
Allegation Re. Civilian Killings in Summer 2010

INTERNATIONAL PEOPLE'S TRIBUNAL ON
HUMAN RIGHTS AND JUSTICE IN INDIAN-ADMINISTERED KASHMIR

www.kashmirprocess.org

**Re.: URGENT/Calling for an Investigation into Extrajudicial Killings of Civilians by
Military, Paramilitary, and Police Forces in Indian-Administered Kashmir**

To:

The Office of the United Nations High Commissioner for Human Rights

Dr. Christof Heyns

Special Rapporteur on Extrajudicial, Summary, or Arbitrary Executions

C/o OHCHR-UNOG, 1211 Geneva 10, Switzerland

From:

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Srinagar, August 9, 2010

Appeal Re. Killings of Civilians by Military, Paramilitary, and Police Forces

With grave concern we write the Office of the United Nations High Commissioner for Human Rights today on behalf of the International People's Tribunal on Human Rights and Justice in Indian-administered Kashmir (IPTK), to submit the following dossier to Dr. Christof Heyns, Special Rapporteur on Extrajudicial, Summary, or Arbitrary Executions, requesting an investigation into the matter.

This dossier documents a list of 51 civilians reportedly killed by the Indian military, paramilitary, and police forces in Indian-administered Kashmir between June 11 and August 8 of 2010.

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The general context of the humanitarian crisis is described on Pages 1-6. The allegations pertaining to the specific killings are on Pages 7-16. This dossier is based on information that was compiled and corroborated through secondary and archival research, and substantiated through personal communication with next-of-kin, concerned citizens, journalists, and human rights activists in Kashmir, and from official documents, where available, and from accounts published in the print and electronic media. Where such information is available, next of kin have been listed. Relevant secondary sources are archived on the IPTK's website, at <http://www.kashmirprocess.org/UNAllegation2010/>.

The information contained in this appeal was compiled with assistance from human rights advocates and research associates working with IPTK, to whom we extend our gratitude while regretfully withholding their names for fear that noting these names may compromise their safety and security, and place them at greater risk of reprisal.

Human rights violations are a means of maintaining military governance in Kashmir. The death toll and the context of the killings substantiated here highlight the state of exception and impunity regularized by the Indian military, paramilitary, and police forces in Indian-administered Kashmir, as they function with the sanction of the Government of India and the Government of Jammu and Kashmir. Such exception and impunity continue to put at risk the life and security of the people of Indian-administered Kashmir who reside in a high conflict zone and live with the regularized fear of not just death, but murder. Such exception and impunity contravene principles enshrined in the Constitution of Jammu and Kashmir, the Constitution of India, in particular Article 370, the Universal Declaration of Human Rights, and International Laws and Conventions.

The United Nations Human Rights Committee, the European Court of Human Rights, and the Inter-American Commission and Court of Human Rights have used international human rights law in contexts of non-international armed conflict as well as in areas under occupation and disputed areas. International human rights law explicitly states that states may apply lethal force only in situations where such use is imperative and necessary to contend with the amount of force being perpetrated. International humanitarian law urges the adoption of a law enforcement framework, and the mandate to make arrests whenever possible. The United Nations Human Rights Committee asks that the right to life be protected by law (Article 6, UN Doc. HRI\GEN\1\Rev.1 at 6 [1982]; University Centre for International Humanitarian Law, 2005). Even with respect to proportionality and the use of disproportionate force on persons perpetrating force, international human rights law argues that a state must respect the right to life. Extrajudicial killings in Indian-administered Kashmir repeatedly break this covenant.

As has been well documented by various organizations, the conditions of impunity are furthered in Indian-administered Kashmir through the massive deployment of forces and the use of security related legislation that contravene international humanitarian law by guaranteeing immunity to army and paramilitary forces, such as the Armed Forces Special Powers Act, 1958, imposed in Jammu and Kashmir in 1990, the Disturbed Areas Act, 1976, enacted in Jammu and Kashmir in 1992, and the Jammu and Kashmir Public Safety Act (PSA) of 1978.

As well, it is important to note that, increasingly, distinctions between the police and the paramilitary, and the paramilitary and the armed forces have been blurred in Indian-administered

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Kashmir vis-à-vis training, equipment, authority, collaboration, and reach, and that police and paramilitary forces have been continuously militarized.

Between January 1 and August 8, 2010, reportedly 84 civilians have been killed (66 were killed by Indian forces, including military, paramilitary, and police), 120 persons identified as militants have been killed, and 66 Indian forces personnel have been killed (34 were killed by militants, 16 committed suicide, 2 died in fratricidal killings, 8 died in grenade/mine explosions, and 6 were killed by unidentified gunmen). Those killed by the paramilitary Central Reserve Police Force (CRPF), police, and army personnel were predominantly young Muslim men.

As well, fake encounter killings in Indian-administered Kashmir have been utilized to create/enhance the supposition of national threat and cross-border terrorism. On April 30, 2010, for example, Indian Armed Forces claimed that three “foreign/infiltrating militants” (from Pakistan) were killed in an “encounter” in Machil sector, Kupwara district, along the Line of Control (LoC). On May 28, 2010, these three deaths of Shahzad Ahmad, Riyaz Ahmad, and Mohammad Shafi were authenticated as “fake encounter” killings. Over 20 persons were killed in “encounters” in April-May 2010, and each “encounter” was reported as necessary to combating “infiltrating militants,” regularly accompanied by the rhetoric of infiltration and arms capture. Transparent and independent investigations have not been undertaken.

BURIED EVIDENCE, IPTK’s 108-page report, released in December 2009, documented 2,700 unknown, unmarked, and mass graves, containing over 2,943 bodies, across 55 villages in Bandipora, Baramulla, and Kupwara districts of Kashmir. Exhumation and identification of unknown graves documented in *BURIED EVIDENCE* have not occurred in sizeable cases. Where they have been undertaken, in disproportionate instances, “encounter” killings across Kashmir have, in fact, been authenticated as “fake encounter” killings.

For example, *BURIED EVIDENCE* examined 50 alleged “encounter” killings by Indian forces in numerous districts in Kashmir. Of these 50 persons, 39 were of Muslim descent; 4 were of Hindu descent; 7 were not determined. Of these cases, 49 were labelled militants/foreign insurgents by Indian forces and one body was drowned. Of these, following investigations, 47 were found to have been killed in fake encounters and one was identifiable as a local militant.

Official figures record the presence of 500-1,000 militants in Kashmir. Cross-LoC movements, infiltrations, and insurgency into Indian-administered Kashmir are real and significant issues. The Indian state, however, exaggerates these realities in order to create national and international approbation to escalate militarization, by linking “foreign terror” to local Kashmiri civilians, in a context where large sections of civil society are discontent with Indian rule.

Summer 2010

During the humanitarian crisis that subsumed the Kashmir Valley in June-July, and continuing into August of 2010, civil disobedience paralleled that of 1989 as well as 2008. In Summer 2010, widespread peaceful protests expressing popular dissent to militarized governance in Indian-administered Kashmir have been met with unchecked violence from state forces. Peaceful and unarmed protesters have been repeatedly targeted with excessive force by military, paramilitary, and police forces, who, often armed with riot gear, have opened fire on crowds. The actions of Indian forces have been sanctioned by the Government of India and the Government of Jammu and Kashmir.

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In instances, violence has been used by civilians in Kashmir, provoked by the repeated brutalization of peaceful protests, sustained curfews and shutdown of civil disobedience and the right to dissent, and unchecked military, paramilitary, and police repression and killings that endanger civilian lives, as evidenced below. There have been no reports of deaths of military, paramilitary, and police personnel resulting from violent acts by civilians.

We note that massive numbers of civilians have been injured in Summer 2010 by the Indian military, paramilitary, and police in Kashmir. We also note that recent acts of stone pelting, and incidents in which civilians damaged state property and engaged in arson, have caused injury to paramilitary and police personnel. Accurate, independently derived figures are not available. As well, we note that stone pelting, and selective incidents of arson and violence are not causal to the violence that is prevalent in Kashmir today.

Along with civilians, Kashmiri journalists have been targeted by the Indian military, paramilitary, and police. Kashmir Valley has been placed under repeated declared and undeclared curfews to prevent people from participating in civil disobedience. Despite strict curfews, people have taken over street corners, chanting "*Azaadi* [freedom]." These actions do not indicate a proclivity for violence, but an assertion of control over space and politics by youth, the largest constituent in many of these protests, and other segments of society, including women.

In Summer 2010, dominant discourse has focused on the use of stone pelting and the instances of violence by youth in Kashmir as the reason for armed action on the part of the state. Kashmiri youth state that stone pelting, for example, is a means of dissent, an expression of rage, by a subjugated people whose political means of expression and demands are systematically limited.

State institutions, certain human rights organizations, and dominant media institutions contend that civil society protests -- where thousands have taken to the streets, chanting "Go India, Go back," "India, Quit Kashmir," or even the strident "Indian Dogs Go Back" -- are being orchestrated by political interest groups, with the objective of endorsing violence.

- Such contention refuses to recognize the inequitable historical-political power relations at play between the states of India and Pakistan and the Kashmiri peoples, and distorts the conditions that have provoked civilian youth to throw stones and selectively use arson and attack this summer, in that -- 1: Peaceable civilian protests by women and men (which are widespread across Kashmir in ways that defy orchestration by political or "external" forces) have been continuously suppressed by the Indian military, paramilitary, and police. It is important to mark that Kashmiri civil society resistance is predominantly locally configured in the present, and not allied with misogynist and violent groups across the LoC, such as the Lashkar-e-Toiba and Taliban. 2: The conditions of everyday life are under constant threat. 3: Such conditions elicit suffocating anger that testifies to desperation, helplessness, and grief, and not proclivity for criminal behaviour.
- Such contention omits to note that various pro-freedom leaders (termed "separatists" by the Indian state) have emphasized nonviolent civil disobedience and appealed to civil society to not engage in violent protests in reaction to the violence and killings by Indian forces.

From the actions and statements of Indian forces and politicians, it appears that all civil disobedience is being overwhelmingly defined as anti-national, as equivalent to "terrorism," even as the perpetration of violence in the present -- bullets, torture, landmines, arrests, human shields,

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gendered and sexualized violence, forced labour, detentions, disappearances, murder -- is prevalingly monopolized by the military, paramilitary, and police in Kashmir.

The general situation in Indian-administered Kashmir in Summer 2010 has also resulted in the endangerment of health due to travel restrictions placed by Indian forces, creating fear among healthcare providers and decreasing the level of medical care. More troops were recently moved into Kashmir, even as there were reported shortages of blood, groceries, and cash.

There are no accurate counts of detentions and arrests of activists, lawyers, intellectuals, pro-freedom leaders, and of the arrests and detentions of minors. Police have engaged in extortion and demanded bribes from those in custody and those seeking to free the imprisoned. Detentions and arrests, based on uncorroborated suspicion, are being undertaken in large numbers to intimidate, threaten, and silence a cross-section of civil society that resists subjugation to the state and its military, paramilitary, and police forces, as evidenced by the three examples cited below.

On July 7, 2010, Advocate Mian Qayoom, President, Jammu and Kashmir High Court Bar Association, Srinagar (the capital city of Kashmir), and a human rights defender, was arrested under the PSA. The PSA is a preventive detention law that authorizes incarceration for up to two years on grounds of uncorroborated suspicion, if authorities feel that the detainee may impede peace and order or threaten the security of the state. Advocate Qayoom was targeted because of his long-standing work in defence of human rights, in particular, because of his legal advocacy for the detained and disappeared in Kashmir, his offer of legal counsel to dissenters against the Indian state, his arguments against the indiscriminate use of the PSA, his investigations into the actions of the Indian military, paramilitary, and police when they have induced harm, his articulation of Kashmir as a disputed territory, and his support of self-determination. On July 18, 2010, Advocate Ghulam Nabi Shaheen, General Secretary, Jammu and Kashmir High Court Bar Association, Srinagar, and a human rights defender, was arrested under the PSA.

Muhamad Rafi Fazili, 70-years-old, a retired engineer and the *Imam* (cleric) of the local mosque, leads the Friday prayers at the Batamaloo Masjid (mosque). Muhamad Fazili and his son, Abdus Sami Fazili, were arrested by the police around 10:45 pm on July 31, 2010. Family and community members stated that the police forcibly entered the Fazili residence. Prior to their entry, police threw smoke bombs into the home to ensure the capture of Muhamad Fazili and his son. As well, the police returned the next morning and were abusive to women in the household. Family members stated that Muhamad Fazili had been beaten in custody. Prior to the arrest, police had required that Muhamad Fazili ask his congregation to refrain from stone pelting. Fazili addressed the congregation, following which, the police stated that Fazili's speech, while asking people to refrain from stone pelting had taken a pro-freedom stance, and termed it "inciting."

Minimum Agenda for Conflict Resolution

We note with grave concern that the conditions for nonviolent civilian dissent are being jeopardized by India's military, paramilitary, and police in Indian-administered Kashmir. We note that the people's armed resistance began in 1988, and abated to nonviolent dissent between 2004-2007, and that this space of nonviolent dissent is being eroded by the Indian state. We also note that the Government of India assumes that the people of Kashmir should respond with nonviolence to the violent methods of the state.

Since 1990, over 70,000 have died; over 8,000 have been disappeared. The majority of the

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671,000 military, paramilitary, and police stationed in Indian-administered Kashmir are used to control the Kashmiri population *inside* the Valley and not the border zones. Today, armed forces are present at educational institutions, hospitals, shopping complexes, cafes and hotels, sporting events, playgrounds, and bazaars. They monitor people as they enter mosques and shrines. Armed forces also collaborate with Hindu nationalists in instituting “self-defence” campaigns and militias, such as forming the 100 Village Defence Committees announced in May 2010, promoting militarized and xenophobic Hindu nationalism to religionize the issue.

The recent protests in Kashmir do not evidence dissent to the present events alone but are indicative of civilian sentiments and responses to the sustained confinement of civil society by Indian military and paramilitary forces since 1989, the attendant cycles of violence, and the suppression of local demands for the right to self-determination since 1946. The Government of India recently called for “creative solutions” to resolve the “Kashmir problem.” If we map the events *inside* Indian-administered Kashmir, the approach of the Indian state has been, and continues to be, neo-imperial and aggressively militaristic.

While India deems Indian-administered Kashmir to be an “internal matter,” refusing transparency, international scrutiny, and adherence to humanitarian laws of conflict and war, civil society in Kashmir remains “under the authority of the hostile army,” whose reach and power “has been established and can be exercised,” (Hague Convention, Laws and Customs of War on Land [Hague IV] Article 42, 1907).

As a body comprised of human rights defenders, IPTK is committed to peaceable methods of conflict resolution. In order to ensure interim conditions that are facilitative of nonviolent conflict resolution, and enable ethical civil society participation, we urge that the Government of India, the Government of Jammu and Kashmir, and the military, paramilitary, and police be held accountable to a minimum agenda in Indian-administered Kashmir inclusive of the following:

1. Immediate halt to, and moratorium on, extrajudicial killings, and the use of torture, kidnapping, enforced disappearance, and gendered violence by the Indian military, paramilitary, and police.
2. Agreement to non-interference in the exercise of civil liberties of Kashmiris, including the right to civil disobedience, and freedom of speech, movement, and travel.
3. Proactive demilitarization and the immediate revocation of authoritarian laws.
4. Release of political prisoners.
5. Transparent identification and dismantling of detention and torture centres, including in army camps.
6. Instatement of a Truth and Justice Commission for political and psychosocial reparation, permitting spaces for acknowledging the culture of grief and the staggering corporeal and spiritual fatalities of the past two decades, to imagine and energize local and civil society initiatives in order to heal, and imagine a different future.
7. Support of cultural, economic, and peace initiatives by disenfranchised groups, including half-widows, families of the disappeared, minority communities, and former militants.
8. International and transparent investigations into torture, disappearances, gendered violence, unlawful deaths, and unknown and mass graves constitutive of crimes against humanity committed by the Indian military, paramilitary, and police.
9. Open and transparent dialogue toward conflict resolution between Kashmir, India, and Pakistan, inclusive of Kashmiri civil society and leadership as primary stakeholders.

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VIOLATION ALLEGED:

Indian-administered Kashmir: Death of civilians due to the use of excessive, intentional, and unlawful force by Indian military, paramilitary, and police units and personnel between June 11-August 8, 2010

Notes:

- Widespread peaceable protests across Indian-administered Kashmir dissenting the suppression of civil society by Indian forces have been continuously brutalized by the police, military, and paramilitary without provocation. Indian forces have acted with the knowledge and sanction of the Government of India and the Government of Jammu and Kashmir.
- In numerous instances, the repeated repression by state forces provoked civilians to engage in stone pelting and to be in non-compliance with declared, undeclared, and unremitting curfews. In certain instances civilians engaged in acts of violence, including arson (certain examples are noted below).
- Each instance of civilian violence noted below was provoked by the first and unmitigated use of force on civilians and/or persistent extrajudicial killings on the part of Indian forces. The cases recorded below are, at various times, interconnected -- individuals protesting the actions of Indian forces, caught in the midst of the unrest, or mourning the death of a civilian killed, without provocation, by Indian forces, were fired upon, leading to other killings by Indian forces, more civilian protests, greater use of force by the police and paramilitary, use of torture in certain instances by Indian forces, more killings by Indian forces, larger, even violent, civilian protests, and further state repression. They tell a story of the web of continued violence in which civil society in Kashmir is confined.
- In the cases detailed below family and community members were largely unable to lodge First Information Reports (FIRs) due to unrest in their locality, or their requests to record FIRs were denied by the police. In most instances where FIRs have been lodged, the police have recorded them without consulting the relevant stakeholders involved. At times, personnel from police stations whose officers were perpetrators of the crime, or personnel from neighbouring police stations, recorded the FIRs. In various instances, Indian forces threatened eyewitnesses, and civil society activists and media persons were denied access to localities in which the killing(s) took place.

Civilian killings between June 11-30, 2010:

13 reported deaths: All Muslim boys and men

Killed by police officials, CRPF personnel, and armed forces personnel

Civilian killings between of July 1-31, 2010:

13 reported deaths: 12 Muslim boys and men, 1 Muslim woman

Killed by police officials, CRPF personnel, and other state forces personnel

Civilian killings between August 1-8, 2010:

25 reported deaths: 23 Muslim boys and men, 2 Muslim women

Killed by police and CRPF personnel, including in an explosion

Total civilian death count: Between June 11-August 8, 2010 = 51

[No deaths of military, paramilitary, and police personnel resulted from violent acts by civilians.]

*Allegation Re. Civilian Killings in Summer 2010***ALLEGATIONS:****Deaths between June 11-30, 2010:**

1. **Allegation:** Tufail Ahmad Mattoo, 17-years-old, resident of Saida Kadal, Srinagar, son of Muhammad Ashraf: **Killed** by personnel of the Kashmir Police on June 11, 2010, when he was attacked with a tear gas (lachrymator) canister as noted in the autopsy report. Tufail Mattoo was carrying a school bag, along with his peers, when police pursued them. He was fired upon by the police near the Gani Memorial Stadium. Tufail Mattoo was taken to the Shri Maharaja Hari Singh Hospital (SMHSH) in Srinagar by community members, where he was declared dead on arrival. Police used violence without any provocation.

Note: We list the name of the male next-of-kin, as is customary practise, and as disclosing the name of the woman next-of-kin may compromise women's safety and security, and place them at greater risk of reprisal in a context of unchecked gendered and sexualized violence by the military, paramilitary, and police.

2. **Allegation:** Muhammad Rafiq Bangroo, 24-years-old, resident of Danamazar in Safa Kadal, Srinagar, son of Abdul Ahad Bangroo: **Killed** by CRPF personnel on June 19, 2010. He was beaten by CRPF personnel near his residence on June 12, 2010, and died at the Sher-e-Kashmir Institute of Medical Sciences Hospital (SKIMSH) in Soura, Srinagar. Muhammad Bangroo was standing near his residence when he was beaten by the CRPF. He was not participating in civil disobedience. Violence was used without any provocation.
3. **Allegation:** Javaid Ahmad Malla, 19-years-old, resident of Palpora, Noorbagh, Srinagar, son of Ghulam Ahmad Malla: **Killed** by personnel of the Kashmir Police and/or CRPF on June 20, 2010. Javaid Malla was shot with a bullet in the neck, at Waniyar near Noorbagh, on June 20, and was brought to SMHSH where he died on the same day. Javaid Malla was killed when police and CRPF personnel opened fire on the funeral procession of Muhammad Rafiq Bangroo. Violence was used without any provocation.
4. **Allegation:** Aziz Malik, age not ascertained, resident of Chuntwari, Machil, Kupwara district: Presumed to have been **killed** by personnel of the Indian Armed Forces on June 20, 2010. Aziz Malik was fired upon in the Machil sector of the LoC. Army spokesperson stated that Pakistani troops opened fire on Indian posts and positions in Machil sector, in which Aziz Malik and another army porter were killed. The post mortem report of the deceased revealed that Aziz Malik was shot from close range, which indicates that both he (and the other porter) were killed in a fake encounter by personnel of the Indian Armed Forces, and that violence was used without any provocation.
5. **Allegation:** Mazloom Malik, age not ascertained, resident of Chuntwari, Machil, Kupwara district: Presumed to have been **killed** by personnel of the Indian Armed Forces on June 20, 2010. Mazloom Malik was fired upon in the Machil sector of the LoC. Army spokesperson stated that Pakistani troops opened fire on Indian posts and positions in Machil sector, in which Mazloom Malik and another army porter were killed. The post mortem report of the deceased revealed that Mazloom Malik was shot from close range, which indicates that both he (and the other porter) were killed in a fake encounter by personnel of the Indian Armed Forces, and that violence was used without any provocation.

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6. **Allegation:** Firdous Ahmad Kakroo, 16-years-old, resident of Niglee, Sopore, Baramulla district, son of Nazir Ahmad Khan: **Killed** by a bullet fired by CRPF personnel on June 25, 2010, in Jamia Qadeem, Sopore. He was killed when CRPF personnel fired upon a procession of civilians demanding the release of the bodies of two alleged militants killed in Sopore town, wanting proof that these were not possible fake encounter executions of local civilians. At this procession, protesters were pelting stones. Bullets were fired without requisite reason.
7. **Allegation:** Shakeel Ahmad Ganai, 24-years-old, resident of Lalad, Sopore, Baramulla district, son of Abdul Aziz Ganai: **Killed** by a bullet fired by personnel of the 177 Battalion of the CRPF on June 25, 2010, in Chankhan, Sopore. He was killed when CRPF personnel fired upon a procession of civilians that was demanding release of the bodies of two alleged militants killed in Sopore town, wanting proof that these were not possible fake encounter executions of local civilians. This procession had also defied curfew to attend the funeral of Firdous Kakroo who was killed in Sopore. Bullets were fired without requisite reason.
8. **Allegation:** Bilal Ahmad Wani, 22-years-old, resident of Kralteng, Sopore, Baramulla district, son of Muhammad Maqbool Wani: **Killed** by a bullet fired into his neck by CRPF personnel on June 27, 2010, in Kralteng, Sopore. Bilal Wani was killed while he was entering a mosque to offer prayers. No stone pelting was reported in the area on that day. A few marriage ceremonies were taking place and civilians in the area had agreed to not pelt stones during the marriage ceremonies. Bullets were fired without any provocation.
9. **Allegation:** Tajamul Bashir Bhat, 17-years-old, resident of Wadoora, Sopore, Baramulla district, son of Bashir Ahmad Bhat: **Killed** by personnel of the CRPF and/or Special Operations Group of Jammu and Kashmir Police on June 28, 2010. Tajamul Bhat was shot by a bullet near Kapra Cinema outside the headquarters of the 92 Battalion of the CRPF. He was killed when CRPF and Special Operations Group personnel fired upon a peaceable procession of civilians. He was brought to the sub-district hospital in Sopore by community members, where he died. Violence was used without any provocation.
10. **Allegation:** Tauqeer (Asif) Ahmad Rather, 9-years-old, resident of Rather Mohalla, Delina, Baramulla district, son of Ghulam Hassan Rather: **Killed** by CRPF personnel on June 28, 2010, in Delina. Tauqeer Rather was part of the procession from Baramulla town that was proceeding on foot toward Sopore. Police and CRPF personnel fired at the peaceable procession. Tauqeer Rather was shot by a bullet that lodged in his chest, and succumbed to injuries on the way to the district hospital in Baramulla. Violence was used without any provocation.
11. **Allegation:** Ishtiyahq Ahmed Khanday, 15-years-old, resident of S. K. Colony, Islamabad, Anantnag district, son of Ahmadullah Khanday: **Killed** by police personnel (who were led by senior police officials from Islamabad town) on June 29, 2010, in the S. K. Colony area. Ishtiyahq Khanday was shot by a series of bullets and died immediately after. Eyewitnesses stated that police personnel forcibly entered his home in the S. K. Colony where the three youth (Ishtiyahq Khanday, Imtiyaz Ahmad Itoo, and Shujat-ul-Islam had taken shelter, as police were chasing youth in the area), and fired to execute from a close range (see #12 and 13 below). Violence was used without any provocation. A magisterial inquiry that took place

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and indicted senior police officials was ignored, and its recommendations were not implemented.

12. **Allegation:** Imtiyaz Ahmad Itoo, 17-years-old, resident of Watergam, Dalgam, Islamabad, Anantnag district, son of Abdul Ahad Itoo: **Killed** by police personnel (who were led by senior police officials from Islamabad town) on June 29, 2010, in the S. K. Colony area. Imtiyaz Itoo was shot by a series of bullets and died immediately after. Eyewitnesses stated that police personnel forcibly entered a residential home in the S. K. Colony where the three youth had taken shelter (as police were chasing youth in the area), and fired to execute from a close range (see #11 above and #13 below). Violence was used without any provocation. A magisterial inquiry that took place and indicted senior police officials was ignored, and its recommendations, were not implemented.
13. **Allegation:** Shujat-ul-Islam, 17-years-old, resident of Anchidora, Islamabad, Anantnag district, son of Late Muhammad Ashraf Baba: **Killed** by police personnel (who were led by senior police officials from Islamabad town) on June 29, 2010, in the S. K. Colony area. Shujat-ul-Islam was shot by a series of bullets and died on the way to SMHSH in Srinagar. Eyewitnesses stated that police personnel forcibly entered a residential home in the S. K. Colony where the three youth had taken shelter (as police were chasing youth in the area), and fired to execute from a close range (see #11 and 12 above). Violence was used without any provocation. A magisterial inquiry that took place and indicted senior police officials was ignored, and its recommendations were not implemented.

Deaths between July 1-31, 2010:

14. **Allegation:** Muzaffar Ahmad Bhat, 17-years-old, resident of Gangbug, Batamaloo, Srinagar, son of Ghulam Muhammad Bhat: **Body recovered** on July 6, 2010, from Doodganga Nullah (stream) in Baramulla district. Local community members state that Muzaffar Bhat had been arrested by police and CRPF personnel during civilian demonstrations in the area on the evening of July 5, 2010, and allege that he had been murdered by police and/or CRPF personnel, and his body disposed of in the Doodganga Nullah. Police officials maintain that Muzaffar died of drowning in the stream, while eyewitnesses reported that Muzaffar Bhat's body bore visible torture marks, and that the body, when recovered, was not swollen from the water. Violence was used without any provocation.
15. **Allegation:** Fayaz Ahmad Wani, 24-years-old, resident of Gangbug, Batamaloo, Srinagar, son of Nazir Ahmad Wani: **Killed** by a bullet fired by CRPF and/or police personnel on July 6, 2010, in Batamaloo. He was killed when people attempting to march peaceably to protest the death of Muzaffar Ahmad Bhat were intercepted by police and CRPF personnel who used tear gas canisters/grenades and opened fire on the procession. Bullets were fired without requisite reason.
16. **Allegation:** Yasmeen Jan, 25-years-old, resident of Lashman Pora Dander Khah, Batamaloo, in Srinagar, daughter of Abdul Rehman: **Killed** by a bullet fired into her chest by CRPF and/or police personnel on July 6, 2010, at her residence in Dander Khah. She was shot while standing near a window inside her home. Violence was used without any provocation.

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17. **Allegation:** Abrar Ahmad Khan, 16-years-old, resident of Maisuma Bund, Srinagar, son of Ghulam Ahmad Khan: **Killed** by a bullet fired into his neck by CRPF and/or police personnel on July 6, 2010, at Maisuma Bund, at a small protest gathering mourning the death of Muzaffar Bhat and Fayaz Wani. The protesters were angered and pelting rocks. Bullets were fired without requisite reason.
18. **Allegation:** Faizan Ahmad Bhuroo, 13-years-old, resident of Jalal Sahib, Baramulla district, son of Rafiq Ahmad Buhroo: **Death by drowning** on July 17, 2010. Faizan Bhuroo drowned as he jumped into the Jhelum (river) in Baramulla when Special Operations Group personnel attempted to arrest him. The incident took place at Azadgunj Bridge when he was returning home from the Main Chowk in Baramulla. The arrest of Faizan Bhuroo, a minor, was attempted without due cause and in violation of procedure, in a context of heightened threat to the civilian population by state forces.
19. **Allegation:** Fayaz Ahmad Khanday, 23-years-old, resident of Binner, Baramulla district: **Killed** by a bullet fired by CRPF and/or police personnel on July 19, 2010, when CRPF and police personnel fired at a peaceful funeral procession carrying the body of Faizan Bhuroo in Baramulla. The funeral procession was intercepted while on their way to the District Commissioners Office to lodge a protest, and attacked by CRPF and police personnel, without provocation, following which, during the clashes, a large gathering of protesters pelted stones. Police opened fire killing Fayaz Ahmad. Bullets were fired without requisite reason.

Note: Large demonstrations have been targeted by Indian forces as they are assumed to be a threat or potential threat, rather than an expression of rightful civil disobedience.

Note: Following the death of Fayaz Khanday, the crowd, angered, engaged in acts of arson, including attempting to attack the house of a police officer who was allegedly involved in the drowning of Faizan Bhuroo.

20. **Allegation:** Tariq Ahmad Dar, 17-years-old, resident of Panzala, Rafiabad, Baramulla district, son of Farooq Ahmed Dar: **Killed** in police custody on July 25, 2010, at Panzala Police Station. His body was recovered from the holding cell at Panzala Police Station, and had visible marks of torture on the neck and back, while police stated that he had committed suicide and that he was a drug addict. Violence was used without any provocation. Tariq Dar had been arrested on July 18, on uncorroborated charges of being an operative of the violent Lashkar-e-Toiba, banned as a terrorist organization by various states.

Note: Also in Baramulla, Syed Faraq Bukhari, 18-years-old, resident of Kreeri, Baramulla district, son of Syed Bashir Ahmad Bukhari, was reported **missing** since the evening of July 28, 2010. Eyewitnesses stated that he was beaten and kidnapped by police personnel. Syed Bukhari was participating in peaceable demonstrations against the repression by Indian forces in the Kashmir Valley. He disappeared after the police targeted the demonstrators, arresting approximately one hundred persons and injuring approximately twelve. The disappearance of Syed Bukhari evoked widespread protests in the Kreeri Area on July 29 and 30, 2010. Police opened fire on peaceful demonstrators, injuring fifty, three of whom were admitted to SKIMSH in Srinagar with serious injuries. Following which, protesters set

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fire to a Special Operations Group camp at Kreeri, demanding information about Syed Bukhari's whereabouts.

21. **Allegation:** Muhammad Ahsan Ganie, 45-years-old, resident of Amargarh, Sopore, Baramulla district, son of Abdul Aziz: **Killed** by a bullet fired into his chest by CRPF personnel on July 30, 2010, when CRPF personnel attacked hundreds of people headed toward the Krankshivan Colony to offer Friday prayers at the local mosque. The incident took place near Taqwa Masjid located between Krankshivan and Amargarh localities in Sopore town. Violence was used without any provocation.
22. **Allegation:** Showkat Ahmad Chopan, 17-years-old, resident of Amargarh, Sopore, Baramulla district, son of Abdul Majid Chopan: **Killed** by a bullet fired by CRPF personnel on July 30, 2010, when CRPF personnel attacked hundreds of people headed toward the Krankshivan Colony to offer Friday prayers at the local mosque. The incident took place near Taqwa Masjid located between Krankshivan and Amargarh localities in Sopore town. Showkat Chopan died on the way to the hospital. Violence was used without any provocation.
23. **Allegation:** Adil Ramzan Sheikh, 13-years-old, resident of Pattan, Baramulla district: **Killed** by a bullet fired by CRPF personnel on July 30, 2010. He was part of a protest demonstration dissenting the killings at Sopore and the firings at Chanapora in Srinagar that occurred on the same day, where protesters were pelting stones. CRPF personnel opened fire on the crowd that, in response to the use of excessive force by Indian forces, attacked the Pattan Police Station and set a building and two vehicles on fire. The nine police officers that were inside were rescued. Adil Sheikh died at SKIMSH in Srinagar. He was the fourth in his family to die in the last twenty years from the actions of the Indian military and paramilitary. Bullets were fired without requisite reason.
24. **Allegation:** Nazir Ahmad Mir, 23-years-old, resident of Sheeri, Baramulla district: **Killed** by a bullet fired by CRPF personnel on July 30, 2010. He was part of a protest demonstration dissenting the killings at Sopore and the firings at Chanapora in Srinagar that occurred on the same day, where protesters were pelting stones. CRPF personnel opened fire on a crowd that, in response to the use of excessive force by Indian forces, attacked the Pattan Police Station and set a building and two vehicles on fire. The nine police officers that were inside were rescued. Nazir Mir died at SKIMSH in Srinagar. Bullets were fired without requisite reason.
25. **Allegation:** Javaid Ahmad Teli, 20-years-old, resident of Bungalbagh, Baramulla district, son of Ghulam Muhammad Teli: **Killed** by a bullet that lodged in his head, fired by personnel of the Special Operations Group on July 31, 2010. He was fired upon at the Cement Bridge in Baramulla town. There were no protests or stone pelting when Javaid Teli was fired upon. Javaid Teli died at SKIMSH in Srinagar. Violence was used without any provocation.
26. **Allegation:** Mudasir Ahmad Lone, 17-years-old, resident of Herpora, Naidkhai, Sumbal, Bandipora district, son of Ghulam Muhammad Lone: **Killed** by a bullet fired by CRPF and/or police personnel on July 31, 2010. He was participating in a protest demonstration dissenting the unprovoked beating of boys playing in the ground opposite the Indian Reserve

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Police camp at Naidkhai. The protest demonstration was stopped and attacked by CRPF and police personnel, following which, the protesters attacked the Indian forces camp at Naidkhai. Bullets were fired without requisite reason.

Deaths between August 1-8, 2010:

27. **Allegation:** Nayeem Ahmad Shah, 20-years-old, resident of Pampore, Pulwama district, son of Bashir Ahmad Shah: **Killed** by a bullet fired by CRPF personnel on August 1, 2010. He was among the people who were holding demonstrations on the highway and staged a peaceable sit-in against the repression by Indian forces in the Kashmir Valley. The sit-in was attacked with heavy force by CRPF and police personnel, resulting in the shooting of Nayeem Shah and others. Police used violence without any provocation. Following the shootings, protesters pelted stones and attacked the Pampore Police Station, and attempted to set fire to a *tehsil* (revenue) office.
28. **Allegation:** Rayees Ahmad Wani, 18-years-old, resident of Pampore, Pulwama district, son of Abdul Rashid Wani: **Killed** by a bullet fired by CRPF personnel on August 1, 2010. He was hit at Pampore, on the Srinagar-Jammu highway and died on the way to the hospital. Rayees Wani was among the people who were holding demonstrations on the highway and staged a peaceable sit-in against the repression by Indian forces in the Kashmir Valley. The sit-in was attacked with heavy force by CRPF and police personnel, resulting in the shooting of Nayeem Shah and others. Police used violence without any provocation. Following the shootings, protesters pelted stones and attacked the Pampore Police Station, and attempted to set fire to a tehsil office.
29. **Allegation:** Afroza Teli, 15-years-old, resident of Khrew, Pulwama district, daughter of Ghulam Mohammad Bhat: **Killed** by a bullet that lodged in her head, fired by CRPF and/or Special Operations Group personnel on August 1, 2010. Afroza Teli died at SKIMSH in Srinagar. Afroza Teli was hit when a protest demonstration was proceeding peacefully. Violence was used without any provocation. On August 1, 2010, following the death of Afroza Teli, protesters set fire to an irrigation office, a *Tehsildar's* (revenue officer's) office, a court building, and attacked the Pampore Police Station, and burnt a government vehicle and a police vehicle.
30. **Allegation:** Noted below.
31. **Allegation:** Also on August 1, 2010, two youth were killed and dozens injured in a blast at the Special Operations Group camp of Jammu and Kashmir Police at Khrew, Pulwama district, after civilians, largely youth, set it on fire following the killing of Afroza Teli and two young men by police and CRPF personnel earlier that day, and the brutalization of protests. The Special Operations Group camp contained an armoury of explosives. This incident was spontaneous and provoked as well by the unremitting violence and curfews imposed by state forces in the months of June and July.

The two persons **killed** were identified as Javaid Ahmad Sheikh, 18-years-old, resident of Wuyan, Pampore, Pulwama district, and Muhammad Amin Lone, 22-years-old, resident of Shalnag, Khrew, Pulwama district, son of Ghulam Ahmad Lone.

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Local community members expressed serious concern and alleged that the explosives had been readied and triggered by Special Operations Group personnel to harm the protesters. No Special Operations Group officers were injured or killed in this incident.

32. **Allegation:** Basharat Ahmad Reshi, 14-years-old, resident of Wachi, Sangam, Anantnag district, son of Muhammad Ismail Reshi: **Killed** by a bullet fired by police personnel on August 2, 2010. He was going to join protesters when he was hit by police fire and died instantaneously. Local community members stated that a policeman from Basharat Reshi's village fired upon him and subsequently his body was drowned in the Jehlum. Violence was used without any provocation.
33. **Allegation:** Irshaad Ahmad Bhat, 17-years-old, resident of Reshipora, Sangam, Anantnag district, son of Muhammad Abdullah: **Killed** by a bullet fired by CRPF and/or police personnel on August 2, 2010. Irshaad Bhat, a person with physical disability, was kidnapped by CRPF and police personnel, tortured, and then killed. Violence was used without any provocation.
34. **Allegation:** Ashiq Hussain Bhat, a student in the ninth grade, age not ascertained, resident of Kulgam, Anantnag district, son of Ghulam Hassan Bhat: **Killed** by a bullet fired by CRPF personnel on August 2, 2010. He was killed when CRPF personnel opened fire on peaceful protesters at Chawalgam village as they proceeded toward Kulgam town. Violence was used without any provocation.
35. **Allegation:** Rameez Ahmad Bhat, 16-years-old, resident of Kulgam, Anantnag district, son of Late Abdul Rasheed Bhat: **Killed** by a bullet fired into his chest by CRPF personnel on August 2, 2010. He was killed when CRPF personnel fired indiscriminately on the peaceful protesters in Kulgam town. Violence was used without any provocation.
36. **Allegation:** Hafiz Muhammad Yaqoob Bhat, 22-years-old, resident of Zadoora, Kakapora, Pulwama district, son of Abdul Rehman Bhat: **Killed** by a bullet fired into his chest by CRPF and/or police personnel on August 2, 2010. Hafiz Bhat, an Imam, was marching with peaceful protesters to Khrew to express solidarity with family members of victims killed on August 1, 2010, when police and CRPF troops opened fire on them. Violence was used without any provocation.
37. **Allegation:** Tariq Ahmad Dar, 17-years-old, resident of Semthan, Bijbehara, Anantnag district, son of Late Farooq Ahmad Dar: **Killed** by a bullet that lodged in his head, fired by CRPF and/or police personnel. Tariq Dar was wounded on August 1, 2010, in Bijbehara, and died on August 2, at SKIMSH in Srinagar. Tariq Dar was among the people who were protesting the actions of the Indian forces in the Kashmir Valley, where a large demonstration was taking place. Bullets were fired without requisite reason.
38. **Allegation:** Khursheed Ahmad War, 27-years-old, resident of Shumnag, Kralpora, Kupwara district, son of Maqbool War: **Killed** by a bullet fired by CRPF personnel on August 2, 2010. He was killed when CRPF personnel opened fire on protesters who were part of a large demonstration near Khuzanmutti Bridge, as they marched from Kralpora. Khursheed War died on the way to the hospital. Bullets were fired without requisite reason.

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39. **Allegation:** Sameer Ahmad Rah, 9-years-old, resident of Batamaloo, Srinagar, son of Fayaz Ahmad Rah: **Killed** by beatings he received from CRPF personnel on August 2, 2010. Witness accounts stated that CRPF personnel grabbed Sameer Rah at Batamaloo and beat him to death. He was playing in the locality where a demonstration had taken place earlier that day when CRPF personnel beat and tortured him to death, including driving a bamboo stick into his mouth. Violence was used without any provocation.
40. **Allegation:** Meraj-ud-Din Lone, 23-years-old, resident of Barthana, Qamarwari, Srinagar, son of Muhammad Ayub Lone: **Killed** by a bullet fired by CRPF and/or police personnel on August 3, 2010, at Qamarwari. Police and CRPF personnel fired at the peaceable procession. Violence was used without any provocation.
41. **Allegation:** Anis Ahmad Ganai, 17-years-old, resident of Dangerpora, Narwara, Srinagar, son of Khursheed Ahmad Ganai: **Killed** by a bullet fired into his abdomen by CRPF and/or police personnel on August 3, 2010. He was fired upon at Narwara near the Iddgah. Anis Ganai was taken to SMHSH in Srinagar, where he died. Anis Ganai was with people protesting the killing of Meraj-ud-Din Lone, where protesters were pelting stones. Bullets were fired without requisite reason.
42. **Allegation:** Suhail Ahmad Dar, 15-years-old, resident of Zainakote, Srinagar, son of Mohammad Yasin Dar: **Killed** by a bullet fired into his abdomen by CRPF and/or police personnel on August 3, 2010, at Parimpora. Suhail Dar was with people protesting the killing of Meraj-ud-Din Lone, where protesters were pelting stones. Bullets were fired without requisite reason.
43. **Allegation:** Jehangir Ahmad Bhat, 23-years-old, resident of Chenigam Yaripora Kulgam, Anantnag district, son of Muhammad Yousuf Bhat: **Killed** by a bullet fired by CRPF and/or police personnel on August 3, 2010, at Kulgam. Jehangir Bhat was among the people who were protesting the actions of the Indian forces in the Kashmir Valley, where protesters were pelting stones. Bullets were fired without requisite reason.
44. **Allegation:** Riyaz Ahmad Bhat, 25-years-old, resident of Khrew, Pulwama district: **Killed** by a firearm injury to his head inflicted by CRPF and/or police personnel. He sustained the injury at Khrew on August 1, 2010, and was taken to SKIMSH in Srinagar, where he died on August 3. Riyaz Bhat was marching with peaceful protesters to express solidarity with family members of victims killed on August 1, when police and CRPF troops opened fire on them. Violence was used without any provocation.
45. **Allegation:** Muhammad Yaqoob Bhat, 20-years-old, resident of Nund Resh Colony, Bemina, Srinagar, son of Sheikh Muhammad Yusuf Bhat: **Killed** by a bullet fired by personnel of a patrolling party of CRPF on August 4, 2010, while he was standing near his house. Violence was used without any provocation.
46. **Allegation:** Muhammad Iqbal Khan, 22-years-old, resident of Lone Mohalla, Chanapora, Srinagar, son of Abdul Majid Khan: **Killed** by bullets fired into his face and neck by CRPF and/or police personnel on August 4, 2010. Muhammad Khan was shot on July 30 in Chanapora, and was brought to SKIMSH where he died on August 4. He was participating in peaceable demonstrations against the repression by Indian forces in the Kashmir Valley. The

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demonstration was attacked with heavy force by CRPF and police personnel, resulting in the death of Muhammad Khan and four others being injured. Bullets were fired without requisite reason. Following the shootings, protesters pelted stones.

47. **Allegation:** Shabir Ahmad Malik, 30-years-old, resident of Lonepora, Nawa, Pulwama district, son of Abdul Aziz Malik: **Killed** by a bullet fired by CRPF and/or police personnel on August 5, 2010. He was killed when CRPF and police personnel resorted to indiscriminate firing on a peaceful sit-in at Wagoora on the outskirts of Pulwama town. Violence was used without any provocation.
48. **Allegation:** Ghulam Nabi Badyari, 48-years-old, resident of Ganpatyar, Habba Kadal, Srinagar, son of Mohammad Shaban: **Killed** by a bullet in his abdomen fired by CRPF personnel on August 5, 2010. CRPF personnel shot Ghulam Badyari near his residence on the night of August 4, when there were protests being held in the vicinity. He was wounded at Ganpatyar, and was brought to SMHSH where he died. Violence was used without any provocation.
49. **Allegation:** Rameez Ahmad, 22-years-old, resident of Mundji, Sopore, Baramulla district, son of Ghulam Nabi Reshi: **Killed** by a bullet fired by CRPF personnel. He sustained the injury at Warpora, Sopore, Baramulla district on August 6, 2010, along with seven others when CRPF personnel opened fire on a group of protesters who were participating in peaceable demonstrations against the repression by Indian forces in the Kashmir Valley. Rameez Ahmad was taken to SKIMSH in Srinagar, where he died on August 7. Violence was used without any provocation.
50. **Allegation:** Aisha Shiekh, 55-years-old, resident of Ganpatyar, Habba Kadal, Srinagar, wife of Muhammad Amin Sheikh: **Killed** by a sling shot injury to her chest used by CRPF personnel. She was hit when she was travelling with her granddaughter to purchase milk. She sustained the injury at Ganpatyar on August 7, 2010. Aisha Shiekh was taken to SMHSH in Srinagar, where she died on August 8. Violence was used without any provocation.
51. **Allegation:** Fida Nabi Lone, 20-years-old, resident of Qamarwari, Srinagar, son of Ghulam Nabi Lone: **Killed** by a bullet fired by CRPF and/or police personnel when they opened fire on demonstrators protesting the death of Meraj-ud-Din Lone of Qamarwari (cited above in #40), and pelting stones. He sustained the injury at Shalteng on August 3, 2010. Fida Lone was taken to SKIMSH in Srinagar, where he died on August 8. Bullets were fired without requisite reason.