

Wading Deeper in Kashmiri Blood

Kashmir is burning. The latest round of protests over extrajudicial killings in Kashmir commenced in late May after the Jammu and Kashmir authorities exhumed the remains of three young men allegedly killed by security forces at Machli in Baramula district after they had been promised jobs as casual labourers ['porters'], for the security personnel stationed near the heavily guarded line of control. They kill 'terrorists' for reward. If there are no terrorists, they can always create ones. Peace is not rewarding in terms of money, war is. At the time of writing violence in Kashmir took a serious turn as more and more Kashmiris defied curfew and the sultans of Delhi dispatched the union home secretary G K Pillai to make a spot enquiry and assess the gravity of the problem. As stone-pelting students and youths looked too defiant to be tamed by the paramilitary and state police forces, the army staged flag marches in Srinagar, sending shivers down the spines of ordinary citizens. Almost a Palestinian scenario!

The all-powerful Cabinet Committee on Security (CCS) was quick enough to deploy the army ostensibly as a 'deterrent' and blamed it on the Pakistan-based religious terrorist outfit Lashkar-e-Taiyyaba for the current phase of violent agitation, without really acknowledging the wounds afflicted on the Kashmiri psyche. That Pakistan and Pakistan-backed religious insurgent groups with communal bias will always try to exploit the grievances of Kashmiris is a fact of life. But the ruling cliques are so alienated from the masses because of gross human rights violations by security forces over the years that a single spark anytime can literally start a prairie fire. And that is what is happening today. Passing on the buck cannot wash.

They are now ruling by curfew. And the Abdullah fiefdom in Srinagar seems to have lost credibility. As things are they will have to rule by periodically imposing curfew for years to come. Civil administration in Kashmir at worst serves the purpose of tokenism. It's the writ of the Armed Forces Special Powers Act [AFSPA] that matters. Not that security forces resorted to extra-judicial killings for the first time. They have been exercising extra-constitutional authority with impunity for long. They cannot be prosecuted without permission from the government, either state or central, because they are "public servants". Departmental enquiry against the guilty police and security personnel who indulge in excesses are routine and nobody expects punishment for their crimes. The deployment of army will bring in more excesses and so long as section 6 of the notorious AFSPA is there, armed forces personnel will remain above law of the land because the very section gives them immunity from any kind of legal proceeding. The authorities in Delhi as also in Srinagar were so scared with the spread of agitation that three local English language dailies were gaged. And Kashmiri media persons fought back for press freedom by organising huge demonstrations and sit-ins.

In Jammu and Kashmir nearly 10,000 persons have been tortured and thereafter "disappeared" since 1989. It's almost a replica of Guatemala tragic episode. India, being a signatory to the International Covenant on civil and political rights cannot evade the obligation of UN basic principles on the use of force and firearms by law enforcement officials. In other words security and state police cannot use fire arms indiscriminately. But in Kashmir as also in north-east they frequently resort to firing, even in avoidable

circumstances. That paramilitary force, CRPF to be precise, in Kashmir, was using excessive force against demonstrators was indirectly admitted by no less a person than prime minister Manmohan Singh himself as he expressed his concern at the high-level meeting on June 29 as he directed the CRPF to exercise “maximum restraint and sensitivity’.

Meanwhile, human rights bodies across the globe, have urged the government to stop repression and killings in Kashmir. But India’s National Human Rights Commission (NHRC) is yet to act pro-actively. Maybe they are busy with more serious things at the international level. They are interested in strengthening human rights monitoring mechanism for other rights institutions. If anything NHRC looks reluctant to monitor and make appropriate recommendations so that ordinary people feel secure.

As for the civic society in the rest of India, burning Kashmir remains a distant reality. No solidarity movement against regular violation of human rights in Kashmir has ever taken any concrete shape in any part of the country. The same is true of northeast. As if they are isolated islands, having no organic link with the people elsewhere who are also struggling against injustice and extra-constitutional authority. Most people who have not been to prison are sceptical about it. Those who do not face CRPF and other security forces in their daily life cannot imagine what is police brutality. Right now the people of Janglemahal and Chattisgarh are experiencing this brutality. Nothing short of a broad-based social movement across the country can address this problem of extra-judicial killings. Then this is a tall order! □□□