Defense Ministry and Army.



People protesting against Human Right violation in Indian occupied Kashmir

## Important events of 2012

**Jan 2:** A 21-year-old student Altaf Ahmed was killed when paramilitary Central Industrial Security Forces (CISF) personnel opened fire on protesters at Boniyar in North Kashmir's Baramulla district when they were staging a dharna against the unscheduled power cuts.

**Jan 20:** Supreme Court asked the Centre to clarify whether it was willing to try army officials under the Army Act for their alleged involvement in the Pathribal fake encounter case.

**Jan 21:** Masiuma area and its adjoining areas observed a complete shutdown to mark the 22nd anniversary of Gawkadal massacre.

**Jan 23:** The Supreme Court expressed its displeasure that more than the decade-old encounter killings case in Pathribal, was yet to reach the trial stage due to Army's perceived defiance against prosecution of its personnel

**Jan 24:** Chief Minister Omar Abdullah said Supreme Court rap on the Army in the alleged fake encounter in Pathribal has brought focus on the need for partial revocation of the controversial AFSPA.

**Feb 3:** The CBI told the Supreme Court that no sanction is required either under the Armed Forces (Special Powers) Act or Code of Criminal Procedure Code for prosecution of army officers allegedly involved in the fake encounter killings of five persons at Parthibal.

**Feb 11:** The killing of a youth, Ashiq Hussain, 20, allegedly by army men triggered massive protests in Rafiabad.

**Mar 10:** A youth Yasir Ahmad son of Mohammad Ayub Wani of Anchidora, Islamabad was hit by an Army Vehicle at K P Road near Delhi Darbar, Islamabad, causing his on spot death.

**Mar 19:** The CBI told the Supreme Court that the alleged fake encounter at Pathribal in Jammu and Kashmir 12 years ago in which seven people were killed by Army personnel were cold-blooded murders and the accused officials deserve to be meted out exemplary punishment.

**Mar 22:** One person was killed and 21 others were injured, when a car bomb exploded in Bijbehara town.

**Mar 23:** Sopore town observed complete shutdown against the alleged custodial death of a youth, Sajad, 25, detained under Public Safety Act.

**Mar 26:** The activists of right-wing Hindu group Akhil Bharatiya Vidyarthi Parishad (ABVP) tried to disrupt a function in New Delhi where Hurriyat Conference (G) chairman Syed Ali Shah Geelani was scheduled to interact with scholars of Delhi University. On the same day the then Home Minister of India P Chidambaram launched an interactive Udaan website aimed to facilitate job prospects for 40,000 youth from Jammu and Kashmir in a period of five years.

**Mar 27:** The government disclosed that forces have occupied 1561 private houses and 306 government buildings including an educational institute and two health department buildings in the State.

**Mar 29:** Chief Minister Omar Abdullah told



Legislative Council that over 1,300 persons have been booked under the Public Safety Act (PSA) in the State during last three years.

**Mar 30:** Christof Heyns, UN's Special Rapporteur urged India to repeal the controversial law that gives special powers to military.

**Mar 31:** The then Home Minister of India P Chidambaram said Home Ministry has sought amendments in the controversial Armed Forces Special Powers Act (AFSPA) and the proposal is pending before the Cabinet Committee on Security.

**April 13:** Police picked up 16 youth on charges of using the online platform to "instigate masses" and whip "anti-national" sentiment.

**April 16:** Army Chief General V K Singh said controversial AFSPA was a functional requirement for the armed forces in certain areas.

**April 27:** United Nations Secretary General Ban Ki-Moon advocated peaceful resolution of Kashmir issue while respecting the will of people.

**May 1:** The Supreme Court asked the Army authorities to decide whether its personnel accused of fake encounter killings in Jammu and Kashmir and Assam should be tried by court-martial proceedings or by regular criminal courts.

**May 2:** International human rights watchdog Amnesty International Termed Supreme Court verdict on Pathribal fake encounter killings as major setback to justice in Kashmir.

**May 3:** The international human rights

watch dog, Amnesty International called on Jammu and Kashmir government to end the persistent practice of administrative detentions in the state and repeal the Public Safety Act (PSA), 1978.

**May 6:** An eight-year-old boy namely Tariq Ahmad Shah was killed in Kupwara, when a hand grenade which he had found in a field exploded

**Jun 10:** A former Indian Army officer, Major Avtar Singh, who was wanted for the murder of prominent Kashmiri lawyer Jaleel Andrabi, killed himself along with his wife and two children in his California home in United States.

**Jun 15:** In the first political killing of the year, unidentified gunman shot NC Block President Abdul Rehman Ganai in Natipora area of the city.



**Jun 25:** In a tragic incident, the 245-year-old revered shrine of Dastgeer Sahib (RA) at Khanyar was gutted in a major blaze. Following the incident the spontaneous strike coupled with curfew-like restrictions in some parts of old city paralysed life for many days.

Jun 29: Army decided to try in General Court Martial (GCM) its five officers involved in

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the Pathribal fake encounter killing of five innocent men in Pathribal in March 2000, prompting a court in Srinagar to hand over charge-sheet of the case to them (Army).

July 13: The strict restrictions amid complete shutdown brought life to a standstill in Valley, which remembered 22 Kashmiris who were killed by Dogra forces of Maharaja Hari Singh on this date in 1931.

July 25: Army men shot dead a youth, Hilal Ahmad Dar, in Aloosa area in North Kashmir's Bandipora district. His killing sparked protests in the Bandipora district preceded by many day hartal. Hilal was killed in a fake encounter.

July 29: Police completed its investigation into the Bandipora "fake encounter", in which a local youth Hilal Ahmad Dar was killed, claiming that it was orchestrated by 27 RR of army in connivance with one of its informers.

July 31: The death of youth, Aqib Hussain Bhat, in mysterious circumstances in South Kashmir district triggered protests and shutdown. The family of the deceased and locals alleged that he was beaten to death by CRPF men.

Sept 10: A Sarpanch namely Ghulam Mohammad Itoo of ruling National Conference was shot dead by Unidentified gunman in Palhalan village.

Oct 14: Union Home Minister, Sushil Kumar Shinde ruled out revocation of Armed Forces Special Powers Act (AFSPA) from Jammu and Kashmir in near future.

Oct 18: Stating that legislators and intellectuals in Kashmir favour revoking of infamous Public Safety Act, Amnesty

International members said J&K government can repeal PSA and Government of India (GoI) has nothing to do with it.

Nov 30: The Special Investigation Team (SIT) probing the death of Tufail Madoo closed the case as "untraced".

Dec 10: Home Minister Sushilkumar Shinde said the controversial Armed Forces Special Powers Act (AFSPA) will not be withdrawn from Jammu and Kashmir until the situation in the State is completely peaceful.

Dec 28: At least one person was killed and 15 civilians injured when troops allegedly fired on protestors in Pulwama at two different places.

Wailing children of Chwdara village in District Budgam whose houses were razed during gunfight between security forces and militants on Sunday. (Danish Ismail/GK

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