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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by World Muslim Congress, a non-governmental organization in general consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[25 May 2021]

* Issued as received, in the language(s) of submission only.



CURBS ON FREE-MEDIA & RIGHT OF ACCESS TO INFORMATION IN INDIAN ADMINISTERED KASHMIR

The right of access to information continues to be severely restricted in the Indian administered Kashmir (IAK) as part of the Indian government's policy of projecting the so-called normalcy narrative on Kashmir. These restrictions have severely undermined the media's role and its ability to report facts from the ground especially after the territory was subjected to communication and information blockade by the Indian government on 5th August 2019.

In addition to the government's control of communication process the curbs on media such as surveillance, investigations, harassment, intimidation, restrictions on movement/mobility of journalists, restrictions in all the process of news-gathering and denial of the right to access information have not only affected the prospects of objective journalism and the effective reporting of human rights violations but also caused massive losses to business, economic activities, healthcare and education of the people in Kashmir. The restrictions on expression and movement of independent journalists on the other hand have prevented the voices of Kashmiris reaching the international community.

Caught in the crosshairs of the conflict the Kashmiri journalist community and media organizations have faced some of the most daunting existential challenges but despite that the media industry stood on its ground and persisted in its efforts to keep world abreast of the happenings taking place in the disputed territory.

Working under extremely unfavorable conditions, the journalist fraternity toiled hard to bring to limelight the brutalities being inflicted on the people of Jammu and Kashmir by the Indian armed forces. In addition to exposing the massive human rights violations taking place in the region, the pressmen risked their lives in the process of reporting from the ground, which belied the Indian government's propaganda and misrepresentation of Kashmir by both the "hyper-nationalists" and "liberal press" of India.

JOURNALISM UNDER ATTACK

Practicing journalism in Kashmir has never been an easy job. During the years of turmoil in the region at least 19¹ journalists including a senior journalist and editor of the Rising Kashmir Dr. Shujjat Bukhari lost their lives while performing their professional duties. A number of journalists including publishers/newspaper owners had to face arbitrary arrests and detentions under black laws such as PSA and UAPA. Offices of prominent newspapers and residences of senior journalists were raided by the India's National Investigation Agency (NIA). Two media outlets including the oldest English Daily of the region, Kashmir Times, was sealed. Anuradha Bhasin² the Executive Editor of the KT while talking to Aljazeera said, "This was simply done to punish us for speaking the truth".

The arrest of senior journalists and raids on the newspaper offices speaks volumes about how the authorities in J&K enjoyed a free hand in intimidating and coercing the press to toe a particular line.

DRACONIAN BLACKOUT & COMMUNICATION BLOCKADE

The India's post 5th August 2019 draconian blackout and communication blockade had rendered local media in Kashmir totally dysfunctional as the newsgathering became a major casualty during the crippling communication blockade. The entire territory of the Jammu & Kashmir was turned into an information black-whole for the rest of the world. The communication blockade, affecting mobile telephony, internet and telephone landlines,

¹ <https://thewire.in/media/kashmir-journalists-safety-numbers>.

² 2020 saw surge in 'harassment' of Kashmir journalists | Freedom of the Press News | Al Jazeera.

overwhelmingly disabled the media from reporting the ground situation and filling news stories. “Journalists continue to face severe restrictions in all the processes of news-gathering, verification and dissemination, the free flow of information has been blocked, leaving in its wake a troubled silence that bodes ill for freedom of expression and media freedom”. In the aftermath of the abrogation of Article 370; Newspaper publication was halted for many months. The journalists faced reprisals for filling stories on Kashmir’s post August 5 clampdown and mass arrests³.

BAN ON NEWSPAPERS’ PUBLICATION

In a sweeping information blackout, the occupation authorities in the valley had shut down printing presses and banned newspapers from printing or uploading news on the internet. Even after the passage of 5 months major newspapers in the valley were unable to operate freely due to the continued communication blockade.

RESTRICTIONS ON FREE MEDIA

The Indian Authorities’ control of communication process and uncalled for curbs on media have hugely hampered the journalistic activities in the region besides undermining the role of free media. Major newspapers were deprived of the editorial voice that instead of debating the most pressing issues had forced them to write on soft subjects such as ‘benefits of vitamin C’, a passage from Franz Kafka’s Metamorphosis, etc. Prominent writers and regular columnist who have written consistently on the Kashmir issue were completely silenced. Reporters’ movements were severely curtailed—and their abilities to take photos and videos—was restricted. Photographers/journalists’ ID cards and license plates cameras and phones were confiscated. Journalists were denied access to the news wires or social media. Indian officials have consistently denied reporters to report unrest in Kashmir forcing them to rely on only state issued press briefs once or twice in a week without means to verify stories.⁴

REPRISALS ON FILING STORIES

Besides physical assaults, journalists in 2019 faced reprisals for filling stories on state sponsored violence, human rights violations, mass arrests of Kashmiri youth, political and human rights activists. Senior Kashmiri journalist and author Gowhar Geelani, Bilal Bashir Bhat, Haziq Qadri , Irfan Malik, Peerzada Ashiq , Azaan Javed and Anees Zargar , Qazi Shibli, editor of Kashmiriyat , Masrat Zahra, Fahad Shah and others are amongst the prominent Kashmiri journalists who faced reprisals, arrests, torture, harassment at the hands of Indian authorities for filling reports or writing on the HR situation in the region⁵.

INDIAN MAINSTREAM MEDIA’S HATEFUL JOURNALIS & KASHMIR

Ideally, media’s role is to provide a conflict coverage which could attract serious concern from the international community. But IN CASE OF KASHMIR world seems to be heavily dominated and influenced by the India’s corporate media that instead of reporting truth is usually seen toeing government line to seek benefits. The Indian government is spending a huge chunk of its budget on media to seek favorable coverage and editorial influence to create a cobweb of confusion around Kashmir. Over the years we have seen how media in India was transformed and turned into a propaganda machine that continued to feed fake

³ <https://kashmirilife.net/senior-kashmiri-journalist-detained-during-midnight-raid-in-srinagar-213283/>.

⁴ <https://www.trtworld.com/magazine/how-india-silenced-kashmir-s-leading-newspaper-columnists-32765>.

⁵ <https://cpj.org/2019/08/two-journalists-detained-jammu-kashmir-india/>.

news to its readers 24/7 and spreading lies in sharp contrast to reality. The dangerous role assumed by the media in cahoots with Indian establishment was meant to deconstruct and demolish the dominant Azadi narrative within the precincts of Kashmir valley and beyond.

RESTRICTIONS ON INTERNET AND SOCIAL MEDIA

In the year 2019, 55 instances of Internet blockade were recorded. However, the longest internet shutdown of the year was enforced on 5th August 2019 when Indian government revoked Kashmir's autonomy. The frequency of internet shutdowns in Kashmir particularly increased July 2016. In the last three years (2017 to 2019) Kashmir valley witnessed at least 205 internet shutdowns from time to time⁶.

MECHANICS OF SILENCING DISSENT

A careful comparison of media's coverage of Kashmir issue before and after 5th august 2019 speaks volumes about the level of pressure and censorship the local press has undergone during the past couple of years.

The censorship on one hand brought the media on its knees while on the other it has led to total absence of media coverage of activities civil society groups as well as the incidents of violence and human rights violations taking place in the region.

This institutional censorship in the form of the Media Policy has overwhelmingly incapacitated the media from giving objective coverage to Kashmir issue. Under the pretext of this policy newspapers in Kashmir were stopped from publishing opinion pieces and op-editorials on the simmering situation in the region. The ban has led to a sharp decline in the ratio of the news highlighting the abysmal HR situation in the region in the past two years. There is no space for political dissent.

Earlier, the local media would hardly miss any stories, which would give perspective to people as well as journalists in national and international publications. But now this kind of inclusive reporting of the events/incidents is no more seen in the local press says Shafat Farooq who works with the BBC in J&K.

"I have been reporting in Kashmir since 2002 and we have done some bold stories that were critical of authorities. Obviously, harassment of journalists has always been there, but what we are facing since 5 August last year is unprecedented," says senior journalist Ishfaq Tantray who is also the general secretary of the Kashmir Press Club (KPC).

⁶ <https://cjp.org.in/wp-content/uploads/2019/09/00News-behind-the-Barbed-Wire-NWMI-FSC-report.pdf>.