

## FACT FINDING TEAM TO KASHMIR

*Since June this year, the Kashmir valley has been torn by mass protests which have been met with overwhelming force by Indian security forces. Curfews and closures have been frequent, often shading into each other. No less than 111 deaths have been registered, of which a large number have been of students and youth in the age group of 8 to 25 years. There have besides, been hundreds – if not thousands – of injured, both protesters and those who just happened to be at the wrong place at the wrong time. An independent fact-finding team went to the Kashmir valley at the end of October to go into the totality of the situation, principally to inquire into the causes for the unconscionably large number of deaths that have occurred in the current phase of mass agitation. The team comprised of academic BELA BHATIA, advocate VRINDA GROVER, journalist SUKUMAR MURALIDHARAN and activist RAVI HEMADRI of The Other Media, a Delhi based campaign and advocacy organisation, at whose initiative the effort was organised. Each member of the team spent varying lengths of time in the valley, but in total, roughly about twenty-five person days were put in to the fact-finding exercise. In groups or individually, the team met the families of almost 40 persons who had been killed since the beginning of the civil unrest. Several individuals who had suffered serious injuries were also met. The team worked out of the state capital of Srinagar, and visited villages and towns in five of the Kashmir valley's ten districts: Baramulla in the north (Sopore and Baramulla tehsils); Anantnag (Bijbehara and Anantnag tehsils) and Pulwama (Pulwama tehsil) in the south; Badgam in the west (Chadura and Badgam tehsils) and Srinagar itself. Separate sessions were held with journalists and media practitioners, university teachers and students, doctors, lawyers and activists besides officials in the police headquarters and the civil administration. This is the third in the series of reports coming out of the Fact-Finding Team's findings.*

### REPORT # 3, 17 November 2010

#### Blaming the Messenger: Kashmir's media under pressure

Junctures of civil unrest in Kashmir invariably call forth the reflexive attitude of blaming the messenger, making any form of restraint on the working of the valley's journalists – which often stretch all the way to active repression -- a perfectly permissible stratagem for restoring order.

Since the upsurge in civil unrest in Kashmir in June, media practitioners claim, their situation in terms of daily work routines, has deteriorated sharply. Accessing news sites has now become an ordeal and gaining authentic information on the disturbances that break out with alarming regularity, virtually impossible.

There has been a lessening of the violence in Kashmir since the visit of an all party parliamentary delegation to the valley in September and journalists may be more assured now that they can travel to work and back without serious hindrance. But they continue to suffer enormous restraints on daily functioning.



*Journalists in Kashmir gather at Srinagar's Press Enclave in September to protest media repression.*

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Newspapers have been shut for an estimated total of thirty days since Kashmir's protests began to rise in fury mid-June. The travails for journalists became particularly grim from about July 7, when after several years, the Indian army was summoned out of its barracks and deployed in the streets of Kashmir. A notification by the state government and local authorities at the time extended curfew to cover the movement of all civilians, and word was put out that press passes would no longer be honoured.

Photographers and news cameramen in Srinagar were assaulted as they sought to record the day's events. Some had their professional equipment confiscated by security agencies. Media identity cards were scant protection against the easily roused rage of the security forces, nor did they afford the least assurance of mobility for the discharge professional obligations.

These incidents followed similar occurrences the preceding day, when at least 12 photographers working for local, national and international media were assaulted in Srinagar and suffered injuries of various degrees of seriousness, as security forces sought to restrain them from recording ongoing demonstrations. As the photo-journalists and news cameramen were attacked, senior police officers were heard remarking that without media attention the demonstrations would soon die out.

On July 2, authorities in the region of Jammu sealed the premises of three publications on the grounds that they had allegedly carried false and misleading news reports that tended to aggravate tensions between religious communities. The following day, copies of *Greater Kashmir* and *Kashmir Uzma*, the leading newspapers in English and Urdu in the Kashmir valley, were seized as they were readied for distribution.

All Kashmir's media personnel were confined to their homes for several days following the entry of the Indian army on July 7. A few days into this round of closures in the valley, the Kashmir Press Guild – a platform of the most senior journalists in the region – issued a statement deprecating the situation in which local journalists were confined to their homes by an unrelenting curfew, while media personnel flying in from Delhi were afforded armed protection and allowed considerable

freedom of movement. It was as if the story of Kashmir – if at all it were to be told – could only be entrusted to the narrative skills of journalists enjoying the stamp of official approval that comes from working in the national capital.



*Greater Kashmir and Rising Kashmir have become targets of selective ad placements and restrictions on movement*

On July 9, when curfew and closures were at their most oppressive in the Kashmir valley, the state government seemed to relent marginally after virtually locking all journalists in for days. Journalists in Srinagar were given a telephonic assurance that they would be provided fresh curfew passes to replace the ones invalidated after the army deployment of July 7. As senior journalist Riyaz Masroor set off from his home in the Alucha Bagh neighbourhood of Srinagar, to collect the fresh issue of his curfew pass, he was stopped at a police checkpoint on the main thoroughfare near his home. Personnel of the local police reportedly did not ask

him why he was stepping out during the curfew, nor did they wait for an explanation. Few seemed to care that he was responding to a summons from the state government's Information Department. He was attacked with heavy batons and forced to return home with injuries to his hip and right wrist.

On August 14 and again on September 28, a senior journalist now working with India's largest news agency, the Press Trust of India, was stopped as he was going to work and his curfew pass confiscated by security forces. No reasons were given and it was made abundantly clear to him that he was not entitled to ask for any.

On October 1, Merajuddin and Umar Meraj of the Associated Press TV news service, and Mufti Islah and Shakeel-ur Rahman of the Indian news channel CNN-IBN, were assaulted by security forces while on their way to the state legislative assembly building in Srinagar. The incident began with a heated argument over the police insistence that they would not allow journalists to pass, even if they held curfew passes. Merajuddin, whose documentation remains one of the richest visual records of Kashmir's years of insurgency, suffered a serious injury to his neck in the incident and spent days recovering in hospital.

Through fifteen days in September, few newspapers were printed in Srinagar because journalists and print workers could not reach their places of work. Those who made the effort and succeeded on any one day, often were confined within their workplaces indefinitely. Among the few newspapers published, most found distribution channels blocked, as delivery vehicles were detained at the Mirgund and Kotibagh checkpoints just outside Srinagar.

On September 30, all copies of *Greater Kashmir*, *Rising Kashmir*, *Kashmir Uzma* and *Buland Kashmir* were seized from points of production in Srinagar city and taken to local police stations. The following day, the chief minister of Jammu and Kashmir, Omar Abdullah, informed the state assembly that he had not issued any order for the seizure of the newspapers, though the police had the authority to examine all media content prior to publication.

Journalists in Srinagar hesitate to use the term "discrimination", but they have reason to believe that an increasing degree of arbitrariness has crept into the allocation of government advertising budgets among newspapers. The evidence available today, of selective allocations to newspapers that are seen as amenable and severe cutbacks to those that are seen to be too independent, comes on the heels of longstanding grievances that government advertising budgets overwhelmingly favour newspapers in Jammu rather than Srinagar. Illustratively, the annual report of the central government's Directorate of Advertising and Visual Publicity (DAVP), the nodal agency for the placement of official advertising, records a spending of over Rs 3.44 crore in the print media in Jammu city in 2008-09 and just fractionally more than Rs one crore in Srinagar.

The cross-section of journalists that this team met in Srinagar was convinced that even this relatively meagre allocation for the print media in their city, is now distributed with intent to ensure compliance with the official *diktat*. Three leading newspapers published from Srinagar – *Rising Kashmir*, *Greater Kashmir* and *Kashmir Uzma* – believe that they have been unfairly deprived of advertising, and have had to enforce stringent curbs on staff salaries and in some cases, limited staff retrenchments.

News gathering processes in Kashmir have been severely impeded by restrictions on movement and disruptions of communications. Illustratively, text messaging (or SMS) through the state's mobile telephone network has been suspended with effect from June. This final crackdown on a service that Kashmir's journalists had begun to use as a vital news gathering facility, came after a rather long prelude. In June 2009, when the valley witnessed large-scale civil disturbances over the suspected rape and murder of two women in the southern orchard town of Shopian, bulk text messages, which were a news source that media organisations in the capital city of Srinagar could tap in the more remote districts where they had no presence, were banned. This effectively put out of work newsmen in these districts who were able to generate a modest, though significant, revenue stream for themselves through the provision of news items to Srinagar's newspapers.

In April this year, well before mass protests became a daily occurrence, India's central government ordered telecom companies in Kashmir to suspend text messaging for all subscribers of post-paid cellular telephone services. Subscribers using the pre-paid facility were to be allowed no more than ten such messages a day. This measure ostensibly was taken in response to a request from state security and intelligence agencies in Kashmir.

It soon became evident that serious miscommunications about communication services are a regular feature of Kashmir's policy landscape, when the state government shortly afterwards went on record with a denial of any such request. Far from calling for a ban on all text messaging, the state government, it emerged, had only requested that bulk messages be proscribed, since these had been identified by security agencies as a source of destabilising and disruptive rumour. This was merely the reiteration of a ban decreed during the Shopian disturbances, though over time, it had begun to be breached in some measure. The ban on text messaging was revoked within a day, leaving the prohibition on bulk messages in place.

In June though, with the protests registering a sharp upward spiral, the state government ordered a complete ban on text messaging services. This prohibition remains in place at the time of this writing in all of Jammu and Kashmir. Voice telephone services are subject to frequent and unexplained disruption, especially in the northern Kashmir region.

The numerous restraints on communication, both declared and otherwise, remain a serious impediment to legitimate news gathering activities in the Kashmir valley, especially since curfew impositions and other forms of restrictions on physical movement have become common.

These restrictions are often introduced in response to imagined security anxieties. Illustratively, on August 15, when India's independence day observances were being held in Srinagar's Bakshi stadium – under a heavy security cordon – mobile telephone and internet services were suspended over the entire valley for at least six hours. Already constrained by closures and restrictions on personnel movement, Kashmir's news organisations were prevented by this unannounced shutdown, to update their websites for the duration of the Bakshi stadium event.



*Daily movements for news gatherers has become an ordeal with few security personnel willing to recognise their legitimate role.*

Kashmir's numerous TV channels were a major source of local news and had an especially vital role in days when civic security was badly disrupted and few could feel sure of what lay in store if they ventured out of home. That facility was effectively ended in June 2009, in the wake of the Shopian disturbances, when the Directorate of Information in the state government issued notice to all local cable TV channels to suspend news broadcasts. This *diktat* was partly diluted a month later, when the channels were allowed to air the 15 minutes of news permitted under their rules of registration. All channels were under compulsion moreover, to confine their news broadcasts to the same time of day, i.e., 8 p.m.

As the editors and owners of the channels put it, they were summoned early in June 2009 and given a virtual ultimatum by the authorities that they needed to "behave properly". Several were told that their fiduciary relationship with secessionist political formations was well known, and that the dossiers available with state intelligence agencies provided ample grounds for their prosecution under the special security laws in force in Kashmir.

September 13 this year was the worst single day of bloodshed in Kashmir since the current protests began, with twenty killed and an estimated 200 injured. Protests ascended that day to a level of rage not seen before, after the Iranian news channel Press TV telecast news of the alleged burning of the Quran Sharief in a U.S. city. The report was swiftly denied but anger had already erupted on the streets of Kashmir.

Immediately afterwards, the state administration decreed that Press TV would be taken off the menu of all local cable TV operators. Concurrently, in what seemed a panic reaction, local channels were told to suspend all news broadcasts. The situation that has resulted is described with great aptness by one of the news channel representatives who met this team: "none of the local channels cover any news and the national channels do not cover Kashmir."

Despite frequent disruptions, the internet has become, ever since the current phase of troubles began, the principal mode for getting the word out in Kashmir. Transmission bandwidths are small and the volumes of data that can be transacted, limited. But essential information gets around, such as the protest calendars and schedules periodically announced by the leadership of Kashmir's Tehreek-e-Hurriyat (Movement for Freedom).

Social networking sites have become a means through which journalists and other citizens in Kashmir conduct the conversations that are otherwise denied by heavyhanded restrictions. Unsurprisingly, users of the social networking site Facebook have begun to attract the hostile attention of the security agencies. One user, Faizan Samad, was arrested in August for allegedly posting material that brought the armed forces to disrepute. He was released shortly afterwards.

Another Facebook user, Mufti Wajid Yaqoob, was arrested in the south Kashmir town of Shopian after being held responsible for organising protest demonstrations through his network of friends on the site.

Journalists in Kashmir have organised to deal with these multiple threats on the two main platforms of the Kashmir Press Guild and the Kashmir Press Association. Following complaints filed by three newspapers from Srinagar and the efforts of Kashmiri journalists based in Delhi, the Press Council of India (PCI) on August 4, issued notice asking the state government to explain the many restrictions imposed – both formal and informal -- on the functioning of the press.

Journalists' bodies based in Delhi have also stepped in with gestures of solidarity and support. The Delhi Union of Journalists (DUJ) has been particularly vocal, with a statement by its executive committee in September, sharply deprecating the "undeclared ban on newspapers in Kashmir" and calling on the PCI to conduct its own independent inquiries to restore a semblance of normalcy for journalistic functioning in the valley.

The Editors' Guild of India and Press Club of India have also at various times, organised to show solidarity with colleagues in Kashmir. It has often been the case that journalists in the national capital and the main metropolitan centres of India remain relatively indifferent to the travails of colleagues in outlying parts of the country. Even if Kashmir has not suffered from this form of indifference in its most acute form, the enemy of press freedom here is the brevity of public memory and short attention spans in the rest of India to the incessant turmoil there.