



BRIEFING PAPER

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Kashmir: February 2017 update

By Jon Lunn

This briefing covers events in Indian-administered Kashmir since 8 July 2016, which have been characterised by a dramatic upsurge in protest and violence on the ground – what some are [calling](#) the “worst crisis in a generation”.

July 2016: the killing of Burhan Wani...

On 8 July 2016, Burhan Wani, a 22 year-old leader of the armed group Hizbul Mujahedin, was killed by the Indian security forces. Wani had been highly active on social media and had been called the “Twitter terrorist”. Tens of thousands attended his funeral, at which clashes broke between the security forces and protestors. The security forces fired live ammunition into the crowd, killing several people. One police officer was also killed.

... triggers mass protest, deaths and a lock-down...

Since Wani’s death, the Kashmir Valley has seen its biggest outbreak of protest and violence since 2010. The authorities have declared a succession of curfews and closed down mobile phone services and the media. Protestors have organised a series of general strikes and there have been regular public rallies against Indian rule. Schools, colleges and universities have also been closed throughout. The economy has been badly hit. Funerals have often led to further clashes between protestors and the security forces.

The Union Government sent 2,000 additional forces to the Kashmir Valley. But, as protests intensified, it was also forced to create an expert panel to look into alternatives to the use of supposedly ‘non-lethal’ pellet guns, which have caused serious injuries to protestors, by the security forces. The use of these weapons has been controversial for some time.¹ The authorities have subsequently said that alternatives will be introduced, but they have not said to date what they would be. There have been reports that chili powder shells are now being used instead.

By mid-October 2016 at least 91 civilians had been killed, thousands arrested and thousands more injured.² Around the same time, it was claimed that at least 434 people

¹ “Rajnath says the Centre is looking at alternatives to pellet guns after several protestors were blinded by the weapons in J&K”, *Mail Online*, 21 July 2016

² “Kashmir Valley remains shut for 103rd consecutive day”, *Chennai Online*, 19 October 2016

had been detained under the Public Safety Act, which provides for detention for up to six months without trial of people who pose a threat to state security.³ It was also reported that 1,000 people had so far sustained eye injuries from pellets.⁴

Over the last month or so, there have been fewer street protests. This may be more to do with the fact that it has been deep mid-winter, rather than any calming of the situation. But there were a couple of well-observed general strikes last week to mark the anniversaries of the hanging of two Kashmiri separatist leaders, Muhammad Afzal Guru and Mohammed Maqbool Bhat.⁵

At the time of writing, the opposing forces on the ground appear to be in a 'stand-off', with both sides waiting for the other to blink and with few ideas circulating about how permanently to reduce tensions. Levels of protest could rise again when spring arrives.⁶

... and a flaring up of tension between India and Pakistan...

As clashes increased following the death of Burhan Wani, a war of words also broke out between India and Pakistan, with the former reiterating its accusation that the Pakistani army provides support to pro-separatist armed militants. Within a month or so the war of words had escalated into firing bullets and shells at each other across the Line of Control. Infiltration and attacks by armed militants, which India accuses Pakistan of supporting, also increased.

In mid-September 2016, militants attacked an army base at Uri, killing 19 Indian soldiers – the army's worst loss of life for 14 years. This provoked outrage across India and at the end of that month India retaliated with what it called "surgical strikes" against militant camps on the Pakistani side of the Line of Control, killing at least a dozen. Pakistan has disputed that the strikes even happened. On 7 October, the Indian army reported that it had killed seven armed militants who had attempted unsuccessfully to enter a military encampment in Kupwara District.

There were growing fears of a major escalation in conflict between the two countries. India has reportedly moved thousands of civilians from the border areas and has strengthened its fortifications. Pakistan's defence minister [said](#) that his country's nuclear weapons were "not just showpieces". A senior BJP figure said that India will no longer respond proportionately to attacks, saying "for one tooth, the complete jaw". Some Indian commentators have speculated that there could be another 'Mumbai-style' attack deep inside India by armed militants.

Meanwhile, Prime Minister Modi called Pakistan the "mother ship of terrorism" and declined to attend a regional summit that was due to be held in Islamabad. The summit was eventually [cancelled](#). He sought to mobilise other countries behind India's stance, trying to get a sympathetic statement from the other members of the BRICS (Brazil, Russia, India, China, South Africa) group at its [summit](#) last year. Pakistan engaged in its own diplomatic lobbying – for example, sending [parliamentarians](#) to the UN, European Parliament and foreign capitals in the hope of persuading other governments to exert more pressure on India.

In recent weeks, the biggest killer of Indian soldiers along the Line of Control has probably been avalanches. The total death toll by this means reached 20 soldiers by the end of

³ "100 days of Valley ferment: over 400 detained under PSA", *Indian Express*, 20 October 2016

⁴ "Jammu and Kashmir: Three months, 1,000 eye injuries by pellets", *Indian Express*, 13 October 2016

⁵ "Hurriyat (G) thanks people of Kashmir for making shutdown call a 'success'", *Kashmir Monitor*, 11 February 2017

⁶ "Violence may spring up again: Jammu and Kashmir police", *Times of India*, 9 February 2017

January.⁷ But clashes between the Indian security forces and armed militants have continued. On 4 February, the Indian army reported that it had killed two armed militants who had been planning an attack in Srinagar. On 12 February there was a gun battle between security forces and militants in which at least eight people died – four militants, two soldiers and two civilians.⁸ There were more clashes on 14 February, in which at least three soldiers and four armed militants were reportedly killed.⁹ Both India and Pakistan continue to accuse the other of firing across the Line of Control.¹⁰ On 14 February, four Pakistani soldiers were reportedly killed by their Indian counterparts following an exchange of fire.¹¹

When the Pakistani authorities placed Lashkar-e-Taiba leader Hafiz Saeed under house arrest in January, some hoped that this might open the way for a relative thaw in India-Pakistan relations. However, in mid-February, a senior Indian official was reported as saying that currently India had no interest in beginning peace talks.¹²

... as well as renewed debate about how to break the impasse...

Commentators have argued that events over the last six months or so reflect the anger that has long been “simmering beneath Kashmir’s uneasy calm.”¹³

Critics allege that the response of the Indian authorities to the latest upsurge of protest and violence shows that they continue to prefer military responses to a political solution in Indian-administered Kashmir.

Some are again also asking why the Union Government continues to be so resistant to lifting the Armed Forces (Special Powers) Act in Jammu and Kashmir – emergency legislation which has long given the security forces immunity from prosecution and which is detested by many Kashmiris.¹⁴

For many on the Indian side, the ‘root cause’ that needs to be addressed first is Pakistan’s support for terrorism. Only then will a solution be possible.

...there has been a relatively low-key response from Western governments

The previous US Administration [called](#) on India and Pakistan to find a solution to the Kashmir issue through “meaningful dialogue” – a reiteration of the US’s longstanding position.

In the run-up to the presidential election in November 2016, Donald Trump offered to [mediate](#) between the parties to the Kashmir conflict. Before taking office on 20 January, then Vice-President Elect Mike Pence said that the future President Trump’s “[extraordinary deal-making skills](#)” could help to resolve the conflict. Any mediation role would be a break with past US policy. But no initiatives have been announced since the new US Administration took office.

The UK Foreign Secretary, Boris Johnson, issued a public [statement](#) condemning the attack on the Indian army base at Uri in mid-September 2017.

⁷ “Kashmir avalanche death toll climbs to 24”, *A;-Jazeera*, 27 January 2017

⁸ “Eight killed in gun battle”, *Daily Mirror*, 13 February 2017

⁹ “Seven killed in Indian Kashmir gunbattles”, *Agence France-Presse*, 14 February 2017

¹⁰ “Three injured in Indian shelling”, *Dawn*, 11 January 2017

¹¹ “Four Pakistani soldiers killed by Indian Army in Kashmir”, *European Press Agency*, 15 February 2017

¹² “Indi will decide time and place of peace talks with Pakistan, says government”, *Financial Express*, 12 February 2017

¹³ “Kashmir’s uneasy calm shattered after killing of ‘Twitter terrorist’”, *Financial Times*, 13 July 2016

¹⁴ “Impunity, immunity: continuing debate around the AFSPA”, *Indian Express*, 1 August 2016

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On 19 January 2017 there was a [backbench business debate](#) on Kashmir in the Commons. At the end of the debate, FCO Minister Alok Sharma reiterated the UK Government's longstanding position on the issue (c1133):

The long-standing position of the UK is that it can neither prescribe a solution to the situation in Kashmir nor act as a mediator. It is for the Governments of India and Pakistan to find a lasting resolution, taking into account the wishes of the Kashmiri people. In our discussions with both India and Pakistan, we encourage both sides to maintain positive dialogue, but the pace and scope of that dialogue is for them to determine.

In August 2016, the Office of the UN High Commissioner for Human Rights expressed its "[regret](#)" over India and Pakistan's refusal to accede to its request to send a team to Indian-administered and Pakistan-administered Kashmir to investigate alleged human rights abuses on both sides of the Line of Control. Pakistan subsequently reversed its position. India, which has long opposed international involvement on the issue, has [not done so](#).