

**Disquiet Ghosts: Mass graves in Indian Kashmir
By Angana Chatterji**

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<http://etalaat.com/english/Dimensions/1531.html>

Dirt, rubble, thick grass, hillside and flatland, crowded with graves. Signifiers of military and paramilitary terror, masked from the world. Constructed by institutions of state to conceal massacre. Placed next to homes, fields, schools, an army practise range. Unknown, unmarked. Over 940 graves in a segment of Baramulla district alone. Some containing more than one cadaver. Dug by locals, coerced by the police, on village land. Bodies dragged through the night, some tortured, burnt, desecrated. Circulating mythology claims these graves uniformly house 'foreign militants'. Exhumation and identification have not occurred in most cases. When undertaken, in sizable instances, records prove the dead to be local people, ordinary citizens, killed in fake encounters. In instances where bodies have been identified as local, non-militant and militant, it demystifies state rhetoric that rumours these persons to be 'foreign militants', propagating misrepresentation that the demand for self-determination is prevailingly external. Mourned, cared for, by locals, as 'farz'/duty, as part of an obligation, stated repeatedly, to 'azadi'. 'Azadi'/freedom to determine self and future.

On 18 and 20 June, the International People's Tribunal on Human Rights and Justice in Indian-administered Kashmir ('Tribunal', convened in April 2008, www.kashmirprocess.org) visited Baramulla and Kupwara district to conduct ongoing fact-finding and verification related to mass graves at the behest of local communities. The team comprised of Tribunal Conveners Advocate Parvez Imroz and myself, a staff member, and camera crew.



On 18 June, we visited Raja Mohalla in Uri, Baramulla district, 110 kilometres from Srinagar, where 22 graves were constructed between 1996-1997. Then to Quazipora, where 13 bodies were stated as buried in seven graves in 1991.

Then we travelled to Chehal, Bimyar village, Uri, holding 235 graves. We re-met Atta Mohammad, gravedigger and caretaker at Chehal, who testified that these bodies, brought by the police, primarily after dark, were buried between 2002-2006. Atta Mohammad said that the bodies appear in his nightmares, each in graphic, gruesome detail. Terrorised by the task forced upon him, his nights are bereft of sleep. Then we travelled to Mir Mohalla, Kichama, Sheeri, to the main graveyard with 105 graves, stated to hold about 225-250 bodies, buried between 1994-2003, and a smaller graveyard, with nine graves, adjacent to a sign proclaiming it a 'Model Village'.



**Chehal
Baramulla District
Kashmir**

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On 20 June, we visited the northern district of Kupwara. On the way we witnessed army convoys, including one of 21+ vehicles. Created in 1979 through the forking of Baramulla district, approximately 5,000 feet above sea level, Kupwara borders the Line-of-Control to the north and west. Between Shamsbari and Pirpanchal mountain ranges, it is one of the most heavily militarised zones, about 95 kilometres from Srinagar. Kupwara houses six army camps, as military and paramilitary forces occupy significant land. Seven interrogation centres have been operational with police stations functioning as additional interrogation cells. In Hundwara town, a watchtower surveils and regulates movement.

In Kupwara, we visited Trehgam village, holding 85-100 graves, 24 of which are identified, and spoke with community members. Trehgam was home to Maqbool Bhat (b. 1938), founding figure of the Jammu Kashmir National Liberation Front. Acknowledged as Shaheed-e-Kashmir, Bhat is labelled a 'terrorist' by certain segments of India. He sought to unite the territories of the former princely state of Jammu and Kashmir into a secular, sovereign, democratic state. Bhat was sentenced to death by the Supreme Court of India and hanged in Tihar jail in New Delhi on 11 February 1984. Maqbool Bhat's nephew, Parvaiz Ahmad Bhat, reminded us that Habibullah Bhat, Bhat's brother, was the first case of enforced disappearance before 1989.

After Trehgam, we reached Regipora around 3 pm and stopped for lunch. There, two persons introduced themselves as Special Branch Kashmir (SBK) and Counter Intelligence Kashmir (CIK) personnel, and questioned the Tribunal staff member about our visit. After responding, we proceeded to the 'martyrs' graveyard' holding 258 graves,

constructed in 1995. This burial ground is meticulously ordered, each grave numbered. The body of a 20-25 year old youth was buried in the first week of June, reportedly killed in an encounter in Bamhama village.

We stopped at a roadside tea stall to speak with local people about the graves. Four intelligence personnel questioned us, asking we disclose information about those we had visited. Soon, four additional SBK and CIK personnel joined the questioning. Other intelligence personnel made phone calls. By then, about 12 intelligence personnel gathered. Following further questioning we proceeded toward Srinagar. A car followed at a distance.

We detoured to Sadipora, Kandi, where locals stated that around 20 bodies were buried. The graveyard, overrun with wild flowers, is part of a larger ground used during festivals, including Id. Two of four bodies, killed in a fake encounter on 29 April 2007, were exhumed, identified as locals, contrary to police records stating them to be 'Pakistani terrorists'. Sadipora holds Riyaz Ahmad Bhat's grave, killed in the encounter, age 19. Police records, per the First Information Report, declared him a 'Pakistani terrorist'. Riyaz Bhat was identified by Javeed Ahmed, his brother, as a resident of Kalashpora, Srinagar, based on police photographs from the time of death. Ahmed travelled with the Tribunal to take us to his brother's grave. On his knees Javeed attempted to clear the thick brush. Later, in Srinagar, he testified that Bhat had never been involved in militancy. Javeed spoke of grieving, of imprisonment and beatings at the police station. He asked how he could have saved his brother from death.

After Sadipora, we were stopped at Shangargund, Sopore, at about 6.40 pm, by three persons in civilian clothing. They forcibly boarded the car. We were ordered to the Sopore Police Station. There we were asked to detail our identity, employment, the purpose of the visit, and to hand over tapes which, the police alleged, contained 'dangerous' and 'objectionable' material. We stated that the Tribunal, a public process, was undertaking its work peaceably, lawfully, with informed consent, and that we had not visited restricted areas. We stated that the police had no lawful reason to seize the tapes. We were detained for 16 minutes. After several calls to senior police persons, we were released. A red Indica car followed us to Sangrama. At Srinagar, Intelligence personnel were stationed at my hotel. On 21 June, I was followed from the hotel to the Tribunal's office in Lal Chowk, where about 8 personnel were stationed the entire day questioning anyone who entered or left the office.



Kichama
Baramulla District
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My mother, residing in Calcutta, received a query regarding my whereabouts from the District Magistrate's Office. I was followed to the Srinagar airport on 22 June, and questioned, asked if I possessed dual citizenship. I do not. I am a citizen of India and a permanent resident of the United States. On 24 June, I arrived in Bhubaneswar to submit a statement to the Commission of Inquiry on the Kandhamal violence against Christians in 2007 in Orissa. There too, Central Intelligence officials persistently inquired after me. In April, after announcing the Tribunal, I was stopped and harassed at Immigration while leaving India for the United States, and again on my re-entry in June.

The targeting of the Tribunal has not abated since the Amarnath issue erupted around 23 June. The volatile proposal to transfer 800 kanals of land to the Shrine Board, revoked on 01 July, was supported by the Hindu nationalist Bharatiya Janata Party and Hindu militant Shiv Sena. Despite the Sena's recent call to Hindus to form suicide squads, it faces no sanctions from the state. Kashmiris of diverse ethnicities and religions dissented the Amarnath land transfer. Community leaders in Kashmir explained that their stance against the proposal is not in dissent to Hindu pilgrims, but a repressive state. During the Amarnath land transfer protests, civil disobedience paralleled that of 1989, amid severe repression. On 30 June, in curfew-like conditions, we met with two families in Srinagar who narrated that the police had shot dead their sons. At one place, in the old city, while the men took the body for burial late at night, the police returned and destroyed property and molested women.

On 30 June, at about 10:10 pm, Parvez Imroz and his family were attacked at home by state forces, who fired three shots and hurled a grenade while exiting when family and community interrupted their attempts. Neighbours reported seeing one large armoured vehicle and two Gypsy cars, and men in CRPF (Central Reserve Police Force) and SOG (Special Operations Group) uniforms. This murder attempt is an escalation in the forms of state-led intimidation and targeting aimed at Advocate Imroz. It is an attempt to make the Tribunal vulnerable and instil fear in us in an attempt to stop this process.



On 01 July, we met at Khurram Parvez's home before addressing a press conference. Outside, jeeps with plainclothes men continued their observation, accompanied by a jeep with armed men in uniform. Later, Advocate Imroz, Khurram Parvez, Advocate Mihir Desai, and I went to the police station to lodge a First Information Report. We were not permitted to do so. For security reasons, Parvez Imroz is not staying at home. Khurram Parvez remains under surveillance. I must allow for distance before revisiting the graves. On 04 July, sitting on a plane at Delhi International Airport, waiting to take-off, I received a phone call on my India mobile, caller 'Unknown': "Madam, we know you're leaving. Think wisely before coming back".

Orders to unnerve the leadership of the International Tribunal by the Government of India's intelligence and security administration appear to be generated at the highest levels. The general policy of surveillance should not be used as a pretext to create obstacles for our work. As India argues for a seat on the United Nations Security Council, the Government of India, as 'Frontline Defenders' stated in their recent alert supporting the Tribunal, must adhere to its own repeated commitment to peace in Kashmir and international conventions and laws. It must uphold democratic governance and safeguard human rights.

Advocate Imroz, Khurram Parvez, other members of the Tribunal team, have long experienced injustices for their extraordinary work as human rights defenders. A lauded human rights lawyer, Parvez Imroz has survived two, now three, assassination attempts, the first from militants. Since 2005, his passport has been denied. Khurram Parvez lost his leg in a landmine incident. Gautam Navlakha and Zahir-Ud-Din have been intimidated and threatened, as has Mihir Desai, in their larger work. It is noteworthy that the Government of India is adding intimidation to the death and rape threats delivered me by Hindu extremists for human rights work.



The work of the Tribunal *is* an act of conscience and accountability, fraught with the charge of complex and violent histories. Its mandate, in documenting Kashmir's present, is to chronicle the fabric of militarisation, status of human rights, and legal, political, militaristic 'states of exception'. The Tribunal's work will continue through the coming months. We have received extensive solidarity from civil society; victims/survivors, at street corners, from villagers, ordinary citizens, those committed to justice. Each life in Kashmir has a story to tell. The subjugation of civil society has produced magnificent ethical resistance. The state cannot combat every individual.

Nearly two decades of genocidal violence record 70,000+ dead, 8,000+ disappeared, 60,000+ tortured, 50,000+ orphaned, incalculable sexualised and gendered violence, a very high rate of people with suicidal behaviours; hundreds of thousands displaced; violations of promises, laws, conventions, agreements, treaties; mass graves; mile upon mile of barbed wire; fear, suppression of varied demands for participation to determine Kashmir's future, spirals of violence, protracted silence. Last year, Kashmir's only hospital with services for mental health received 68,000 patients. Profound social, economic, and psychological consequences, and an intense isolation have impacted private, public, and everyday life. It has generated brutal resistance on the part of groups that have engaged in violent militancy. Repressions of struggles for self-determination and international policies/politics have yielded severe consequences, creating a juncture at which the failure of governance intersects with a culture of grief.

Torture survivors, non-militants and former militants, that I met with testified to the sadism of the forces. Reportedly, a man, hung upside down, had petrol injected through his anus. Water-boarding, mutilation, rape of women, children, and men, starvation, psychological torture. Brutalised, 'healed', to be brutalised again. An eagle tattoo on the arm of a man was reportedly identified by an army officer as a symbol of Pakistan-held Azad Kashmir, even as the man clarified the tattoo was from his childhood. The skin containing it was burned. The officer, the man stated, said: "When you look at this, think of azadi". A mother, reportedly asked to watch her daughter's rape by army personnel, pleaded for her release. They refused. She pleaded that she could not watch, asking to be sent out of the room or be killed. We were told that the soldier pointed a gun to her forehead, stating he would grant her wish, and shot her before they proceeded to rape the daughter. We also spoke with persons violated by militants. One man stated that people's experiences with the reprehensible atrocities of militancy do not imply the abdication of their desire for self-determination. This, he stated, is a mistake the state makes, conflating militancy with the intent for self-determination. He clarified that neither is self-determination an indication of allegiance to Pakistan, largely to the contrary.

The continuing and daunting presence of military and paramilitary forces, increased and sophisticated surveillance, merges with pervasive and immense suffering and anger of people in villages, towns, and cities across Kashmir. Parallel to the presence of 500,000 troops and commitment to nuclearisation, official figures state that there are about 450 militants in Kashmir and that demilitarisation is underway. In March 2007, three government committees on demilitarisation resolved that the 'low intensity war continues', placing in limbo troop reduction and the repealment of draconian laws -- the Armed Forces Special Powers Act, 1958, imposed in Jammu and Kashmir in December 1990, and the Disturbed Areas Act, 1976, enacted in 1992. Local realities reflect that these laws and the military seek to control the general population with impunity.

Kashmir is increasingly defined as a 'post-conflict' zone. 'Post-conflict' is not the propagation of tourism toward an overt display of nationalism. Post-conflict is a space in which to heal, reflect, and enable civil society participation in determining peace and justice. The graves speak to those that listen. Those haunted by history are called to remember.

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