

# Peace and Processes of Violence

*An observation on situation  
in Jammu and Kashmir from 2002 to 2009*

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## **Introduction:**

The data about killings, disappearances, suicides, fratricides, etc. in Jammu & Kashmir collected by JKCCS from 2002 to 2009 is based on the daily reportage in newspapers published from Jammu and Kashmir. All these newspapers are primarily fed by the reports of daily killing by the Jammu and Kashmir Police department.

The data presents a deeply disturbing pattern of impunity in Jammu & Kashmir and contains only reported killings. There might be killings which are not shared with journalists in official records and may have remained unreported.

Inferences can be drawn from the data collected on selective forms of violence that have resulted in killings, disappearances, suicides and fratricide etc. But it excludes other equally painful types of brutality like torture, injuries, arrests, rapes, human shields, molestations and forced labour etc. along with the humiliations and their lasting traumatic consequences as the data available for such crimes is difficult to obtain.

Just a cursory glance at the graph of killings demonstrates a real quantitative decline that registers the fact that an attempt at creating an enabling atmosphere was made that could have carried forward the media-hyped processes of peace.

However the impression generated by the rhetoric of peace-process between India and Pakistan that reached its peak during April 2005 with the opening of Srinagar-Muzaffarabad bus service, does not seem to correlate with the factual details of violence on ground zero in Jammu and Kashmir.

From January 2002 to December 2009 more than 14,000 people lost their lives which depict Jammu and Kashmir more as a war zone. These people include militants, troopers, civilians, political activists and others.

The data also throws up a picture of Kashmir wherein the residents look perennially besieged within the uncertainties of long-drawn conflict, an image that runs contrary to impressions of normalcy created by the superficial discourses of peace.

Unfortunately, 6588 people were killed from January 2004 to November 2008 (till the attacks in Mumbai), the period during which both the states trumpeted peace process. The number of killings looks colossal in times of war let alone in a time of peace.

In retrospect, meaning of peace for states is clam at borders while as for the people of Jammu and Kashmir the uncertainty deepened with the continued killings and gradually brewed skepticism about the peace process.

The initiation of the peace process should have with time factored in the ground itself with the cessation of hostilities from all sides coupled with respectful and meaningful engagement with the people of Jammu and Kashmir.

But the process itself was privileged over the peace which clearly reveals its outlook as state-centric rather than people-centric in its intent and approach.

Moreover, the decline in the number of killings should have been inversely proportional to the concrete peace building measures taken in the context of conflict resolution. But the pattern that emerges from 2002, where in the graph experienced a relative decline; the peace process appears to have been initiated in the paradigm of management rather than resolution.

For, the technical imperatives of the peace process in the guise of complete cessation of hostilities that would have reflected a clear expression of intent on ground were missing from the very beginning.

Rhetoric of peace process has unfortunately been used to cover the sustained patterns of impunity over the years in Jammu and Kashmir. Killing of people in response to people's resistance has continued unabated, irrespective of the forms of resistance.

People of Jammu and Kashmir have been responsive to the larger global and regional geo-political realities in their modes of resistance. In the changed global scenario mass protests in Kashmir emerged as the dominant expression against Indian oppression but these peaceful unarmed demonstrations were responded to by disproportionate use of state force, resulting in loss of life, injuries and continued trauma.

The state of India has shown indiscriminate mercilessness in its responses to both violent and non-violent forms of people's resistance, choking all the spaces for expressions of dissent.

Transition to non-violence, as the data of civilian killings (and bullet injuries) of last two years suggests, has been disregarded by the Indian state and met with brutal response, which is also reflective of the state's approach towards conflict transformation. This state violence was intended to choke the limited available space of dissent.

Such a huge loss was inflicted on humanity despite claims made by the then Indian Prime Minister, Mr. Atal Bihari Vajpayee in 2002 that the free and fair elections held for the first time would usher in an era of peace. However, daily life in Jammu and Kashmir continues to be marked by killings, torture, indignities, humiliations and other brutalities inflicted by the state.

The media bought and sold vociferously the state-induced rhetoric that free and fair elections are a remedy that can cure the conflict of its causes as well as consequences in Jammu and Kashmir.

But the killings of 14033 people from January 2002 to December 2009 is indicative of the fact that free and fair elections don't translate into bringing peace unless the deeper public yearning for political justice is addressed.

Despite holding many elections and changing many regimes peace, security and resolution remain elusive for the actual stakeholders – the citizens of Jammu and Kashmir.

### **Lives lost from 2002 to 2009**

The conflict from 2002 to 2009 has resulted in the loss of life of 3404 civilians, 7504 militants (claimed by government), 2451 troopers and 674 others.

A huge majority of those killed are Kashmiris which burdens the lives of survivors in the society. The state of affairs continues. Notwithstanding many PR exercises, there seems to be no genuine effort in place from the states to stop further bloodshed and other forms of suffering.

The insecurity at present, coupled with past anxieties, continues to darken the future of the majority of people here. The reason for this insecurity and the subsequent loss of lives merits immediate redress to arrive at peaceful resolution of the conflict.

### **Custodial Killings and Enforced Disappearance**

According to media reports there were 225 custodial killings and 360 persons were subjected to enforced disappearances from 2002 to 2009.

### **Suicides and Fratricides**

From 2004 to 2009, 157 troopers committed suicide while as 55 personnel were killed in fratricidal incidents. The data suggests high level of stress on the soldiers in the current conditions. The magnitude of stress on the civilian population as a result of existing besieged and insecure conditions can only be guessed.

### **Probes**

According to the available data, from 2002 to 2009 the government ordered 140 probes on different human rights abuses, out of which only 16 enquiries have been concluded. In just one case an army personnel who was accused of rape has been punished for misbehavior and sent to 1 year rigorous imprisonment.

## **Killings by Unidentified Gunmen**

From the available data for the year 2008 and 2009, mysterious killings by unidentified gunmen have resulted in the killings of 47 persons in 2008 and 26 people in 2009.

## **Children Killed**

Since January 2002 to December 2009, the conflict has consumed the lives of 258 children (under the age of 18). In the first two months of 2010, 3 boys, Inayat Khan of Dalgate, Wamiq Farooq of Rainawari and Zahid Farooq of Brein Nishat have become prey to the indiscriminate use of violence.

## **Last 2 years**

The year 2008 witnessed mass uprising in response to a perception of Amarnath land grab and the subsequent economic blockade of an entire landlocked region. The year 2009 witnessed mass protests in response to rape and murder of Aasiya Jan and Neelofar Jan of Shopian.

The means of protests that were civil in both the cases evoked violent and indiscriminate response from the state.

Despite the repeated pledges of zero tolerance to rights violations by Indian Prime Minister Mr. Manmohan Singh and the ex-Chief Minister Mr. G.N. Azad and present Chief Minister Mr. Omar Abdullah, people witnessed 152 civilians killings in 2008, while as in 2009, 84 civilians lost their lives besides 13 custodial killings were reported during the two-year period.

According to media reports available, between June 2008 and December of the same year, 1876 people including women and children were injured in state violence and as per the hospital reports out of them 640 were operated upon and 6 were amputated.

Similarly, year 2009 witnessed indiscriminate use of force by the state forces as a response to people's protests injuring 1600 civilians, which includes women and children.

In 2007, 2 political activists of National Conference and one each from Congress and PDP were killed. In 2008 two political activists of PDP and Congress were killed while as 5 political activists of National Conference were killed in the year 2009.

## **Recommendations**

Often the world media in general, and Indian media in particular, presents the killings and other acts of wanton violence as something unconnected and as an aberration whereas the

analysis of facts shows that these atrocities are intrinsic to the military suppression of a democratic demand for exercising the right of self-determination. It also convinces us of the need for creating an environment free from fear for necessary conditions, the absence of which primarily contribute to commission of war crimes in the disputed territory.

In order to create proper ambience for resolution, an immediate end to the hostilities against the people of Kashmir is a must.

Process of resolution cannot be used as an excuse for denial of rights today. So the human rights must be protected, promoted and respected now. While doing this, the sense of urgency should be quite visible and meaningful in people's assessment.

Any processes initiated by the stakeholders for the final resolution of Jammu and Kashmir needs to acknowledge the inalienable civil and political rights including right to life of the principal party i.e. people of Jammu and Kashmir.

Contrary to the claims by the states that the aspirations of the people of Jammu and Kashmir will be respected in the final resolution, Indian government continues to hold hostage the right to life and security of people presently.

An essential confidence building measure in this regard by the Indian state would be to put a complete end to its present belligerent policies towards people including the constriction of public dissent.

Based on the above observations and conclusions, we appeal the international conscience represented by various institutions like UN, EU, OIC and other humanitarian organizations to intervene for effective lobbying and persuade Indian state to commit itself to protect civil and political rights of Jammu and Kashmir people today. This in our view will facilitate the initiation of a genuine process for peaceful resolution of the long pending Kashmir problem.

ends...

P.S. See appendices below for data.















































