



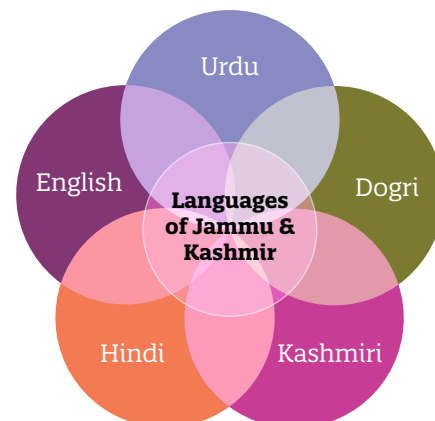
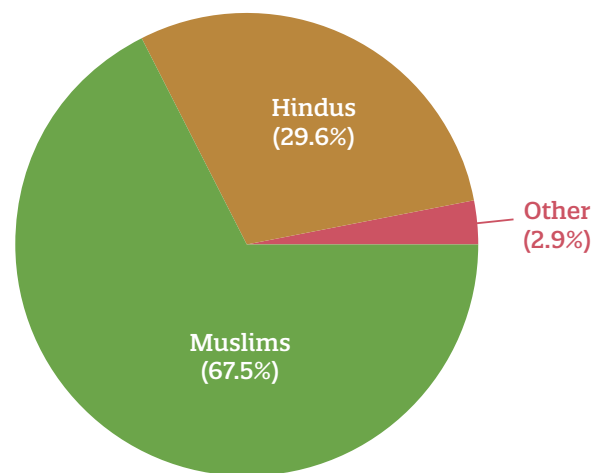
Hindus in the Indian Territory of Jammu & Kashmir



AN EXECUTIVE SUMMARY OF HUMAN RIGHTS, 2020

Kashmir has historically been inhabited by Hindus and Buddhists and had a majority Hindu population until the 14th century when Islamic invaders entered the region. Ancient Kashmir was renowned as a center for Hindu and Buddhist learning and was ruled by Hindu kings until 1339. Hindus indigenous to the Kashmir Valley, known as Kashmiri Pandits, are the original inhabitants of Kashmir and have a unique ethno-religious culture that dates back more than 5,000 years. The former Princely State of Kashmir, signed the Instrument of Accession and legally joined the India Union in 1947, following a Pakistani sponsored invasion of Kashmir.

Religions of Jammu & Kashmir



Starting in 1989, terrorism, funded and supported by Pakistan's military and intelligence agency, engulfed the Kashmir Valley. This coincided with anti-Hindu violence, which culminated with the ethnic cleansing of more than 350,000 Kashmiri Hindu Pandits (95% of the Valley's Hindu population) from the Valley on January 19, 1990. Approximately 208 Hindu temples were destroyed or damaged, along with the murder of over 1,100 Kashmiri Hindus. The violent campaign targeting Hindus in Kashmir was organized and systematic, and included massacres, rape, threats, and intimidation. It also included virulent anti-Hindu hate speech, with frequent slogans such as death to Kafirs (non-Muslims or non-believers), and "Kashmir banawon Pakistan, Bataw varaie, Batneiw saan" ("We will turn Kashmir into Pakistan, with Kashmiri Hindu women, but without their men").

Status of Human Rights

In 2019–2020 the former Indian state of Jammu and Kashmir was bifurcated into two new Union Territories (UT): one for Jammu and Kashmir, and one for Ladakh. Most significantly, on August 5, 2019, the Indian government legally, democratically, and constitutionally abrogated Articles 370 and 35A of India's Constitution, temporary provisions that conferred special status on the state of Jammu and Kashmir. The move sought to ensure that all residents of the state had equal rights, regardless of gender, sexual orientation, religion, or social class.

Given the credible threats posed by separatist and terrorist groups in the Kashmir Valley following the abrogation of Articles 370 and 35A, the Indian government imposed communications blackouts to prevent widespread violence and the loss of innocent civilian life.

Residents in Jammu and Ladakh were overwhelmingly happy with the

abrogation of Article 370, while there were mixed feelings amongst the population in the Kashmir Valley.

A number of separatist politicians and other political leaders were put in preventative custody or house arrest to prevent them from instigating violence as they had in the past, including in 2016. During the blackouts, most public institutions remained open, although terrorist organizations such as Lashkar-e-Taiba and Jaish-e-Mohammed, imposed shutdowns and curfews.

Terrorist violence has declined since 2018 with a significant drop following the abrogation of Article 370. There were 452 fatalities in 205 terror incidents in 2018, and only 283 fatalities in 135 incidents in 2019, many of which resulted from the Pulwama attack. Fatalities continued to remain low in 2020 with only 139 deaths.

There are 62,000 Kashmiri families displaced by the conflict (the vast majority of whom are Hindus, with small numbers of Sikhs and Muslims), of which 40,000 are in Jammu; 20,000 in Delhi, and 2,000 in other parts of the country.

Recommendations

INTERNATIONAL COMMUNITY

- › The Kashmir issue is an internal Indian matter and is between the Indian government and its citizens in the Union Territory. The U.S. government and international community should fully support India's internal sovereign decisions on Kashmir. It should also support the human rights of the ethnically cleansed Kashmiri Hindu population and other Kashmiris who have been victimized by Pakistani sponsored terror groups.

GOVERNMENT OF INDIA

- › Officially recognize Kashmiri Pandits as Internally Displaced Persons to acknowledge their historical experience and provide them with their rights and protections under international law.
- › Improve basic conditions for Pandits living in camps in Jammu and New Delhi.
- › A task force or advisory council from the Kashmiri Hindu community should be established under the auspices of the Ministry of Home Affairs.
- › The UT government must provide for the protection of vulnerable Hindu shrines and allow Kashmiri Pandits to control their religious sites in the Valley. It must further provide full protection and accommodation to Hindu pilgrims visiting shrines in the state.

