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# Raising the Stakes in Jammu and Kashmir

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*Preventing War. Shaping Peace.*

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# Principal Findings

**What's new?** In August 2019, India unilaterally revoked Jammu and Kashmir's semi-autonomous status, redrew its internal boundaries, and scrapped Kashmiris' exclusive rights to immovable property and access to government jobs. To quell potential protests, the authorities ordered an unprecedented crackdown, which included detaining almost all local politicians and a months-long communications blackout.

**Why did it happen?** Revocation of the Indian constitution's Article 370, which gave Kashmir its previous status, had been on the Bharatiya Janata Party's agenda for decades. Emboldened by its landslide win of a second term in May 2019, the government ordered the state's overhaul soon afterward, without consulting Kashmiri politicians or society.

**Why does it matter?** New Delhi claimed that its bold move would help bring peace and development to the region after three decades of conflict. One year later, its reforms, coupled with heavy-handed counter-insurgency tactics, have only exacerbated Kashmiri alienation and raised tensions with Pakistan. Kashmir's youth continues to join militant ranks.

**What should be done?** While New Delhi appears unlikely to reverse course, its international allies should strongly encourage it to restore Kashmiri statehood, free detained politicians and end security forces' abuses against civilians. Pakistan's partners should push harder for it to stop backing anti-India jihadists. Both countries should abide by their 2003 Kashmir ceasefire.

International Crisis Group
**Asia Report N°310** **5 August 2020**

# *Executive Summary*

One year after the Indian government revoked Jammu and Kashmir's semi-autonomous status, Kashmiris resent India's rule more deeply than ever. The crackdown that followed New Delhi's overhaul of the country's only Muslim-majority state has not only failed to quell dissent but also risks fuelling more violence as support for militancy grows. To avoid this outcome, New Delhi should release detained politicians, re-engage with Kashmir's political class and end security forces' abuses; its international partners should press it in that direction. Given the longstanding dispute between India and Pakistan over Kashmir, tensions in the region increase risks of an incident setting off an unintended military escalation. As New Delhi rejects resuming bilateral dialogue until Islamabad takes action against jihadists operating from its soil, international actors should continue pushing Pakistan to do so. For now, both sides at a minimum should dial down bellicose rhetoric and respect a ceasefire they agreed to in 2003.

On 5 August 2019, the Hindu nationalist Bharatiya Janata Party (BJP) government ended Jammu and Kashmir's semi-autonomous status under the constitution's Article 370 and redrew the state's internal boundaries the next day. New Delhi also revoked the constitution's Article 35A, which had limited to permanent residents the rights to own immovable property, vote in or contest elections in the state, and seek employment in local government. Early in 2020, the government then passed a new domicile law, allowing Indian citizens from elsewhere in the country to become permanent residents of Jammu and Kashmir for the first time. The government has issued several other orders that Kashmiris perceive as culling Muslims from local government and paving the way for non-local enterprises to tap the region's resources. These reforms have kindled widespread anger among Kashmiris, who see them as part of a strategy for changing the region's ethnic, social and religious contours.

As Jammu and Kashmir undergoes the biggest changes since India's independence, the region is devoid of democratic oversight or local political representation. A year after Kashmir's entire political class was arrested, some of its most prominent politicians are still in detention, while those who have been released have, for now, been largely cowed into silence. The BJP's gagging of voices critical of its unilateral decisions has antagonised even those who have historically supported the Indian state. If such moves are aimed at creating a more pliant political leadership and dampening local opposition to the 5 August moves, they are unlikely to work. Anger among Kashmiris at New Delhi is bitterer than ever. Moreover, with few political avenues to assuage Kashmiri dissent, the shrinking political space, denial of civil liberties and heavy-handed security response will likely push more youth to join militant groups.

While India attributes the steady rise of militancy over the last three decades to Pakistan-based jihadist groups – most prominently Laskhar-e-Tayyaba and Jaish-e-Mohammed, both of which are listed as terrorist groups by the United Nations – the root causes of Kashmiri militancy remain internal. Over the last few years, harsh counter-insurgency measures and massive rights abuses have fuelled the growth of militancy, spearheaded by local youth. The anger and sense of betrayal stemming from

India's August 2019 decision is enabling a variety of armed groups, local and foreign, to recruit more young Kashmiris. Although most Kashmiris still aspire to independence, many locals now support any militants they consider capable of confronting Indian security forces, including pro-Pakistan and Islamist groups. Over the last months, militancy-related incidents have steadily increased, giving the lie to the Indian government's claims that its moves would reduce violence in the Himalayan region.

Although for now little suggests it will rethink its approach to Kashmir, the BJP government could act to calm tensions. Restoring the region's statehood, a prospect to which the Modi government has said it is open, would help. For now, it should also release politicians still in detention and allow political activity to resume; the jailing of even pro-India leaders threatens to leave New Delhi bereft of local allies. New Delhi should also take steps to curb abuses by security forces; heavy-handed measures fuel resentment of Indian rule and push more youth toward militancy. Emboldened by the political hegemony it presently enjoys in India, and driven by a Hindu nationalist ideology, the BJP seems uninclined to walk back its Kashmir policy. Still, its international partners should do their utmost to highlight that the present approach will sow the seeds of long-term instability and harm India's international standing.

New Delhi's actions have also heightened tensions with Pakistan. Islamabad characterises the Indian government's moves in Kashmir as illegal and inhumane, while New Delhi accuses its neighbour of supporting, if not orchestrating, cross-border terrorism. Concerned to deflect pressure over its fostering of terrorist groups, Pakistan's reaction has largely been limited to attempts at rallying international opinion against India's August 2019 moves. But homegrown Kashmiri militants, with or without links to Pakistani groups, do not necessarily rely on orders from across the border. The suicide bomber behind the February 2019 Pulwama attack, which killed scores of Indian security personnel and triggered the last escalation between the two countries, was a local claiming allegiance to Jaish-e-Mohammed. Should local militants launch another such assault on Indian security forces, India will almost certainly blame Pakistan and its militant proxies, increasing the risks of confrontation.

The absence of dialogue between the two countries since New Delhi attributed another attack to Pakistan-based jihadist groups in 2016 heightens risks. India refuses to re-engage its neighbour until Islamabad takes tangible measures against jihadists operating in Kashmir from its territory. Given its track record of supporting such groups over the last three decades, this is unlikely to happen without sustained international pressure; even then, persuading Islamabad will be a hard slog. Yet, even in the present circumstances, India and Pakistan have much to gain from lowering risks of escalation on the border. Both should at a minimum abide by the ceasefire they agreed to in 2003 along Kashmir's Line of Control that divides the disputed territory into one zone administered by New Delhi and another by Islamabad. Until the top leadership of both countries reopen direct lines of communication, Track II initiatives and people-to-people contacts could help build trust.

**Srinagar/Brussels, 5 August 2020**

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# Raising the Stakes in Jammu and Kashmir

## I. Introduction

On 5 August 2019, Prime Minister Narendra Modi's Bharatiya Janata Party (BJP) government revoked Indian-administered Kashmir's semi-autonomous status, exacerbating local disaffection and raising tensions with Pakistan.[1] An overbearing security presence and a military clampdown on movement and communications only temporarily suppressed Kashmiri opposition to New Delhi's unilateral decision. The BJP government's actions chafed at Kashmiris who now lack even the vestiges of constitutional autonomy at a time when New Delhi's heavy-handed response to militancy threatens their security and livelihoods.[2] A recently introduced domicile law granting non-Kashmiris access to permanent residency in Jammu and Kashmir has aggravated this sense of alienation, raising local fears that the BJP government is trying to engineer demographic change to dilute the region's ethnic and religious identity.

Anger and frustration in one of the most militarised conflict zones in the world is only pushing more Kashmiris, particularly the youth, toward joining the ranks of the armed insurgency. New Delhi's forcible suppression of Kashmiri dissent and denial of political and civil liberties are providing militant groups, local and foreign, with new opportunities to recruit young Kashmiri Muslims to their cause.

The BJP government's decision to redesign Jammu and Kashmir's administrative and legal structures has also further aggravated relations with Pakistan, already tense following the 14 February 2019 Pulwama suicide bombing, conducted by a Kashmiri and claimed by the Pakistan-based militant group Jaish-e-Mohammed. The attack, which killed scores of Indian military personnel, and the tit-for-tat Indian and Pakistani airstrikes that followed, had raised the risk of higher-intensity conflict.[3] Though that risk subsequently receded, relations between the two neighbours have plum-

[1] For previous Crisis Group analysis of Jammu and Kashmir's conflict dynamics, see Crisis Group Asia Reports N°s 224, *Pakistan's Relations with India: Beyond Kashmir?*, 3 May 2012; 79, *India/Pakistan Relations and Kashmir: Steps Towards Peace*, 24 June 2004; 70, *Kashmir: Learning from the Past*, 4 December 2003; 69, *Kashmir: The View from New Delhi*, 4 December 2003; 68, *Kashmir: The View from Islamabad*, 4 December 2003; 41, *Kashmir: The View from Srinagar*, 21 November 2002; and 35, *Kashmir: Confrontation and Miscalculation*, 11 July 2002; and Briefings N°106, *Steps Towards Peace: Putting Kashmiris First*, 3 June 2010; and N°51, *India, Pakistan and Kashmir: Stabilising a Cold Peace*, 15 June 2006.

[2] The term "Kashmiri" in this report refers to Kashmiri Muslims. Jammu and Kashmir is 68 per cent Muslim overall. India's only Muslim-majority state, it has three regions: the Muslim-majority Kashmir Valley, often referred to as "the Valley", which has the largest population, Hindu-majority Jammu and Buddhist-majority Ladakh. The report focuses on dynamics in the Kashmir Valley, the conflict's epicentre.

[3] For Crisis Group analysis of the Pulwama attack and its aftermath, see Crisis Group Commentaries, "Deadly Kashmir Suicide Bombing Ratchets up India-Pakistan Tensions", 22 February 2019; and "Calming India and Pakistan's Tit-for-Tat Escalation", 1 March 2019. See also "'India struck biggest training camp of JeM" – Full statement from Foreign Secretary Vijay Gokhale", *The Hindu,* 26 February 2019; "2 Indian aircraft violating Pakistani airspace shot down; pilot arrested", *Dawn*, 27 February 2019; "Tracing the path that led to Pulwama," BBC, 1 May 2019.

meted as a result of the post-5 August crisis in Kashmir. Islamabad has vowed to resist New Delhi's unilateral moves; India accuses Pakistan of attempting to infiltrate militants across the Line of Control, the de facto border which separates the Indian- and Pakistani-administered parts of Kashmir. Intensified clashes along this heavily militarised border bode ill for regional stability.

This report assesses the impact of India's hardened policy on Kashmir and examines the potential for containing and reducing violence. It identifies the causes of alienation among Kashmiris and analyses the conflict's trajectory since August 2019. Interviews were conducted before and after August 2019 in Jammu and Kashmir and in New Delhi with officials, politicians and civil society members, including NGO employees, women's rights activists, academics, lawyers, journalists and other professionals, as well as youth in the Muslim-majority Valley, the part of the state worst affected by the insurgency and the militarised Indian response. Given the sensitivity of the subject, many of these people requested anonymity; in some cases, the location of the interview, or any description of the interlocutor, have also been withheld.

## II. A Torn History

The first Indo-Pakistan war, in 1947-1948, split Jammu and Kashmir in two, with both countries since claiming ownership over the entire territory.[4] As such, Kashmir is both the cause and consequence of war and hostilities between the two nuclear-armed states.[5] In Indian-administered Kashmir, decades of political activism against New Delhi's meddling in local politics eventually led to an armed rebellion in the late 1980s, which Pakistan was prompt to support.

### A. *Roots of the Insurgency*

In 1948, the UN Security Council passed resolutions aimed at resolving the Kashmir dispute between India and Pakistan, proposing a referendum among Kashmiris to decide which country they wanted to join.[6] Though India opposed the idea of a plebiscite, it recognised the importance of assuaging Kashmiri dissent. To gain local support, and to counter Pakistani influence and claims over the disputed territory, it granted Jammu and Kashmir special autonomous status in the Indian constitution in 1950. Article 370 limited the Indian government's powers in the region to defence, foreign policy and communications, in accordance with the erstwhile princely state's 1947 instrument of accession to India.[7]

Drawing its powers from Article 370, Article 35A, inserted into the Indian constitution through a 1954 presidential order, gave the state's permanent residents exclusive rights to own immovable property, to vote in and contest elections, to seek employment in the local administration and to obtain other benefits such as health care and higher education. The constitutional amendment also prohibited the national parliament from changing the state's boundaries without its constituent assembly's consent.[8] While Kashmiri separatist parties continued to support either an independ-

[4] The former princely state of Jammu and Kashmir is divided into Indian-administered Kashmir (Jammu and Kashmir) and Pakistani-administered Kashmir (Azad Jammu and Kashmir).

[5] For more about Indian and Pakistani claims upon Kashmir and their impact on conflict dynamics, see past Crisis Group Reports, all op. cit. See also Alastair Lamb, *Kashmir: A Disputed Legacy 1846-1990* (Oxford, 2001); and Victoria Schofield, *Kashmir in Conflict: India-Pakistan and the Unfinished War* (London, 2000).

[6] The resolutions called for the former princely state's accession to either India or Pakistan. There was no option for independence. Resolution 47 (21 April 1948) noted that India and Pakistan had agreed to determine Jammu and Kashmir's accession to either country through the "democratic method of a free and fair plebiscite" to confirm the will of the people. But the plebiscite was conditional on demilitarisation by both India and Pakistan of the areas under their control, which did not happen in either case.

[7] Other than Article 1, which included Jammu and Kashmir in the territories of the Indian state, the president could order the application or modification of constitutional articles to Jammu and Kashmir only with the "concurrence" of its government and constituent assembly. Constitution of India 1949, Part XXI, Article 370 (temporary provisions with respect to the State of Jammu and Kashmir). These clauses and wording were modified on 5 August 2019 (discussed later). See also Schofield, op. cit.

[8] Article 370, Part III, Appendix I_569 [The Constitution (Applicable to Jammu and Kashmir) Order, 1954, C.O. 48]. Permanent residency applied to persons who were Jammu and Kashmir state subjects before May 1954 or residing in Kashmir for ten years. "With the situation on knife's edge, here's what the momentous decision will mean for the restive state", *The Economic Times*, 5 August 2019.

ent Kashmir or a merger with Pakistan, these measures initially satisfied more moderate Kashmiri political opinion and mainstream (pro-India) parties.[9]

The Indian government, however, quickly started chipping away at the regional authorities' constitutional powers in order to assert its control. The regional bureaucracy was controlled by non-locals, and pro-India state governments made several pieces of national legislation applicable to Jammu and Kashmir.[10] New Delhi's gradual erosion of the region's special constitutional status steadily deepened local alienation.[11] The Indian government's growing interference in the state's electoral process, combined with the forcible suppression of dissent and denial of civil liberties, sparked widespread unrest following the gravely rigged state elections of March 1987.[12] Indian authorities jailed most of the candidates from the opposition separatist party Muslim United Front, along with many party workers. In the following years, these prisoners came out of jail convinced that India would never allow those critical of its rule to make their way to positions of power through the electoral process. Many soon picked up weapons, marking the birth of Kashmir's insurgency, which Pakistan would soon support.[13]

Founded in 1989, the secular Jammu Kashmir Liberation Front (JKLF), which supported the creation of an independent, unified Kashmir, dominated the first phase of militancy.[14] At first, Pakistan supported it financially and logistically, including by providing military training. But as more armed groups emerged, Islamabad's support soon shifted to Kashmiri outfits that backed a merger with Pakistan. Among the most prominent of these groups was Hizbul Mujahideen, which today remains the longest-surviving homegrown militant outfit, and one of the most active.[15]

From the mid-1990s onward, Islamabad tightened its control over militancy by creating Pakistan-based jihadist proxies, which exploited the infighting between pro-independence and pro-Pakistani Kashmiri militants. Harkatul Mujahideen and Lashkar-e-Tayyaba were among these chosen proxies; Jaish-e-Mohammed joined their ranks after it was founded in 2000.[16] The emergence of these battle-hardened groups,

[9] In Kashmir, mainstream parties are those that participate in local elections, thereby recognising Jammu and Kashmir as an integral part of India. They are also known as "pro-India" parties.

[10] Since 1954, only six of the 30 chief secretaries – the highest-ranking administrative official in the state – have been local Muslims, and by August 2019, more than 260 articles of the Indian constitution had been applied to Jammu and Kashmir. Hilal Mir, "Past, present of Kashmiri disempowerment", Anadolu Agency, 24 November 2019; "Neither abrogated nor removed: the ploy behind centre's 370 move", *The Wire*, 28 August 2019.

[11] Crisis Group Report, *Learning from History*, op. cit.

[12] Crisis Group Reports, *The View from Srinagar; The View from New Delhi*, both op. cit. See also Kristoffel Lieten, "Jammu and Kashmir: Half a Century of Conflict" in Monique Mekenkamp, Paul van Tongeren and Hans van de Veen (eds.), *Searching for Peace in Central and South Asia* (Boulder, 2003).

[13] Crisis Group Report, *The View from Islamabad,* op. cit.

[14] Headed by Yasin Malik, the JKLF disbanded its militant wing in 1994 and opted for non-violent resistance. Crisis Group Reports, *Learning from History; The View from Srinagar*; *Confrontation and Miscalculation*, all op. cit.

[15] Crisis Group Report, *The View from Srinagar,* op. cit. Also Steve Coll, "The back channel", *The New Yorker*, 2 January 2009.

[16] Jaish-e-Mohammed was founded by Masood Azhar after he was released by India in 1999 in exchange for passengers of an Indian aircraft hijacked in Afghanistan. Fazlur Rehman Khalil's Harka-

which included veterans from the Afghanistan war in their ranks, led to an escalation of violence in the Valley, particularly the appearance of suicide attacks and the targeting of civilians. Unlike indigenous militants, whose operations exclusively targeted the Indian presence in Jammu and Kashmir, the new proxy groups also carried out attacks in other parts of India.[17] Lashkar-e-Tayyaba and Jaish-e-Mohammed continue to operate in Jammu and Kashmir today.

Although Pakistan exploited the unrest in Indian-administered Kashmir for its own ends, the conflict remained rooted in local grievances against the Indian state. Instead of searching for political solutions, New Delhi intensified its military repression, transforming Kashmiri militancy into a full-blown insurgency. By 1994, more than a half-million troops were deployed in the state. Their heavy-handed methods and grave human rights abuses resulted in a groundswell of anti-Indian sentiment.[18] Militant groups also targeted civilians, killing Kashmiri Hindus, pro-India political leaders and activists, and extorting money from local businesses.[19] Tens of thousands of Kashmiris have been killed since the 1990s by either the military or the militants.[20]

## B. *Lost Opportunities*

Kashmir witnessed a period of relative calm from 2003 to 2008. Disenchanted with the gun after more than a decade of a violent insurgency, Kashmiris searched for political ways of securing their rights, turning out to vote in large numbers in relatively fair regional elections.[21] As militancy waned, there were also rising hopes for a peaceful settlement of the Kashmir dispute as India and Pakistan opted for bilateral talks, agreeing to a ceasefire on the Line of Control in 2003. Although the talks were framed as a "composite dialogue" aimed at resolving all bilateral issues, several confidence-building measures were directly linked to Kashmir, particularly the opening of the Line of Control to travel and trade for Kashmiris on both sides.[22]

tul Mujahideen, which was responsible for the hijacking, saw most of its members joining the new group after it was formed in 2000. Harkatul Mujahideen's militant wing, which attacked targets in Kashmir until as late as 2015, is no longer as active. Jaish-e-Mohammed and Lashkar-e-Tayyaba are sanctioned by the UN Security Council and appear on its list of al-Qaeda and Taliban affiliates, also known as the al-Qaeda Sanctions List, respectively since 2001 and 2005. For analysis of Pakistan's use of militant proxies, including Laskhar-e-Tayyaba and Jaish-e-Mohammed, see Crisis Group Asia Reports N°s 279, *Pakistan's Jihadist Heartland: Southern Punjab*, 30 May 2016; 271; *Revisiting Counter-terrorism Strategies in Pakistan: Opportunities and Pitfalls*, 22 July 2015; and 164, *Pakistan: The Militant Jihadi Challenge*, 13 March 2009.

[17] The first major attack outside of Jammu and Kashmir was on India's federal parliament in December 2001. See "Mapping Militant Organizations", Centre for International Security and Cooperation, Stanford University, July 2018.

[18] By 1990, human rights organisations had documented widespread abuses by military personnel, including extrajudicial killings, torture, arson, arbitrary arrest and detention without trial. Crisis Group Report, *The View from Srinagar*, op. cit.

[19] Crisis Group Reports, *Learning from History*; *Steps Towards Peace*, both op. cit.

[20] By one account, some 6,000 people were killed in the 1990s either by security forces or the militants in the 1990s. Lieten, op. cit. See also "Behind the Kashmir Conflict: Abuses by Indian Security Forces and Militant Groups Continue", Human Rights Watch, July 1999; and "'If They are Dead, Tell Us': Disappearances in Jammu and Kashmir", Amnesty International, 2 March 1999.

[21] Crisis Group Reports, *The View from New Delhi*; and *Steps Towards Peace,* both op. cit.

[22] Crisis Group Report, *India/Pakistan Relations and Kashmir: Steps Towards Peace*, op. cit.

Between 2003 and 2007, efforts by two successive Indian prime ministers from both ends of the political spectrum – the Indian Congress Party and the BJP – to address Kashmiri grievances through political means were even more significant. For the first time, these efforts opened space for dialogue between New Delhi and major Kashmiri stakeholders, including the separatist All Parties Hurriyat Conference (also known as Hurriyat), considered the most representative political force in Indian-controlled Kashmir, though it refused to participate in elections under the Indian constitution.[23]

In 2003, the BJP Prime Minister Atal Bihari Vajpayee promised to address Kashmiri alienation within the paradigm of "humanity, democracy and Kashmiri-ness".[24] Under his successor Manmohan Singh, New Delhi convened a series of roundtable conferences that culminated in the formation of five Working Groups on Jammu and Kashmir.[25] The Working Groups recommended several confidence-building measures including investigating cases of human rights violations, demilitarisation, the review of the Armed Forces Special Powers Act (Jammu and Kashmir) of 1990 (discussed later), the settlement of displaced persons in Jammu and Kashmir, and strengthening existing provisions for trade and bus service for Kashmiris across the Line of Control. These recommendations were never implemented, however.[26] During their respective tenures, Vajpayee and Singh also held consultations with the Hurriyat's moderate leaders, but neither government sustained that dialogue.[27]

Hopes of a peaceful settlement between New Delhi and Islamabad also faded. The "composite dialogue" between the Indian and Pakistani governments that had begun in 2004 ended abruptly following the 2008 Mumbai attacks, in which ten Lashkar-e-Tayyaba militants attacked various landmarks over four days in India's economic capital, killing 165 people and injuring some 300.[28] India refused any further dia-

[23] Formed in 1993, the All Parties Hurriyat Conference, a coalition of political parties opposed to Indian rule, split into two factions ten years later. Though both factions support self-determination for Kashmiris, the hardline faction headed by Jamaat-e-Islami supports a plebiscite in Jammu and Kashmir under UN auspices; the moderate faction is open to a negotiated settlement with India and Pakistan. Its leader Mirwaiz Umar Farooq is the hereditary *mirwaiz* or caretaker of Srinagar's largest mosque, the Jamia Masjid, and hence an important spiritual leader of Kashmiri Sunni Muslims. See Crisis Group Reports, *Learning from History; The View from New Delhi;* and *The View from Srinagar,* all op. cit. See also Praveen Swami, "Danger signals for the Valley", *Frontline*, 27 September-1 October 2003.

[24] Vajpayee told India's parliament in April 2003: "Issues can be resolved if we move forward guided by three principles of *insaniyat* (humanism), *jamhooriyat* (democracy) and *Kashmiriyat* (Kashmir's age-old legacy of Hindu-Muslim amity)". "Statement of Prime Minister Shri Atal Bihari Vajpayee in Lok Sabha on His Two-Day Visit to Jammu and Kashmir", Ministry of External Affairs, 22 April 2003. See also Radha Kumar, *Paradise at War: A Political History of Kashmir* (New Delhi, 2018).

[25] The Working Groups covered centre-state relations, cross-Line of Control relations, Jammu and Kashmir's economic development, rehabilitation for victims of violence and promotion of good governance. Four of the five submitted reports to the government in 2007 and the fifth in 2009. Suba Chandran, "Jammu and Kashmir: India's Objectives and Strategies" in Zafar Iqbal (ed.), *The Future of Jammu and Kashmir* (New Delhi, 2007).

[26] Satish Misra, "Need to Grab Initiative on J&K: Working Group Reports' Recommendations Require a Push", Observer Research Foundation, 29 December 2009.

[27] Crisis Group Report, *Stabilising a Cold Peace*, op. cit. Also Naseer Ganai, "Treading on a shaky bridge", *Outlook,* 17 April 2019.

[28] Nine of the attackers were also killed.

logue until Pakistan cracked down on "cross-border terrorism".[29] In any case, India and Pakistan's failure to include Kashmiris in their bilateral talks had soured locals on the process, increasing their distrust of both countries.[30]

Developments within Jammu and Kashmir aggravated tensions on the ground. In 2008, street protests erupted over the transfer of land by the state government to a Hindu shrine, which Kashmiri Muslims perceived as a concession to hardline Hindu sentiments.[31] Excessive force by the security agencies to counter Kashmiri dissent sparked more unrest. Mass protests erupted again in 2010 over the extrajudicial killing of three civilians, leading to at least 120 more civilian deaths when police fired on protesters.[32]

By then, young Kashmiris had started joining militant ranks in larger numbers.[33] The trend only accelerated after the Hindu nationalist BJP came to power in New Delhi in May 2014, as many feared the ideology animating the new government would translate into hardline policies toward Kashmir. The BJP's intention of revoking Article 370 stoked anti-India sentiment, particularly since it was now a coalition partner in the state government.[34] The antipathy grew further after devastating floods in Kashmir that September, with New Delhi failing in most locals' eyes to provide timely assistance.[35] With security forces deployed in huge numbers with little to no oversight, rights abuses, including extrajudicial killings, torture and custodial deaths, increased.[36] The end result was an upsurge of militancy and renewed popular support for the insurgency. Since 2016, disgruntled young Kashmiris have picked up arms again, launching a new and violent phase of the Kashmir conflict.

[29] "India-Pakistan talks stalled after attacks", Reuters, 16 December 2008.

[30] Crisis Group Report, *Steps Towards Peace,* op. cit. See also Coll, op. cit.

[31] The land transfer also triggered anxieties that the move was aimed at settling Hindus in the state, upsetting the Muslim-majority region's demography. "Chronology of Amarnath land row", *Times of India*, 6 August 2008; A.G. Noorani, "Why Jammu erupts", *Frontline*, 26 September 2008.

[32] The protests erupted after the deaths of three young men, whom security forces claimed were Pakistani "infiltrators". Investigations showed that government forces had in fact shot three civilians to earn rewards. Muzamil Jaleel, "Fake encounter at LoC: 3 arrested, probe ordered", *The Indian Express*, 29 May 2010.

[33] The 2010 unrest kickstarted what some have since called the "new age of militancy" in Kashmir, as more youth started joining militant ranks. Fahad Shah, "Kashmir's young rebels", *The Diplomat*, 22 August 2015. See also Gowhar Geelani, *Kashmir: Rage and Reason* (Rupa, 2019).

[34] The coalition government, which brought together the BJP and the regional People's Democratic Party (PDP), was formed in March 2015. Ramachandra Guha, "Distrust, Discontent and Alienation: Kashmir during the Modi Years" in Niraja Gopal Jayal (ed.), *Re-forming India: The Nation Today* (New Delhi, 2019).

[35] "Economic crisis looms over Jammu and Kashmir after 2014 floods", *India Today*, 28 May 2015.

[36] For details of serious rights abuses by security personnel, see the following three publications of the Office of the UN High Commissioner for Human Rights (OHCHR): "Report on the Situation of Human Rights in Kashmir: Developments in the Indian State of Jammu and Kashmir from June 2016 to April 2018", 14 June 2018; "General Human Rights Concerns in Azad Jammu and Kashmir and Gilgit-Baltistan", 14 June 2018; and "Update of the Situation of Human Rights in Indian-administered Jammu and Kashmir and Pakistan-administered Kashmir from May 2018 to April 2019", 8 July 2019. See also "'Denied': Failure of Accountability for Human Rights Violations by Security Personnel in Jammu and Kashmir", Amnesty International, 2015.

## III. Unilateral Change of Status

### A. *Abrogation of Article 370*

On 5 August 2019, after winning an overwhelming majority in the May general elections, the Hindu nationalist Bharatiya Janata Party fulfilled its longstanding pledge to revoke Article 370, which underpinned Jammu and Kashmir's semi-autonomous constitutional status.[37] The government also rescinded Article 35A that gave permanent residents sole ownership rights over immovable property and the exclusive right to employment in local government. The decisions were executed through a presidential order – a manoeuvre that New Delhi's November 2018 dismissal of the Jammu and Kashmir legislative assembly made feasible.[38]

The next day, the federal parliament approved a bill dividing India's only Muslim-majority state into two entities – Jammu and Kashmir, and Ladakh – and downgrading both to the status of "union territories", an administrative classification hitherto reserved for much smaller territories, which places them under New Delhi's permanent direct control.[39] While Jammu and Kashmir, unlike Ladakh, retained an elected legislature, it lacks the powers of a full-fledged state assembly.

The government's stated justifications for these drastic moves ranged from preventing terrorism and safeguarding India's unity to promoting economic development and ensuring democratic governance in Kashmir. Home Minister Amit Shah told parliament: "As long as there is Article 370, terrorism cannot be wiped out". He added, "Due to Article 370, democracy did not percolate in Jammu and Kashmir. Due to it, corruption flourished and grew", as did poverty.[40] Prime Minister Narendra Modi held Article 370 responsible for "secessionism, terrorism, nepotism and widespread corruption" in the state. He claimed that fully integrating Jammu and Kashmir into the country would promote economic development and restore Kashmiri youth's faith in the Indian state.[41] New Delhi's justifications have, however, found few takers among Kashmiri Muslims.

[37] The 2019 BJP manifesto said: "We reiterate our position since the time of the Jana Sangh to the abrogation of Article 35A, Article 370". *Business Today,* 8 April 2019. The Bharatiya Jana Sangh was the political arm of the Rashtriya Swayamsevak Sangh (RSS), a hardline Hindu nationalist organisation. It was later replaced by the BJP.

[38] Jammu and Kashmir was placed under New Delhi's direct rule in June 2018 after the BJP pulled out of the regional coalition government with the PDP it had formed three years earlier. The assembly was dissolved the following November.

[39] Union territories are directly administered by the central government through an appointed lieutenant governor. "Explainer: The major changes to Jammu and Kashmir as it becomes a union territory", *The Wire*, 18 August 2019.

[40] Shah's notification of Jammu and Kashmir's reorganisation said it was being done, keeping "in view the prevailing internal security situation, fuelled by cross-border terrorism in the existing state of Jammu and Kashmir". "Article 370: cause of corruption and terrorism: Amit Shah", *The Economic Times*, 6 August 2019.

[41] "PM Narendra Modi's address to the nation: abrogation of Article 370 in J&K", Rajya Sahba TV, 8 August 2019.

## B. *The Crackdown*

Likely aware that revoking the state's special status and residents' privileges would face strong opposition, just ahead of 5 August the government deployed tens of thousands of additional military and paramilitary police into what was already a heavily militarised region. On 2 August, Indian authorities started asking tourists and pilgrims to leave immediately, citing "terrorist threats".[42] Public gatherings were banned. Security forces barricaded neighbourhoods with barbed wire and blockades, and New Delhi cut off all communication links – including telephone, internet and cable television networks – thus imposing the severest communication blackout ever witnessed in the disputed territory. The authorities justified the blackout in the name of "national security".[43]

Telephone connections were gradually restored after 70 days, starting with landlines, but the internet ban continued for seven months and was only reinstated in a phased manner from March 2020. Even then, users were only able to load a list of government-approved websites; social media remained blacklisted. Several reports highlighted that the government's snapping of communication services led to a number of lives lost in medical emergencies.[44] Schools and other educational institutes remained shut, with students unable to take online classes.[45]

While dozens of Kashmiri separatist leaders were already in prison or under house arrest, security forces arbitrarily arrested thousands in the run-up to and after 5 August, including political leaders, activists, journalists, business leaders, academics and students, some of them minors.[46] Many were detained under the draconian Public Safety Act (discussed later). Among them were two ex-chief ministers, the title given to Jammu and Kashmir's head of government when it was a state, and arguably the region's two most prominent politicians, Mehbooba Mufti from the People's Democratic Party (PDP) and Omar Abdullah from the National Conference. The latter's father, Farooq Abdullah, also a former chief minister, was arrested on 16 September 2019.[47]

Defying the clampdown and the overwhelming security presence, hundreds of local protests occurred in the aftermath of 5 August, albeit sporadically, with scores injured in clashes with law enforcement personnel. One year on, security checkpoints continue to bar free movement, India continues to block high-speed internet access

[42] "India orders tourists to leave Kashmir over 'terror threat'", BBC, 3 August 2019.

[43] "'Internet necessity, but national security paramount': Amit Shah on restrictions in Kashmir", *Outlook India*, 20 November 2019.

[44] "In Kashmir, a race against death, with no way to call a doctor", *The New York Times*, 7 October 2019; "'Many may have died at home': amid communication blackout, heart attack cases rise in Kashmir", *Outlook India*, 12 September 2019.

[45] Kashmiri children have hardly attended school since August 2019, as the initial lockdown was almost immediately followed by another one on account of the COVID-19 pandemic, disrupting the entire school year. "In Kashmir, school children have barely gone to classes for nine months", *Scroll*, 23 May 2020.

[46] "Thousands detained in Indian Kashmir crackdown, official data reveals", Reuters, 12 September 2019.

[47] The younger Abdullah was chief minister from 2009 to 2015. Mufti held the post from 2016 to 2018, up until the last dissolution of the regional parliament. "Farooq Abdullah arrested under draconian act", *Telegraph India,* 16 September 2019.

and authorities continue to hold dozens of political leaders. On 31 July, PDP President Mehbooba Mufti's detention was even extended for another three months.[48]

### C. *Betraying the Flag Bearers*

A little over a year prior to Article 370's revocation, in June 2018, the BJP had pulled out of the ruling coalition it belonged to in Jammu and Kashmir, causing the state government to collapse.[49] As a result, the central government now directly administered the state, as provided for by Section 92 of the then Jammu and Kashmir constitution.[50] In the following months, the governor's administration took several steps to neutralise prominent actors linked to Kashmir's non-violent separatist movement. It banned Jamaat-e-Islami, a socio-religious organisation associated with separatism, as well as the JKLF, Kashmir's first insurgent group which had renounced violence for politics in 1994, and detained almost all the senior separatist leaders.[51]

By mid-2019, the only political actors left in the Valley were therefore the mainstream parties, particularly the PDP and National Congress, which had dominated the local political landscape for decades. While neither questions India's claim upon Kashmir, their participation in the Indian democratic process assumed the relative autonomy provided by Article 370. Concerned about the BJP's Kashmir policy, both had repeatedly warned against revoking that article in the run-up to 5 August. At the time, a senior PDP leader told Crisis Group that the BJP was "gunning for the mainstream parties, demonising and vilifying them" for opposing its goal of rescinding Article 370 and claiming that "there was little to distinguish them from the separatists".[52]

On 4 August, these mainstream parties, sensing that something was amiss, called an all-party emergency meeting, after which they released a joint statement vowing to fight any move to alter Article 370.[53] Within an hour, India launched its crackdown, arresting all the leading mainstream politicians. Nearly all were detained under the Jammu and Kashmir Public Safety Act of 1978, a draconian law that allows the police to detain anyone without charge, trial or ordinary judicial review for up to two years.

[48] "Mehbooba Mufti's detention extended by another three months", *The Hindu*, 31 July 2020.
[49] The party justified its decision by denouncing the government's inability to curb rising "terrorism, violence and radicalisation" in the state – a thinly veiled criticism of its coalition partner, the PDP, which was in favour of a softer approach to separatists. "BJP lists reasons for pullout from alliance with Mehbooba Mufti", NDTV, 19 June 2018.
[50] Under the provisions of Article 370, Jammu and Kashmir had a separate constitution. See "The legal subversions that helped the centre undercut J&K's powers", *The Wire*, 18 August 2019. In hindsight, many observers see these developments as a premeditated plan designed to pave the way for the central government's move on Article 370 one year later, since rule by governor opened the possibility of a unilateral decision bypassing the state assembly.
[51] The Jamaat-e-Islami was banned for five years on 28 February 2019 for supporting militancy and promoting secession, followed by arrests of most party leaders and hundreds of party members. The JKLF was banned the following month. "Centre bans Jamaat-e-Islami J&K for five years – a brief history", *The Wire*, 1 March 2019.
[52] Crisis Group interview, Srinagar, June 2019.
[53] Released on 4 August 2019, the statement, titled the Gupkar Declaration, also mentioned that participating parties would "seek audience with the President and Prime Minister of India".

As a result, Kashmir's political life came to an abrupt halt, and the gradual release of jailed politicians over the last year has not changed that. Most of those freed have in fact been virtually silent. While the COVID-19 pandemic inhibits political activity, many Kashmiris feel that the politicians have been muzzled by other means. According to several media reports, it seems that those released were made to sign a bond undertaking they would not hold any public rally or "make any comments (…) related to the recent events" in the state.[54] The continued detention of ex-chief minister Mehbooba Mufti is apparently the result of her refusing to sign this bond in exchange for her freedom.[55]

On 8 March 2020, a former minister and senior PDP leader, Altaf Bukhari, founded a new regional political formation, the Apni Party, regrouping over twenty ex-legislators from various mainstream parties. At the launch, he announced that the party's core agenda would be "restoration of statehood, domicile rights on land and jobs" and "equitable development for all regions and sub-regions of Jammu and Kashmir".[56] Bukhari, who had earlier led a delegation of ex-legislators to meet the lieutenant governor, met with Prime Minister Modi and Home Minister Shah a few days later. The meetings led many to speculate that his new party is a red herring, created with the BJP's connivance to show a semblance of normal political life in Kashmir and possibly to use as a vector to gain control over its future legislature.[57] Although Bukhari, who had been expelled from the PDP in January for "leading and inspiring dissent", has been widely discredited by the released politicians from the region, some Kashmiris want to believe that the new party could be a bridge to New Delhi.[58]

### D. *Shrinking Political Space*

The silencing of Kashmir's mainstream parties, and the detention of its separatist leaders, have left a dangerous vacuum in the state's political landscape. Accustomed over decades to strikes and protests, Kashmiris expected a firm response from the Valley's separatist voices following the 5 August shock. But with most of their leaders in jail, both the moderate and hardline factions of the Hurriyat, who have long echoed Kashmiri aspirations despite abstaining from elections, have been unable to show any sign of leadership. Yasin Malik, chairman of the now banned JKLF, has been in jail since February 2019. The moderate Hurriyat faction's chairman, Mirwaiz Umar Farooq, is under house arrest since 5 August. Although his Hurriyat chapter resumed making statements after a few months, it avoided any criticism of Article 370's abro-

[54] Crisis Group interview, Srinagar, June 2020. See also "PDP's Naeem Akhtar claims authorities asked him to quit politics and lead comfortable life", *The Asian Age*, 27 June 2020; "In Kashmir, bonds prohibit detainees from holding meetings or speaking about Art. 370", *Scroll*, 21 October 2019.
[55] "Mehbooba refused to sign illegal bond, says Iltija", *The Tribune*, 10 February 2020.
[56] Crisis Group interviews, Srinagar, May-July 2020. "Altaf Bukhari launches Jammu Kashmir's 'Apni Party' in Srinagar", *Deccan Herald*, 8 March 2020; "Altaf Bukhari: 'Apni Party is about development, not false hope of plebiscite'", *The Kashmir Walla*, 4 March 2020.
[57] Crisis Group interviews, Srinagar, June 2020.
[58] Crisis Group interviews, Srinagar, June 2020. "NC, Congress dub Altaf Bukhari's Apni Party as 'Delhi's party'", *The New Indian Express*, 10 March 2020. "For Valley, safeguards key," *The Tribune*, 22 March 2020.

gation or continued detention of political leaders, losing further legitimacy among Kashmiris in the process.[59]

On 29 June 2020, Kashmir's separatist politics suffered another setback when Syed Ali Shah Geelani unexpectedly stepped down as head of Hurriyat's hardline faction. Ninety-one-year-old Geelani, who had been under house arrest quasi-continuously since 2010, had quit electoral politics after the 1987 elections and earned tremendous respect among Kashmiris over the years as one of the most prominent separatist voices in the Valley, though not all agreed with his pro-Pakistan stand. His resignation, which signalled a rift among separatists as he blamed his own faction for "not guiding the people of Kashmir" in the post-August 2019 crisis, is largely seen as a victory for the BJP's hardline policy toward separatists.[60]

Licking their wounds, mainstream parties have avoided confrontation with New Delhi so far, but their legitimacy among Kashmiris now lies in how they address the post-5 August scenario. Rifts have started to appear within the National Conference: on 29 July, the party's spokesperson and ex-minister Ruhullah Mehdi resigned over disagreement within the leadership on how the party should position itself in this regard.[61] Although the PDP president's continued detention hinders its capacity to articulate a clear position, party leader Waheed ur Rehman Para has hinted that it will face hard decisions once she is released. "Politics is not just coming and fighting elections. Politics is also about the sentiments of people", he said.[62]

Beyond political actors, the government has stifled dissent among civil society, including by arresting civilians for expressing opinions on social media platforms. Security forces have also harassed, beaten and arrested journalists, including under the Unlawful Activities Prevention Act, a draconian anti-terror law.[63] "Having an opinion has been criminalised in Kashmir", commented a senior journalist.[64] A senior police officer admitted that "there is pressure from top officials to stop negative reporting of the government in press", adding that "journalists themselves have to find a middle ground to deal with this situation".[65]

[59] "Post abrogation of Art 370, Hurriyat unable to regain feet", *The Tribune*, 9 February 2020.
[60] "Modi govt has been on a mission to finish Hurriyat. Geelani's exit shows it's succeeding", *The Print*, 1 July 2020.
[61] "Rift in NC over Omar Abdullah stand, influential Shia leader quits", *Times of India*, 29 July 2020.
[62] Crisis Group interview, Srinagar, June 2020.
[63] In April 2020, local journalist and TV commentator Gowhar Geelani and photojournalist Masrat Zahra were charged under this Act for social media posts critical of the government. "Journalists, free press silenced by Indian government in Kashmir – UN rapporteurs", *Eurasian Times*, 17 July 2020.
[64] Crisis Group interview, Srinagar, July 2020.
[65] Crisis Group interview, Srinagar, July 2020. In May 2020, the Jammu and Kashmir administration fashioned a new media policy "to thwart misinformation [and] fake news and develop a mechanism that will raise alarm against any attempt to use media to vitiate public peace, sovereignty and integrity of the country". Reporters without Borders said with this "Orwellian regulation, the Jammu and Kashmir administration becomes plaintiff against the free press, judge and executioner all in one". "RSF appalled by Orwellian press policy in Indian-held Kashmir", Reporters without Borders, 19 June 2020.

# IV. Militancy and Counter-insurgency

## A. *Targeting Kashmir's Youth*

Several Kashmiri academics, journalists and other members of civil society believe that security agencies' indiscriminate use of force against Kashmiri young men and teenagers, including peaceful protesters and even innocent bystanders, has led rising numbers of youth to participate in violent demonstrations or join militant organisations.[66] In June 2020, Syed Tajamul Imran, a resident of southern Kashmir's Shopian district, provided a striking example of this phenomenon, narrating his younger brother's illegal detention and torture in custody. "It took him almost two months to get up and walk on his own, while we saw the marks of a hot iron on his legs slowly begin to heal", he wrote, adding that nearly two and a half years after the incident the police "haven't proved or substantiated any claims at all against my brother".[67] After his release, his brother joined a militant group and was soon killed in a gunfight.[68]

Kashmiris born in the last 30 years have known nothing but Indian military occupation. Crackdowns, raids and arbitrary arrests have fuelled anger among the new generation.[69] Security personnel frequently pick up and detain young Kashmiris, including teenagers and minors, using the Public Safety Act. Detention varies from a few hours to a couple of years. When the High Court overrules detention orders, the state often files new charges under the Act even before releasing detainees from prison, ensuring that they remain in custody – a process known as "revolving door" arrests. Authorities also regularly detain those whom they release again under new warrants. A fact-finding team of Indian activists noted that hundreds of schoolchildren and teenagers were "arbitrarily picked up" by police or paramilitary officers from their homes in night raids and held in "illegal detention" in the weeks after 5 August; children as young as eleven were beaten.[70]

A senior counter-insurgency police officer confessed that police had picked up young men "for no reason" in the past, further acknowledging that police methods in dealing with those suspected of militant sympathies could lead to trauma.[71] Over the last few years, the authorities have transferred most detainees to jails located outside the state, fuelling popular resentment, as their families had no access to them and sometimes no knowledge of where they were.[72]

[66] Crisis Group interviews, Srinagar, May-June 2018. See also David Devdas, "Why ending corruption in Kashmir is a national security priority", *The Quint*, 9 June 2020; Khalid Shah, "Ideological Shift, Public Support and Social Media: The 'New' in Kashmir's 'New Militancy'", Observer Research Foundation, 10 January 2020.

[67] Syed Tajamul Imran, "On the securitisation of truth and facts: how I lost my brother", *Inverse Journal*, 27 June 2020.

[68] Ibid.

[69] The state has increasingly used the Public Safety Act since the 2010 civilian unrest. See "Tyranny of 'a Lawless Law'", Amnesty International, 12 June 2019.

[70] "Kashmir Caged", 13 August 2019. Published by human rights activists following a fact-finding mission to Kashmir from 9-13 August 2019.

[71] Fahad Shah, "India's militant pipeline", *Foreign Policy*, 18 December 2019.

[72] Devjyot Ghoshal, Fayaz Bukhari and Alasdair Pal, "The transported: Kashmiri prisoners sent far from home", Reuters, 8 October 2019; "As Kashmir's blackout continues, they wait for word of their son", *Christian Science Monitor*, 30 October 2019.

The resultant alienation has led to a steady rise in homegrown militancy. Frustrated, many young Kashmiris are opting for armed struggle; others too young as yet to join the fight appear to see militancy as their future. A 2018 report by the Group of Concerned Citizens, led by former external affairs minister and former BJP leader Yashwant Sinha, noted:

> Almost all youngsters (in the Valley) in the age group 13 to 24 seem to be inspired by militant thought even if most are not picking up arms yet. This inspiration is not coming from Pakistan or its intelligence agencies but from local militant youth icons like the late Burhan Wani.[73]

A popular Hizbul Mujahideen commander who was killed in 2016, Burhan Wani himself reported turning to militancy after he and his brother were beaten by security forces. Thanks in part to his savvy use of social media, he went on to become the poster child for a new breed of militants, gaining "a cult-like following" among young Kashmiris.[74] He rejuvenated Kashmir's insurgency by recruiting hundreds of young men while he was Hizbul Mujahideen commander, and inspiring more to join other groups.[75]

### B. *From Protests to Homegrown Militancy*

Burhan Wani died in an encounter with security forces on 8 July 2016 and his death sparked a wave of unrest across Jammu and Kashmir. Thousands of mostly young Kashmiris took to the streets. Security forces responded by firing bullets and shotgun pellets at protesters, killing more than 100 and maiming and blinding hundreds of others that year.[76] As in the past, the heavy-handed response led to increased alienation, and a rise in militancy as many young men, following Wani's lead, picked up guns against a state they perceived as unjust and a source of threat, rather than protection, for Kashmiri Muslims.[77]

Unlike the 1990s, when many militants in Kashmir were foreigners, mainly Pakistanis, and local insurgents were reportedly trained across the border, the new generation of Kashmiri militants is mostly homegrown. Trained locally, they are motivated by local factors; many have never left the Valley. Bad experiences with the government forces, strong religious beliefs and frustration with Kashmir's political process all play a major role in recruitment trends.[78] Over the last few years, numerous young

[73] "Report of the Fourth Visit", Concerned Citizens' Group, 23-27 February 2018.
[74] An estimated 200,000 Kashmiris attended his funeral. See also Ramachandra Guha, "Distrust, Discontent and Alienation: Kashmir during the Modi Years" in Niraja Gopal Jayal (ed.), *Re-forming India: The Nation Today* (New Delhi, 2019).
[75] Annie Gowen, "This militant was a folk hero on social media. Now his death has roiled Indian Kashmir", *The Washington Post*, 11 July 2016.
[76] "Sabzar Bhatt encounter: Death of Burhan Wani's successor triggers protests in Kashmir, 1 civilian killed", *Firstpost*, 29 May 2017; "Kashmir: death toll rises to 32 as clashes continue, doctors say forces shooting to kill", *The Wire*, 13 July 2016.
[77] OCHCR, 8 July 2019, op. cit. See also "Operation All-Out: army's master plan to flush out terrorism from Kashmir", *India Today,* 23 June 2017; "At least 413 killed in 2018 due to violence in Kashmir", *India Today*, 28 November 2018.
[78] "In Kashmir, blood and grief in an intimate war: 'these bodies are our assets'", *The New York Times*, 1 August 2018.

men have suddenly disappeared from their villages and re-emerged within days on social media channels, posting photographs and videos of themselves with guns in hand.[79]

Local police sources estimate that active militants number only in the low hundreds but acknowledge that young Kashmiris, mostly from the restive southern regions, continue joining armed groups.[80] Most survive for only a few months before they are killed by security forces. The short life expectancy of recruits does not appear to deter others, including many well-educated young men with promising career prospects.[81]

Official Indian sources point to a slowdown in local recruitment in the first half of 2020 – an almost 50 per cent drop compared to the same period in 2019. According to the state's police chief, of the 67 Kashmiri youths known to have joined militant outfits in this period, 24 were killed and twelve arrested.[82] These statistics, however, fail to reflect the fact that recruitment spiked in the last three months of that period: the overwhelming majority of recruits mentioned above joined between April and June.[83] Many observers believe this trend is likely to gather steam in reaction to New Delhi's denial of civil and political rights.[84] "My feeling is that things will explode", said a former police officer.[85]

In justifying Article 370's revocation, the BJP government argued that the move would "prevent terrorism" and "restore Kashmiri youth's faith in the Indian state", yet thus far little suggests it will do either.[86] One year later, the number of militancy-related incidents remains more or less constant. The state witnessed 57 encounters between militants and security forces in the first six months of 2020, with 143 militants killed; 120 were killed in 66 encounters during the same period in 2019.[87] According to an internal intelligence agency report, 95 per cent of the militants killed from January to mid-June were locals.[88] The number of encounters has dramatically increased since early April 2020. Militants have attacked security installations with grenades and assassinated pro-Indian politicians. On 8 July 2020, they shot dead a BJP leader in northern Kashmir's Bandipora district, highlighting that pro-India

[79] Such posts disappeared from circulation after August 2019, following an intensification of counter-insurgency operations.

[80] Police sources claimed that 191 Kashmiri youth had joined militant outfits in 2018, an increase from 126 in 2017. Crisis Group interview, Srinagar, July 2019. See also "191 Kashmiri youth joined militancy in 2018", *The Economic Times*, 4 February 2019.

[81] Joanna Slater, "From scholars into militants: educated Kashmiri youths are joining an anti-India insurgency", *The Washington Post*, 28 March 2019.

[82] "Is Kashmir militancy beginning to ebb? Last decade trend shows it could be another false dawn", *The Print*, 6 July 2020.

[83] "Kashmir: big spike in local terror recruitment even as forces killed top commanders", *India Today*, 8 June 2020.

[84] Crisis Group interviews, Srinagar, Kulgam, Pulwama, Sopore, Anantnag, January-July 2020. "Renewed militancy heats up Kashmir summer", *Kashmir Observer*, 21 June 2020.

[85] "Is this the end of militancy in South Kashmir? A spate of new recruits suggests it is not", *Scroll*, 1 July 2020.

[86] "PM Narendra Modi's address to the nation: abrogation of Article 370 in J&K", Rajya Sahba TV, 8 August 2019.

[87] Data calculated by Crisis Group from "Annual Human Rights Review 2019", Jammu and Kashmir Coalition of Civil Society, 31 December 2019.

[88] Reviewed by Crisis Group.

politicians remain accessible targets despite heightened counter-insurgency operations.[89] Heavy fighting has even taken place in the barricaded city of Srinagar.[90] Most recent encounters involved the Hizbul Mujahideen, which remains an indigenous militant group though its leader, Syed Salahuddin, is based in Pakistan.[91] The group has suffered heavy losses in recent months; its top commander in the Valley, Riyaz Naikoo, was killed on 6 May 2020.

The escalation of militant resistance has gained considerable public support over the last few years. Funerals of slain militants attract mammoth crowds, and civilians often rush to the sites of clashes, throwing stones at security forces to provide militants with protective cover. A woman from a southern district explained: "When we hear of an encounter in a nearby area, even a village several kilometres away, we rush to help the militants".[92] Referring to this phenomenon in February 2017, then-Indian army chief Bipin Rawat said, "Those who obstruct our operations in Jammu and Kashmir and don't support security forces shall be treated as over-ground workers of terrorists".[93] Yet popular backing for militancy seems to have only increased since.

In an attempt to avoid creating more martyrs, the security forces have, since 2019, stopped revealing the names of dead militants and returning bodies to families.[94] Instead, relatives are asked to travel dozens of kilometres to witness burials in unknown graveyards far in the north. As most have no role in their young men's choice to take up arms, they see this measure as a punishment for which they resent the state even more.[95]

### C. *Pakistan's Jihadist Proxies*

Rampant rights abuses amid a climate of impunity for security forces serve as recruiting tools for both Kashmiri separatist groups and Pakistani jihadist outfits, notably Jaish-e-Mohammed and Laskhar-e-Tayyaba. While most locals do not share those two latter groups' jihadist ideology or political objective of merging Jammu and Kashmir with Pakistan, many now seem to support anyone they consider capable of confronting the security forces.[96] "Since 2017", said a journalist, every clash between militants and security forces "has become a battleground for civilian rebellion. Peo-

[89] Yashraj Sharma, "Kashmir remains unfavourable turf for the BJP as more blood is spilled", *The Kashmir Walla*, 19 July 2020.

[90] At least three gunfights between militants and security forces erupted in the city over the last few months, on 19 May, 21 June and 2 July 2020, resulting in the death of six militants.

[91] Before the insurgency began in 1989, Salahuddin was a prominent Jamaat-e-Islami Kashmir youth activist and had contested the 1987 elections in Srinagar.

[92] Crisis Group interview, southern Kashmir, May 2019.

[93] "General Bipin Rawat's warning to 'over-ground workers of terrorists'", *Firstpost,* 17 February 2017.

[94] Crisis Group interview, senior police official, Srinagar, May 2020. Also "Security forces change their way of tackling militancy in Kashmir: report", *The Hindu Businessline*, 1 May 2020; "Is lockdown an 'opportunity' to end J&K militants' funeral rites?", *The Quint*, 28 April 2020; "The funerals driving Indian Kashmir youth to militancy", BBC, 14 May 2018.

[95] "In lockdown, Shopian families' quest to bring buried militants back home", *The Kashmir Walla*, 19 April 2020.

[96] Polls and surveys conducted over the years show that the vast majority of those residing in the Kashmir Valley favour independence. See, for example, "'First' Kashmir survey produces 'startling' results", BBC, 27 May 2010; "Majority in Kashmir want independence: poll", Reuters, 13 August 2007.

ple walk miles on their own to reach such encounter sites and make every possible effort to help the militants escape as they confront the security forces with stones".[97] Widespread popular support for militancy plays into the hands of Pakistan-based outfits, which can easily exploit both the stalemate in the political process and growing anti-India sentiment to recruit more easily and step up their operations.

Moreover, the lines between homegrown groups and Pakistan-based jihadist outfits are increasingly blurred. As a well-informed observer in southern Kashmir noted, "there now appears to be more cooperation and coordination, particularly between Hizbul Mujahideen and Laskhar-e-Tayyaba".[98] On 5 February 2020, a chance encounter between security forces and three militants at a checkpoint on the outskirts of Srinagar also pointed to such collaboration: the police claimed one of the militants killed belonged to Hizbul Mujahideen, the second to Lashkar-e-Tayyaba and the third, who was arrested, to a local Islamic State branch.[99]

Since 5 August, a new outfit called The Resistance Front has emerged – the first not to adopt a religious name since the JKLF thirty years ago.[100] The group, which first appeared in October 2019, claimed several high-profile attacks resulting in the death of at least sixteen security personnel in the span of a month in April-May 2020. The Front also has a strong digital presence, using various platforms to claim operations and disseminate its propaganda, with social media posts using elaborate graphics and photographs to commemorate its operations and warn of more violence to come.[101]

Some senior police officers say The Resistance Front is either a shadow outfit of Lashkar-e-Tayyaba or an umbrella name for various Pakistan proxies, adopted in the wake of mounting global pressure on Pakistan to comply with the Financial Action Task Force (FATF) regulations to stop supporting terrorist groups.[102] Members arrested in March said that they had received instructions on Telegram from a handler in Pakistan, while five more militants were killed on 5 April as they were infiltrating across the Line of Control.[103] Jammu and Kashmir's inspector general of police also identified a militant killed in an encounter claimed by the Front on 2 May as a known Lashkar commander.[104] "It seems most of these groups are working together and

[97] Crisis Group interview, Srinagar, May 2019. Also "Kashmiri teenagers are dying to protect militants", *The New York Times*, 18 December 2018.
[98] Crisis Group interview, Shopian district, May 2019.
[99] "Death of a top separatist leader's son: game changer in Valley?", *The Quint*, 20 May 2020.
[100] Police officers claim that Pakistan has formed two other new groups, Tehreek-i-Millat Islami and the Jammu and Kashmir Fighters Front, but so far these have kept a low profile. "J&K militancy suffers significant losses as security forces amp operations amidst lockdown", *The Wire*, 20 June 2020.
[101] "The Resistance Front: new terrorist group in Jammu and Kashmir amplifies attacks on social media", Atlantic Council, 16 July 2020.
[102] Crisis Group interviews, police and intelligence officers, southern, northern and central Kashmir, May-July 2020. "The Resistance Front: New name of terror groups in Kashmir", *Economic Times,* 29 April 2020.
[103] "Major terror module of Lashkar's new front busted in Kashmir", *New Indian Express*, 23 March 2020; "Keran encounter: does it signal a new phase of Kashmir militancy", *Kashmir Observer*, 11 April 2020.
[104] "Top LeT commander Haider killed in Handwara encounter", ANI, 3 May 2020; "J&K police verifying claim that 2 militants killed in Handwara are residents of Valley", *The Print*, 4 May 2020.

The Resistance Front is just another name", said a senior police officer in northern Kashmir.[105]

Some local militants claim to fight under the banner of ISIS and al-Qaeda. The Islamic State has a local affiliate, Islamic State Jammu and Kashmir, also known as Islamic State Hind Province.[106] A breakaway faction of Hizbul Mujahideen, Ansar Ghazwat-ul-Hind, has also reportedly pledged allegiance to al-Qaeda.[107] The nature of the relationship between these groups and ISIS in the Middle East or the al-Qaeda core and whether they receive support from abroad remain unclear. "Although there is little local support for al-Qaeda's ideology", said a well-informed source in southern Kashmir, "people, especially the youth, are willing to risk their lives in street protests and armed encounter sites to save militants from any outfit. They feel they are fighting for them".[108]

### D. *Impunity and Alienation*

India has long used draconian laws to contain militancy, civil uprisings and dissent in Kashmir, leading to a dangerous climate of impunity for security forces. The prevalence of enforced disappearances, extrajudicial killings, custodial torture and sexual violence are a direct consequence of legislation that applies solely to the region. In particular, the Armed Forces Special Powers Act (Jammu and Kashmir) of 1990 sanctions the disproportionate use of force by military personnel against civilians. Military personnel are authorised to use force if curbs on the gathering of more than five persons are violated.[109] A study of the rise of militancy in Kashmir concluded that the law's "misuse … has pushed increasing numbers of local youth to militancy" and "changed perceptions of the Kashmiri citizen towards the Indian state".[110]

The Special Powers Act also creates a climate of impunity because it shields soldiers from trial in civilian courts without the central government's permission. The defence ministry's responses to several right to information applications showed that New Delhi had not approved such trials in even a single case.[111] Instead, prosecutions are conducted by closed court-martial, and seldom lead to harsh sentences.[112] In

[105] Crisis Group interview, Sopore, June 2020.
[106] "ISIS announces new branch in India after 'clashes' in Kashmir", *The Economic Times*, 12 May 2019. "IS operatives killing reveals power struggle among militant ranks", *The Wire*, 7 July 2019.
[107] Zakir Musa, whose real name was Zakir Rashid Butt, broke away from Hizbul Mujahideen in May 2018 to set up his group, Ansar Ghazwat-ul-Hind, declaring allegiance to al-Qaeda. Musa was killed by security forces in Pulwama in May 2019. "Death of Zakir Musa – Start of a New Radicalism in Kashmir?", Observer Research Foundation, 27 May 2019.
[108] Crisis Group interview, southern Kashmir, May 2019.
[109] Officers are authorised to use "force, even to the causing of death" beyond self-defence, against persons who violate orders prohibiting the gathering of more than five people. Section 4, Armed Forces Special Powers Act (Jammu and Kashmir), 1990.
[110] The study was based on field surveys in Kashmir conducted from 2016 to 2018. Ayjaz Wani, "The Kashmir Conflict: Managing Perceptions and Building Bridges of Peace", Observer Research Foundation, 9 October 2018.
[111] Crisis Group interviews, Jammu and Kashmir Coalition of Civil Society members, Srinagar, June 2019.
[112] Around 100 cases were tried in military courts. Sentences either failed to reflect the gravity of the offence or were often overturned on appeal.

Pathribal village in Anantnag district, for example, five army personnel were accused of kidnapping and killing five local civilians in March 2000, claiming that the victims were foreign terrorists. The Central Bureau of Investigation filed murder charges against the accused in 2006 following widespread protests. Using the Special Powers Act to block civilian prosecution, the army filed an appeal in the Supreme Court, which ruled that it could opt for a trial in either civilian or military court. In 2012, the army began court-martial proceedings, only to exonerate the accused two years later.[113]

Instead of due process, investigations of alleged militants are often marred by enforced or involuntary disappearances, extrajudicial killings, custodial torture and sexual violence against women.[114] For such crimes, officials very often refuse to register cases, or allow investigation agencies to tamper with evidence.[115] In 2009, for instance, the family of two women found dead in a shallow stream in Shopian district accused government forces of having raped and murdered them. An inquiry commission, headed by a retired High Court judge, concluded that four police officers had deliberately tampered with the evidence, stating "either they have done it or know who has done it".[116] In cases of alleged extrajudicial killings in 2016, the police lodged charges against the victims for being "anti-national". Families seeking justice were subjected to "repeated arrests, torture and raids".[117]

While the judiciary has not delivered justice to the victims of human rights abuses, some family members have refused to be deterred. Among them is Ashraf Mattoo, father of Tufail Mattoo, a victim of police gunfire in June 2010, whose death marked the start of five months of violent street protests and retribution by security personnel. Pursuing justice in the courts, Ashraf believed that police killings were not just a human rights issue but also one that fuelled armed conflict in Kashmir. "Had the police investigated the first few killings in 2010 fairly, Kashmir would not have reached this point. There would have been no Burhan Wani or other young men picking up the gun".[118]

New Delhi rejects criticism of its human rights record in Kashmir. In June 2018, the Office of the UN High Commissioner for Human Rights (OHCHR) released its first-ever report on human rights conditions in Indian- and Pakistani-administered Kashmir, noting that Indian security forces had used "excessive force" that led to "unlawful killings and a very high number of injuries". The Indian government rejected

[113] "India: Military Court Fails Victims in Kashmir Killings", Human Rights Watch, 24 January 2014; OCHCR, 8 July 2019, op. cit. See also Surangya Kaur, "Pathribal: a timeline of 18 years of injustice," *Newsclick*, 26 March 2018.

[114] Local rights activists claim that there are around 8,000 enforced or involuntary disappeared persons in Jammu and Kashmir. "Annual Human Rights Review 2018," Jammu and Kashmir Coalition of Civil Society, op. cit.

[115] In 2018, the army told the Supreme Court its soldiers could not be subjected to regular police complaints "otherwise military operations cannot be carried out." "Military cannot be subjected to FIR for its operations: Army," *Economic Times*, 11 June 2018. Also see "'Denied'", op. cit.

[116] "Shopian: Manufacturing a Suitable Story – A Case Watch", The Independent Women's Initiative for Justice, 17 December 2009. The Initiative is a group of women professionals, including doctors, researchers and lawyers.

[117] "Why are people protesting in Kashmir? A report", *The Citizen*, 11 May 2017.

[118] Crisis Group interview, Srinagar, June 2019.

the report as "fallacious, tendentious and motivated", and accused the UN of violating its "sovereignty and territorial integrity".[119] On 4 May 2020, four UN special rapporteurs again expressed "grave concern at the alleged excessive use of force, torture and other forms of ill treatment reportedly committed" after August 2019.[120] The latest report by the Jammu and Kashmir Coalition of Civil Society, a prominent human rights body based in Srinagar, documented 32 "extrajudicial executions" in the first six months of 2020.[121]

[119] "Official spokesperson's response to a question on the report by the Office of the High Commissioner for Human Rights on 'The Human Rights Situation in Kashmir'", Ministry of External Affairs, 14 June 2018.

[120] This letter, which pointed to "arbitrary detentions, violations of the prohibitions of torture and ill treatment and rights of persons belonging to minorities" was the third sent by the UN to the Indian government since August 2019. The Indian government has not responded to any of them so far. "J&K: Concerned over alleged excessive force used against minorities, say UN special rapporteurs", *Scroll*, 9 July 2020.

[121] "Bi-Annual Human Rights Review 2020", Jammu and Kashmir Coalition of Civil Society.

# V. Threatening Kashmiri Identity

## A. *Altering Jammu and Kashmir's Demography*

On 1 April, the Indian government passed an order that, for the first time, allows Indians from other states to seek permanent residency in Jammu and Kashmir. The decision was announced as the region was under another lockdown, on this occasion to stop the spread of the novel coronavirus.[122] In the eyes of most Kashmiris, including pro-India parties, this change in legislation, and the circumstances in which it was taken, is a clear indication that the BJP government's long-term objective is to alter Jammu and Kashmir's ethnic, social and religious identity.[123]

The Jammu and Kashmir Grant of Domicile Certificate (Procedure) Rules (2020) enables residency and property rights for various categories of non-residents, who can now also apply for government jobs. Those eligible include persons who have lived in the state for fifteen years and their children; those who have studied in the state for seven years and passed their tenth or twelfth standard examination; children of central government employees who have resided in the state for "a total of ten years"; and migrants (and their children) registered with the relief and rehabilitation commissioner. Applications can be made online, and must be processed within fifteen days, an unusually short timeframe for any Indian administrative procedure. An unusual appeal mechanism also seems designed to discourage officials from rejecting applications.[124]

Concretely, these criteria imply that the children of a large number of officials – and potentially security personnel – who were stationed in Kashmir over the years can now claim residency, access to government jobs and voting rights. Jammu and Kashmir also hosts hundreds of thousands of migrant labourers, some of whom settled decades ago. As of the 2011 census, more than 1.7 million of these migrants had been living in the region for five years or longer, implying that they would today be eligible to apply for residency. This number of migrants represents the equivalent of 14 per cent of the state's population.[125] The process of issuing new domicile certificates has already started, with the first handed out on the very day that the Jammu and Kashmir administration launched its online application service.[126] As of late July, it had already issued over 400,000 certificates, after officials were asked to speed up the process.[127]

This change of legislation had been on every Kashmiri's mind since 5 August. Given the BJP's ideological background, anchored in Hindu nationalism, many feared the

[122] "Centre defines new domicile rule for J&K, includes those who have lived in UT for 15 years", *The Indian Express*, 2 April 2020.
[123] "Jammu and Kashmir domicile rules: centre trying to change demography of UT, claim political parties", *New Indian Express*, 19 May 2020.
[124] "J&K govt's new domicile certificate rules a move to undercut resistance from Kashmiri officials?", *The Wire*, 19 May 2020.
[125] Ajaz Ashraf and Vignesh Karthik K.R., "Why J&K's demography will change beyond belief", *Newsclick,* 31 May 2020.
[126] "First J-K domicile certificate goes to north Kashmir girl through e-application", *Outlook India*, 22 June 2020.
[127] "Officers asked to grant J-K domicile certificates within two days: revenue secy", *The Tribune*, 31 July 2020.

revocation of Articles 370 and 35A was only the first step in a longer process aiming for demographic change in India's only Muslim-majority state. According to this theory, the Narendra Modi government is carrying out a plan hatched by the Rashtriya Swayamsevak Sangh (RSS), a Hindu ultranationalist movement of which the BJP is the political emanation.[128] The founder of the RSS's political wing had already envisioned scrapping Article 370 back in 1953.[129] Even today, the RSS website qualifies "Jammu and Kashmir, with its oppressive Muslim-majority character" as "a headache for our country" and "a thorn in the flesh" of India.[130]

The fact that both Modi and his trusted Home Minister Amit Shah, largely considered to be the architect of the government's Kashmir policy, spent decades in the RSS before moving to the BJP lends credence to the idea that the government is on an ideological crusade.[131] Instrumental in Modi's coming to power in 2014, the RSS has since influenced policy in various sectors and infiltrated many government offices, both at the central level and in states where the BJP is in power. While some may see the notion of long-planned demographic change in Kashmir as an unfounded conspiracy theory, the vast majority of Kashmiris are convinced that the process is already under way.[132]

The domicile law has led to more profound alienation and fuelled further resentment of both the Indian state and outsiders. Kashmiris now perceive non-natives as a threat to their identity and Kashmir's survival as a Muslim-majority and ethnically distinct region.[133] Some observers have described the new domicile law as a "quasi-colonial project".[134] Several other reforms undertaken in the last year have added to these fears. The government has amended a series of laws related to land acquisition, removing all obstacles to non-Kashmiris seeking to buy property in the state. It has also amended the Jammu and Kashmir Property Rights to Slum Dwellers Act by deleting references to "permanent residents", easing the process for this category of migrants to gain property rights, which in turn would enable them to apply for residency.[135] Even with its enduring conflict, Jammu and Kashmir's quality education system, minimum wage higher than the national average and supply of affordable housing could make it an attractive destination for lower classes from India's – overwhelmingly Hindu – poorer states.

[128] The RSS's ultimate goal is the creation of a "Hindu Rashtra", or Hindu nation, implying a political order in which religious minorities are at best relegated to the status of second-class citizens. As India's only Muslim-majority state, Jammu and Kashmir would be an anomaly in such a country. In light of the ongoing insurgency, Kashmiri Muslims also play a particular role in Hindu supremacist propaganda, which brands them as "terrorists", "jihadists" or "anti-nationals". See Mridu Rai, "Kashmiris in the Hindu Rashtra", in Angana P. Chatterji, Thomas Blom Hansen and Christophe Jaffrelot (eds.), *Majoritarian State – How Hindu Nationalism is Changing India* (Oxford, 2019).

[129] "Shyama Prasad Mukherjee," *Hindustan Times*, 9 September 2002.

[130] See the Vision and Mission document at the RSS website.

[131] "RSS in Modi govt in numbers – 3 of 4 ministers are rooted in the Sangh", *The Print*, 27 January 2020.

[132] "Kashmir Muslims fear demographic shift as thousands get residency", Al Jazeera, 28 June 2020.

[133] Crisis Group interviews with civil society members, politicians, academics, Srinagar, June 2020.

[134] Ashraf and Karthik K.R., "Why J&K's demography will change beyond belief", op. cit.

[135] "In Jammu and Kashmir, long-marginalised minorities are granted domicile rights", *Scroll*, 6 July 2020.

With Muslims accounting for 68.31 per cent of Jammu and Kashmir's 12.5 million population, decisive demographic change clearly will not happen overnight. But critics highlight that the Hindu nationalist movement has been working toward the creation of a "Hindu nation" for close to a century and may feel emboldened in aiming for long-term goals now that it is in power.[136] With consecutive landslide victories in regional elections over the last few years, rising support for its pro-Hindu ideology among India's masses and an opposition in disarray, the BJP is confident that it can stay in power. "Theirs is an ideological battle", commented a long-time Kashmir observer.[137]

### B. *Disempowering Natives*

Over the last year, Jammu and Kashmir's new administration has taken a series of more discreet measures that many Kashmiris perceive as part of a strategy for disempowering locals and strengthening India's control. Following a slew of personnel transfers, which the government claims are meant to strengthen governance, outsiders now hold the majority of top bureaucratic posts in the new union territory, and none of the lieutenant governor's top four advisers – equivalent to ministers – are Muslims.[138] At the district level, too, only half the civilian administrative heads are Kashmiri Muslims.[139] Kashmiris perceive the arrival of new officials at the district and subdistrict levels, especially in the revenue and land departments, as part of a design to alter land records.[140] More generally, in a region where agriculture continues to dominate the economy, such government jobs are an important source of employment for young Kashmiri graduates.

Soon after August 2019, the BJP had stated it would make Hindi the official language in the new union territory instead of Urdu, the language most used by India's Muslim population, and started changing names of administrative departments and famous buildings from English and Urdu to Hindi, even naming some after a Hindu nationalist figure.[141] The new administration has also replaced the entire board of the Jammu and Kashmir Bank, which historically has had a central role in the region's

[136] "By rewriting history, Hindu nationalists aim to assert their dominance over India", Reuters, 6 March 2018. Nilanjan Mokhopadhyay, "How the BJP cemented its presence and influenced India over 40 years", *The Quint*, 6 April 2020. See also Chatterji, Hansen and Jaffrelot, *Majoritarian State – How Hindu Nationalism is Changing India*, op. cit.

[137] Crisis Croup interview, journalist, New Delhi, February 2020.

[138] "One year after special status ended, Kashmiris have disappeared from government in J&K", *Scroll*, 31 July 2020.

[139] Khalid Shah, "Why Sidelining Jammu and Kashmir Police is Dangerous", Observer Research Foundation, 15 February 2020; "Bureaucracy riven by groupism, Kashmiri officers sidelined says J&K Apni Party", *The Hindu*, 3 June 2020.

[140] "In Jammu and Kashmir, a new department opens to register land transactions – and it's sparked anger", *Scroll*, 30 November 2019; Anuradha Bhasin, "Bringing the Israeli model to Kashmir", Al Jazeera, 21 June 2020.

[141] Kashmiris Muslims speak Kashmiri, but Urdu, the language shared by Muslims of the Indian subcontinent, is the official language of Jammu and Kashmir. "Hindi to be official language as J&K and Ladakh will get UT status on Oct 31: Tarun Chugh", UNI, 31 October 2019; "HC notice to J&K govt on PIL on Hindi as official language", *The Tribune*, 9 July 2020; "Kashmir may be the latest target of centre's name-changing spree", *The Wire,* 19 November 2019.

economy by providing loans to local businesses.[142] All the new board members, save one, are non-Muslim and non-Kashmiri, in contrast to the past when membership was more balanced.[143] In February, the administration also cancelled the recruitment process for 1,450 posts that had been open since 2018 and advertised the availability of 1,850 posts in June, thus inviting applications from new domiciles.[144]

Since August 2019, local contractors who hitherto had a de facto monopoly on contracts tendered by local government departments are also facing unprecedented competition from non-Kashmiri bidders. Indian companies from outside the state have secured most of the mining contracts issued in 2020. Local contractors said they could not compete with the bids coming from the – often much larger – non-local companies.[145]

The government's decision to restructure the public-sector industry has also angered local industrialists, trade bodies and politicians.[146] On 17 July 2020, the new Jammu and Kashmir administration announced the closure and privatisation of a series of government-run industrial units that employed thousands. The list included the Jammu and Kashmir Small Scale Industries Corporation, which provided raw material and marketing services to many of the region's smaller industries. They will now need to compete with other Indian companies. The National Conference described the move as a plan "to systematically disempower the people of Jammu and Kashmir".[147]

[142] See the list of board members at the Jammu and Kashmir Bank website.
[143] "J&K Bank CFO's appointment violates domicile law: Altaf Bukhari", *Kashmir Monitor*, 25 April 2020.
[144] Anuradha Bhasin, "Bringing the Israeli model to Kashmir", Al Jazeera, 21 June 2020.
[145] Crisis Group interviews, Srinagar, June 2020.
[146] "J&K govt mulls closure, privatisation of PSUs, parties oppose", *Kashmir Observer*, 16 July 2020.
[147] "Govt shuts down, puts on sale J&K's major industries", *Kashmir Reader*, 17 July 2020.

## VI. Risks of Regional Conflict

India's August 2019 moves have aggravated tensions with Pakistan at a time when the relationship was already strained. Relations between the two nuclear-armed neighbours had suffered after the deadly 14 February 2019 attack on Indian paramilitary forces in Kashmir's Pulwama district, claimed by the Pakistan-based Jaish-e-Mohammed. Rejecting Islamabad's assertion that it had banned the group, New Delhi warned that it would no longer tolerate Pakistan's support for jihadist proxies and promised a "befitting reply".[148] On 26 February, India's air force bombed what it claimed was a jihadist training camp in Balakot, its most significant violation of Pakistani airspace in nearly 50 years. The next day, Pakistan retaliated by conducting several airstrikes in Indian-administered Kashmir. The risks of that crisis spiralling out of control eventually receded with both sides stepping back from the brink. Yet tensions remain high, and Indian and Pakistani forces regularly violate the 2003 ceasefire along Kashmir's Line of Control.

After being re-elected in May, Modi's government had rejected Pakistani Prime Minister Imran Khan's offers to resume bilateral dialogue, frozen since the 2016 terror attacks in Indian Punjab and Indian-administered Kashmir, which New Delhi had also attributed to Pakistan-based jihadists. Pakistan itself withdrew that offer after 5 August, calling on India to first end the Kashmir lockdown and reverse steps taken to change the disputed territory's boundaries. Islamabad downgraded diplomatic ties with India, suspended trade, cut off road and rail links, and vowed to "exercise all possible options" to counter New Delhi's "illegal step" in changing Jammu and Kashmir's territorial status.[149]

Yet Pakistan does not have a strong hand. Islamabad faces considerable diplomatic and economic pressure, including through the FATF – the global money laundering and terrorist financing watchdog – to decisively deal with UN-sanctioned entities on its soil, including the proxy groups operating in Indian-controlled Kashmir. This pressure, and the risk of an open military confrontation with India following the February 2019 Pulwama attack, has meant that Islamabad has largely limited itself to calling on India to reverse its August 2019 actions, including at forums such as the UN.[150] Its cause is hardly helped, however, by its long record of backing anti-India jihadists. Most Western powers, furthermore, see New Delhi as an important strategic and economic partner.

The greatest risk is confrontation between the two nuclear-armed neighbours prompted by a major militant attack on Indian security personnel in Kashmir. Since the Modi government attributes all militant operations to Pakistan's jihadist proxies,

[148] "Forces permitted to choose time and place for future action against terrorists: PM Modi on Pulwama", *The Times of India*, 15 February 2019.

[149] Army chief Qamar Javed Bajwa, chairing a corps commanders meeting said: "Pakistan army firmly stands by Kashmiris in their just struggle to the very end. We are prepared and shall go to any extent to fulfil our obligations in this regard". "Military top brass condemns move to annex held Kashmir", *Dawn*, 7 August 2019; "Pakistan says it will exercise all possible options to counter 'illegal steps' taken by India in IoK", *Dawn*, 5 August 2019.

[150] With Chinese support, the Kashmir issue was raised twice at closed-door Security Council consultations in the last year. Pakistan also highlighted it during the UN General Assembly in September 2019.

such an attack could provoke an armed conflict, even if Islamabad's direct involvement is not evident. New Delhi regularly alleges that the Pakistani military is facilitating militant infiltration across the Line of Control, and suspects Islamabad of being behind the newly created Resistance Front.

Frequent clashes between Indian and Pakistani forces along Kashmir's Line of Control are accompanied by a hardening of hostile rhetoric. India's army chief has warned that New Delhi reserves the right to "pre-emptively strike" if Pakistan does not "stop its policy of state-sponsored terrorism".[151] Both the Indian government and army have stoked the fire by stating on several occasions that India does not rule out taking back the part of Kashmir administered by Pakistan.[152] Indian Defence Minister Rajnath Singh has also hinted that India could review its "no first use" policy on nuclear weapons, thereby leaving the door open to use of such weapons in case of perceived Pakistani aggression.[153] Although such statements seem mainly aimed at pandering to domestic constituencies, they point to emboldened rhetoric from India's political leaders.

For its part, Pakistan's military leadership cautions that its armed forces are fully prepared to respond to "any act of Indian aggression" and that the response would be "even stronger" than after India's February Balakot strikes. Warning that Modi's government could use the pretext of a militant attack to start an armed conflict that could lead to a "conventional war", Prime Minister Khan disavows any support for militancy in Kashmir. But Islamabad's pledges will have little credence in New Delhi until the Indian governments sees it acting decisively against Jaish-e-Mohammed and Laskhar-e-Tayyaba.

Pakistani jihadist and Kashmiri militant groups are, in any event, able to recruit young Kashmiris, not necessarily on Islamabad's directives but because of the resentment created among Kashmiris by Indian policies toward their homeland. So long as New Delhi fails to change course, another young Kashmiri, joining the ranks of a militant group – local or foreign – could conduct another Pulwama-type attack. India would inevitably hold Pakistan culpable and almost certainly retaliate militarily. Pakistan could respond in kind, increasing the risks of intensified conflict that could spiral out of control.

[151] "India reserves right to preemptively strike at source of terror, says army chief", *Press Trust of India*, 31 December 2019.

[152] Home Minister Amit Shah himself mentioned during his 5 August 2019 speech in parliament that Pakistani-controlled Kashmir is "an integral part of India". On 10 January 2020, Indian army chief General M.M. Naravane said the army stood ready to take "appropriate action" should parliament decide to take the territory back. "Will act if we get orders to reclaim PoK: army chief MM Naravane", *India Today*, 11 January 2020; "Amit Shah parliament speech", NDTV, 5 August 2019.

[153] "India's 'no first use nuclear policy' may change: Rajnath Singh", Livemint, 16 August 2019; ""Talks only on PoK': Rajnath Singh stings Pakistan on Kashmir", *Hindustan Times,* 16 June 2020; Ramesh Thakur, "Is India Still Committed to Its No-First Use Strategy?", Australian Strategic Policy Institute, 11 November 2019.

# VII. The Way Forward

## A. *Reaching out to Kashmiris*

The BJP appears in no mood for compromise, given the hegemony it now enjoys on India's domestic political scene and the nationalist ideology that seems to underpin much of its action in Kashmir. There is little reason to believe it will reverse course. Yet the BJP government's 5 August move and its broader strategy in Kashmir is not bringing peace and development, as advertised, but further alienation and violence. They risk doing lasting damage to New Delhi's already fraught relations with Kashmiris, stripping it of any local allies, potentially driving an entire generation of young Kashmiris toward militancy and condemning the region to continued unrest and violence, likely abetted by Islamabad.

Even in the face of Indian resistance, international allies should warn the BJP government that the present approach is sowing the seeds of long-term instability and do what they can to encourage a more moderate approach. At a time when India aspires to a greater international role, its most trusted partners should emphasise that the Kashmir unrest tarnishes its international image as a stable, emerging power. Given India's sensitivities about foreign interference and its insistence that all issues linked to its relations with Pakistan must be dealt with bilaterally, such advocacy likely requires both public diplomacy and work behind closed doors.[154] Although the EU and U.S. both reacted to the August 2019 events and have since given public statements on Kashmir, the issue does not appear central to their interaction with the Indian government; it should be brought back to the fore.[155] As India's largest trading partner, the EU, particularly, could likely play a more active role, as the European Parliament itself has repeatedly advocated.[156]

### 1. Revisiting the territory's reorganisation

Restoring the historical social contract New Delhi has had with Jammu and Kashmir's based on its special constitutional status would go a long way to rebuilding trust. The removal of constitutional guarantees that Kashmiri Muslims saw as essential to preserving their identity has only increased local anger; even pro-Indian political parties feel betrayed. Ideally, the BJP government would find a way to revisit the profound administrative changes it has unilaterally imposed on the region.

New Delhi may be willing to offer some concessions. The government appears oblivious to Kashmiri concerns that Article 35A's revocation and the subsequent

[154] The Shimla Agreement, signed on 2 July 1972, says that both countries will "settle their differences by peaceful means through bilateral negotiations". India often refers to this document to thwart any offers of third-party intervention on the Kashmir issue.
[155] "US calls for peace, stability after India's Kashmir move", Al Jazeera, 6 August 2019. "US expresses concern over detention of political leaders, internet restrictions in Kashmir", *The Indian Express*, 12 January 2020. "EU backs Kashmir solution through bilateral dialogue", *The Indian Express*, 2 September 2019. "EU for swift end to all curbs in Kashmir", *The Hindu*, 14 February 2020.
[156] On 1 June 2020, a group of European lawmakers wrote to the European Commission President Ursula von der Leyen and High Representative Josep Borrell saying "there are cases where it feels like we [the EU] are not doing everything we can: this is the case of Kashmir". See "Kashmir under double lockdown despite EU protests", *The Brussels Times*, 15 June 2020.

domicile law could reshape the region's demography and economic opportunity; it is unlikely to walk those back. Still, Prime Minister Modi might be open to restoring Jammu and Kashmir's status as a state. "If things improve, Jammu and Kashmir does not have to be a union territory always", he declared just days after 5 August. Other top officials, including Home Minister Shah, express the same view.[157] While in itself, such a step is unlikely to restore Kashmiris' faith in Indian democracy, it would be a start. It would enable an empowered local legislature to voice Kashmiri concerns. That assembly could also act as a conduit between the Indian state and the region, and a structure for essential dialogue. In the meantime, New Delhi should refrain from further restructuring the local administration and amending laws; such reforms fuel speculation that the restoration of statehood will only be discussed after local power structures have been irremediably dismantled.

### 2. Ending impunity and rights abuses

The indiscriminate force against civilians used by Indian troops and police as part of their counter-insurgency operations is particularly counterproductive. Enforced disappearances, extrajudicial killings, torture and other abuses fuels militancy in Kashmir rather than containing it. Firing upon unarmed protesters only pushes them to pick up weapons.

Reversing the impunity enjoyed by the security forces is key. Since its introduction in Jammu and Kashmir in 1990, the Armed Forces Special Powers Act has protected military personnel responsible for grave rights abuses. Innumerable voices, including Indian and international human rights organisations, various UN representatives, and even a government-appointed committee, have over the years called for the repeal of this legislation, but India is adamant it is essential to counter-insurgency efforts.[158] While it is unlikely to give it up, military courts might at least ensure that perpetrators of grave rights abuses are investigated, prosecuted and sentenced, with penalties reflecting the gravity of the charges. If the evidence warrants it, military personnel should be tried in civilian courts and judicial proceedings made public.

Other laws are also problematic. The government should reform the Public Safety Act, so that it meets international human rights standards, and stop misusing it to quell dissent. Charging Kashmiris, including political leaders and minors, under a law that bypasses traditional judicial rights only reinforces Kashmiri perceptions of injustice. The government's recent recourse to the Unlawful Activities Prevention Act for arresting journalists adds to this sentiment; the government should restrain its use to clear anti-terrorism cases.

[157] "Amit Shah 'assures early statehood' for J&K in meeting with Apni Party delegation", *The Wire*, 15 March 2020.

[158] Human Rights Watch, Amnesty International and a number of Indian organisations have all called for the Act to be revoked. Members of the UN Human Rights Committee also questioned its validity as early as 1991. Since then, the UN High Commissioner for Human Rights, the UN Special Rapporteur on extrajudicial, summary or arbitrary executions, the Committee on the Elimination of Discrimination Against Women, and the Committee on the Elimination of Racial Discrimination have all called for an end to the Act. In April 2007, a working group appointed by the Indian prime minister, also called for its revocation, saying it "impinge[d] on the fundamental rights of citizens".

Optimally, New Delhi would reduce its military presence and rely more on local policing in Kashmir, though admittedly such a step appears far removed from its current approach. Reducing the numbers of soldiers, starting with the additional troops deployed after 5 August, and relying more on local police, though with greater oversight, could help reduce tensions. It would require maintaining a clear distinction between the police's roles in counter-insurgency operations and in maintaining law and order, for example during protests. Promoting Kashmiris to higher echelons of the police could improve relations between the security forces and locals.

### 3. Allowing political process of all shades

The Indian government's treatment of Kashmir's political class over the last year not only damages its international reputation but threatens to leave New Delhi bereft of moderate opposition or partners in Kashmir. That some Kashmiri politicians are still in detention after a year, with no valid reason provided, is by any standard a violation of democratic rights guaranteed under the Indian constitution. The recent extension of PDP President Mehbooba Mufti's house arrest until November is, in this regard, particularly self-defeating.

The prohibition of political activity in the Valley is stripping New Delhi of any potential Kashmir allies. Even if most Kashmiris question their bona fides after their collaboration with past Indian governments, the mainstream Kashmiri parties will likely continue to play an important role in any future Kashmiri parliament. India's attempt to sidetrack them will almost certainly push them toward less conciliatory positions. After the events of the past year, the National Conference and People's Democratic Party have little choice but to firmly oppose New Delhi's hardline policies if they are to retain any credibility with their base. On 29 July, ex-chief minister Omar Abdullah said New Delhi's policies had played into the hands of separatists. "I don't know how much political space today actually exists for mainstream political parties", he admitted, adding he would not participate in elections unless statehood is restored.[159]

The BJP government's refusal to talk to Kashmiri separatist parties is equally problematic. Banning Jamaat-e-Islami and the Jammu Kashmir Liberation Front will not necessarily reduce their appeal. Nor will the government's refusal to engage with Hurriyat leaders bring peace to the troubled region. By spurning separatist leaders, and keeping them in jail or under house arrest, the Modi government is creating the space for harder-line elements to take their place, including militants. The absence of traditional separatist voices from the public sphere is creating a dangerous vacuum at a time when anti-Indian sentiment in Kashmir is at an all-time high. As a rights activist said, "If their absence in the past (because of frequent detentions) was occasional … it now appears permanent. In the absence of a political group that Kashmiris can trust and feel represented by, the appeal of the gun is enhanced".[160]

Politics apart, blocking Kashmiris from freely expressing their opinions at a time when their homeland is undergoing the most radical changes since India's independ-

[159] "I will raise my voice, I will fight, but I will not give somebody in a uniform with a gun an excuse or a reason to kill one of us" (interview), *The Indian Express*, 29 July 2020.
[160] Crisis Group interview, Srinagar, May 2019.

ence is fuelling hatred of Indian rule. In this regard, allowing the local press to function normally, as elsewhere in the country, and resuming regular mobile internet connectivity would contribute to lowering the present level of resentment. The recent spike in militancy-related incidents proves the government's justification for the internet ban – to lessen the risk of "coordinating acts of terror" – is flawed.[161] Kashmiris, particularly the youth, perceive it as unfair collective punishment.

### B. *Resuming Dialogue with Pakistan and Track II Initiatives*

The lack of direct communication channels between Indian and Pakistani leaders, and their countries' military confrontation along Kashmir's Line of Control, inevitably increases dangers of an unintended escalation. External actors should push for rapprochement before it is too late. Given the present level of animosity, resuming bilateral dialogue, suspended since 2016, will necessitate concerted action, particularly from Western capitals. The task will not be easy. Leaders on both sides are playing to uncompromising constituencies. New Delhi refuses to even contemplate re-engaging with Islamabad until it takes credible action against anti-India jihadists operating from its soil. International actors who have some influence in Pakistan, particularly the U.S., will need to exert pressure for it to do so. The FATF remains, thus far, the channel most likely to yield results: for economic reasons, and to maintain its diplomatic credibility, Pakistan could ill afford to appear on the terrorist financing watchdog's black list.[162] Still, Islamabad's track record suggests that even with such pressure, compelling it to entirely withdraw support for jihadist groups is likely to be a hard slog.

Despite India's legitimate concerns about the infiltration of jihadists from across the border, resuming dialogue with Pakistan is in its interest. As a senior New Delhi-based security analyst noted, efforts to deal with the Kashmir conflict through military means are "counterproductive because of the considerable allocation of expenditure and manpower, and because that approach has failed to contain militancy".[163] If New Delhi is uncomfortable with engaging publicly for domestic reasons, it could revive more discreet communication channels, which would no doubt prove useful in case of a terrorist attack in Kashmir or major incident on the Line of Control.

Until such time that both countries are willing to engage, New Delhi and Islamabad should reduce risks by respecting the 2003 ceasefire along Kashmir's Line of Control. Frequent skirmishes have claimed scores of lives, both military and civilian, displaced families, and destroyed livelihoods in the bordering regions. A quiet border would, in that sense, also alleviate Kashmiri grievances. New Delhi and Islamabad should also revive earlier confidence-building measures such as resuming travel

[161] "Indian government 2G restrictions in Kashmir fail to curb online criticism", Atlantic Council, 25 May 2020.

[162] Officially known as "High Risk Jurisdictions Subject to a Call for Action", the black list is intended to warn investors and banks of the high risk of money laundering and terror financing involved in dealing with countries listed, thereby depriving them of funds but also hurting their international reputation. Pakistan is presently on the FATF grey list, and the International Monetary Fund has warned that its blacklisting could result in a freeze of capital flows and slow progress in refinancing/re-profiling of loans from major bilateral creditors. Only two countries are presently on the black list: Iran and North Korea.

[163] Crisis Group interview, New Delhi, June 2019.

and trade across the Line of Control. If and when relations improve sufficiently for dialogue about Kashmir, it will only be meaningful if Kashmiris on both sides are included.[164]

Track II dialogues could also be a useful mechanism for defusing tensions. As a former Indian high commissioner to Pakistan said, "They cannot be a substitute for Track I – official engagement – but they do provide state actors an impetus to begin a dialogue on resolving conflict".[165] Such interactions and people-to-people initiatives have the potential at the very least to stimulate ideas and inform policymakers about the other side's perspective. Visa restrictions largely prevent Indian and Pakistani citizens from participating in Track II initiatives in either country, but such meetings have in the past been held outside the region.

[164] An Indian civil society activist who has led several Track II India-Pakistan initiatives emphasised: "No dialogue is no option; it has to begin between India and Pakistan and between the two states and the Kashmiri people". Crisis Group interview, New Delhi, June 2019. Crisis Group has long recommended including Kashmiris in any India-Pakistan negotiations on the Kashmir conflict. See Crisis Group Reports, *Stabilising a Cold Peace;* and *Learning from History*, both op. cit.
[165] Crisis Group interview, New Delhi, June 2019.

## VIII. Conclusion

Jammu and Kashmir is less stable today than it was before the Modi government revoked the region's semi-autonomous status, and drastically changed its constitutional, political, territorial and economic status. By unliterally scrapping the core of its social contract with the Himalayan region, and forcibly suppressing local dissent, New Delhi has further undercut its ability to reach out to disgruntled Kashmiris and likely pushed more youngsters to opt for the gun. If the BJP government is to contain the insurgency in Kashmir, it needs to curtail its armed forces' impunity, end its reliance on draconian laws and re-engage with Kashmiri leaders of all shades of opinion – pro-India and separatist alike. For three decades, repression and humiliation have been major drivers of Kashmir's uprising against the Indian state. Without a change in policy, it will not only persist but likely grow. Violence will breed more violence.

In the absence of direct channels of communication between India and Pakistan, risks of a regional conflict will continue to mount, with potentially disastrous consequences. Neither side wants a war, yet each is pursuing policies that heighten risks of some form of confrontation. India's and Pakistan's top civilian and military leaders should tone down inflammatory rhetoric, respect the ceasefire they have committed to along Kashmir's Line of Control, and seek ways of progressively resuming bilateral dialogue. India's international partners should do what they can to press the BJP government to, at a minimum, soften its counter-insurgency approach in Kashmir and allow political activity to resume. Meanwhile, Pakistan's international partners will need to keep up pressure for it to stop supporting anti-India jihadists active in Jammu and Kashmir. For both sides, reversing course might not be easy, but the stakes in Kashmir are too high to ignore.

**Srinagar/Brussels, 5 August 2020**

## Appendix A: Map of Kashmir Region


Source: Wikipedia – map of Kashmir region created by the U.S. Central Intelligence Agency, 2004; altered by Fowler&fowler (talk) 06:29, 14 November 2019 (UTC).

The green dashed line indicates the State/Union Territory (India) and Province (Pakistan) boundaries.

Both India and Pakistan claim the entire territory of the former princely state of Jammu and Kashmir.

## Appendix B: About the International Crisis Group

The International Crisis Group (Crisis Group) is an independent, non-profit, non-governmental organisation, with some 120 staff members on five continents, working through field-based analysis and high-level advocacy to prevent and resolve deadly conflict.

Crisis Group's approach is grounded in field research. Teams of political analysts are located within or close by countries or regions at risk of outbreak, escalation or recurrence of violent conflict. Based on information and assessments from the field, it produces analytical reports containing practical recommendations targeted at key international, regional and national decision-takers. Crisis Group also publishes *CrisisWatch*, a monthly early-warning bulletin, providing a succinct regular update on the state of play in up to 80 situations of conflict or potential conflict around the world.

Crisis Group's reports are distributed widely by email and made available simultaneously on its website, www.crisisgroup.org. Crisis Group works closely with governments and those who influence them, including the media, to highlight its crisis analyses and to generate support for its policy prescriptions.

The Crisis Group Board of Trustees – which includes prominent figures from the fields of politics, diplomacy, business and the media – is directly involved in helping to bring the reports and recommendations to the attention of senior policymakers around the world. Crisis Group is co-chaired by President & CEO of the Fiore Group and Founder of the Radcliffe Foundation, Frank Giustra, as well as by former UN Deputy Secretary-General and Administrator of the United Nations Development Programme (UNDP), Lord (Mark) Malloch-Brown.

Crisis Group's President & CEO, Robert Malley, took up the post on 1 January 2018. Malley was formerly Crisis Group's Middle East and North Africa Program Director and most recently was a Special Assistant to former U.S. President Barack Obama as well as Senior Adviser to the President for the Counter-ISIL Campaign, and White House Coordinator for the Middle East, North Africa and the Gulf region. Previously, he served as President Bill Clinton's Special Assistant for Israeli-Palestinian Affairs.

Crisis Group's international headquarters is in Brussels, and the organisation has offices in seven other locations: Bogotá, Dakar, Istanbul, Nairobi, London, New York, and Washington, DC. It has presences in the following locations: Abuja, Addis Ababa, Bahrain, Baku, Bangkok, Beirut, Caracas, Gaza City, Guatemala City, Jerusalem, Johannesburg, Juba, Kabul, Kiev, Manila, Mexico City, Moscow, Seoul, Tbilisi, Toronto, Tripoli, Tunis, and Yangon.

Crisis Group receives financial support from a wide range of governments, foundations, and private sources. Currently Crisis Group holds relationships with the following governmental departments and agencies: Australian Department of Foreign Affairs and Trade, Austrian Development Agency, Danish Ministry of Foreign Affairs, Dutch Ministry of Foreign Affairs, European Union Emergency Trust Fund for Africa, European Union Instrument contributing to Stability and Peace, Finnish Ministry of Foreign Affairs, French Development Agency, French Ministry of Europe and Foreign Affairs, Global Affairs Canada, Iceland Ministry for Foreign Affairs, Irish Department of Foreign Affairs and Trade, the Principality of Liechtenstein Ministry of Foreign Affairs, Luxembourg Ministry of Foreign and European Affairs, Norwegian Ministry of Foreign Affairs, Qatar Ministry of Foreign Affairs, Swedish Ministry of Foreign Affairs, Swiss Federal Department of Foreign Affairs, UK Department for International Development, and the World Bank.

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**August 2020**

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