

“How does one censor rage?”: How India’s surveillance and control practices have restricted the rights of Muslims in Jammu & Kashmir

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ABSTRACT

This paper examines how India’s post-2019 surveillance and information-control practices in Jammu and Kashmir—including internet shutdowns, CCTV and drone monitoring, social-media surveillance, and media crackdowns—affect the rights of the region’s Muslim-majority population. Using a qualitative literature review, it synthesizes scholarship on settler colonialism and spaciocide, human-rights documentation from organizations such as Amnesty International and OHCHR, and investigative journalism with direct access to Kashmir. It argues that these practices operate not as isolated security measures but as an interlocking system of governance that disciplines movement, suppresses dissent, and encourages self-censorship. The paper finds that this surveillance architecture implicates multiple rights protected under international human-rights law, including expression, privacy, due process, education, and political participation. It then evaluates the limited effectiveness of current international responses and proposes policy recommendations for the Indian state, the United Nations, international human-rights organizations, and technology platforms. The paper concludes that durable resolution requires not only stronger protections against repression but serious engagement with Kashmiri self-determination.

INTRODUCTION

Since its revocation of Articles 370 and 35A in August of 2019, India has ramped up efforts to marginalize, persecute, and censor Muslims in Kashmir. Even before this moment, however, India engaged in settler colonialism to foster a hostile environment towards Kashmiris, leading many to ask, “Why hasn’t the world questioned this sooner?” Article 370 has long served as a legal framework that allowed the Jammu and Kashmir regions elements of autonomy, such as their own constitution and ability to make their own laws. This included rules regarding citizenship, ownership of property, as well as rights that those in the region hold. Article 35A was implemented under Article 370, and granted special rights to permanent Jammu and Kashmir residents (Pandey, 2019). With these critical articles being revoked, Kashmir no longer had the capacity for self-governance, and Kashmiris were required to abide by the Indian federal constitution, like any other state. Now, entities such as the Indian government and private

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companies are able to purchase Kashmiri land, effectively eliminating the native population’s political sovereignty whilst working through its Hindu nationalist (Hindutva) program to label them as foreign invaders on Indian land (Zargar & Osuri, 2024).

This strategy of buying up land in Jammu and Kashmir falls under the Indian government’s larger strategy of settler colonialism (Zargar & Osuri, 2024). India has continuously occupied Kashmir, since August 2019, creating the guise of a state in permanent emergency. In reality, the presence of militias in Kashmir enforces Indian rule in a region that does not recognize Indian sovereignty (Zia, 2025). This timeline directly corresponds to the definition of settler colonialism, where an exogenous population maintains a presence in a colonial territory, controlling land while attempting to eliminate the native people and culture (Wolfe, 2006).

The presence of Indian armed forces in Kashmir inevitably leads to surveillance in the region, where the native population lives highly monitored lives. Journalists are threatened, locals live in constant fear, communication is constantly monitored, and media is highly restricted (Qadri, 2023). These factors combined led to India’s attempts at erasing the Kashmiri population from memory by being able to control and limit the exposure of their narratives of political struggle. The Indian government is able to label Kashmiris who speak out as “terrorists” or illegal occupants. Through a wider counterinsurgency structure, they face the constant threat of imprisonment, harassment, or even death (Qadri, 2023).

After reviewing the methods that the Indian government uses to survey and silence Kashmiri Muslims, such as media censorship, self-censorship, human rights violations, and police presence, it is evident that the native population’s rights to self-expression, their human rights, and their consistent persecution heavily impact their day-to-day lives. In the Los Angeles Review of Books (LARB), journalist Umar Lateef Misgar wrote about how censorship in Kashmir is becoming increasingly common since the Bharatiya Janata Party (BJP) came to power. Citing a personal story, he recalled an interaction he had with his grandmother, who was convinced that the military would take her away due to being mentioned in an article (Misgar, 2021). Despite this journalist, the true story of what goes on within Kashmir is mainly a mystery, rooted in the fear that Kashmiris have to speak the truth in the face of the aforementioned consequences.

These persistent concerns have led to global outcries regarding the true story of atrocities in the occupied region, leading us to ask: How do India’s post-2019 surveillance and information-control practices in Jammu and Kashmir—such as internet shutdowns, facial-recognition systems, and restrictions on media—affect the rights of the region’s Muslim-majority population under international human-rights law? Moreover, what actions should UN bodies and other international actors take in response? This literature review will emphasize secondary sources and select journalistic accounts due to the lack of international dialogue surrounding Kashmir’s ongoing conflict. Further, the extent to which Kashmiris are being subjected to surveillance is not often discussed and will also be highlighted in this review.

Existing scholarship on Kashmir falls into one of three kinds of literature. First, legal and constitutional analyses of Article 370 focus primarily on the legality and federal implications of revocation rather than on how the post-2019 order has reshaped everyday life in Kashmir (Pandey, 2019). Second, human-rights reporting by organizations such as Amnesty International documents detention, torture, press intimidation, and restrictions on dissent, but usually as discrete violations rather than as elements of a single governing structure (Press, 2024). Third, scholarship that applies settler-colonial or spaciocidal frameworks to Kashmir offers a strong account of land dispossession and the utilization of space (Mushtaq & Amin, 2021; Zargar & Osuri, 2024), yet says less about how post-2019 surveillance technologies and information controls operate together in daily life. This paper addresses that gap by analyzing CCTV and drone monitoring, social-media surveillance, internet shutdowns, media crackdowns, and self-censorship as interlocking practices. In doing so, it argues that surveillance in Jammu and Kashmir functions as a structural mechanism of settler-colonial governance, instead of a counterinsurgency tactic, while also extending that argument into the policy through an assessment of international responses.

This paper begins by outlining the legal history behind Articles 370 and 35A and placing their revocation within the broader frameworks of settler colonialism and spaciocide to establish why 2019 marks such a clear turning point. From there, it walks through the specific mechanisms the Indian state has used, such as CCTV and drone networks, social media monitoring, CASO operations, internet blackouts, media bans, and the self-censorship that follows. Then, the paper turns to measuring these practices against the Universal Declaration of Human Rights and international law, working through exactly which rights have been violated and how. It closes by looking at the track record of the United Nations, Amnesty International, the International Court of Justice, and other international actors, and by laying out both short-term and long-term solutions. Ultimately, this review finds that Kashmir's surveillance is best understood not as a temporary counterterrorism measure, but as a structural and lasting mechanism of settler colonial rule, which has produced extensive, well-documented human rights violations that existing international mechanisms have so far failed to address (Qadri, 2023; Mushtaq & Amin, 2021).

This qualitative literature review pulls together a range of academic work on settler colonialism (Wolfe, 2006), which contributes to the paper’s theory, and highlights responses from international human rights bodies (Press, 2024). The format of a qualitative literature review was used since the paper does not reveal entirely new information; instead, it gathers existing sources on the ongoing issue in Kashmir to contextualize and place it within both past and present-day global affairs. Further, the selection process specifically looked for papers with intentional connections to sections of the paper (such as specifically having statistics for “Defining the Issue”). Once selected, articles were divided into categories based on where they fit in the scheme of the paper.

DEFINING THE ISSUE

Prior to 2019, Jammu and Kashmir were primarily independent regions, and Article 370 “allowed the state a certain amount of autonomy - its own constitution, a separate flag and freedom to make laws” (Pandey, 2019). While the Indian government still possessed control over foreign affairs and defense, Jammu and Kashmir established restrictions on permanent residency and property ownership, barring non-Kashmiri Indians from purchasing land or settling in Kashmir. This was protected by Article 35A, which was implemented under Article 370, which had allowed Jammu and Kashmir to define the criteria for being a permanent resident of the region (Pandey, 2019).

After the revocation of both 370 and 35A in August 2019, the regions lost their special status, sovereignty, and ability to declare their own rules, allowing Indian armed forces to suppress Kashmiri rebellions while maintaining a strong presence in the region. This essentially created a carceral-like situation. Nasir Qadri’s 2023 article, “Blatant Panopticon: Enforced Surveillance in Kashmir,” compared post-2019 Kashmir to “the panopticon—a design of institutional building with an inbuilt system of control...the center panopticon is surrounded by watchmen to constantly monitor the behavior of prisoners” (Qadri, 2023). Qadri analyzed how the armed forces hindered day-to-day life in Jammu and Kashmir, with Indian forces constantly monitoring the native population, restricting communication paths, and cracking down on media outlets (Qadri, 2023). Further, the removal of Jammu and Kashmir’s special laws allowed foreign entities, such as the Indian government, to purchase their land and gradually repress and replace the indigenous Kashmiri population (Mushtaq & Amin, 2021). Researchers Samreen Mushtaq and Mudasir Amin framed the situation, describing a situation in which India “positions Kashmir as both the paradise and the crown of the nation and as a territory of defiant people to be disciplined into submission or to be eliminated” (Mushtaq & Amin, 2021).

The presence of armed forces allows the Indian government to assert their rule while systematically targeting Kashmiris through a “spacio-cidal form where the attempt is to target people’s living spaces, or make them uninhabitable for those to whom they belong” (Mushtaq & Amin, 2021). For example, in January of 1993, the Indian forces killed 53 civilians in what came to be known as the Sopore massacre, with an additional 75 houses and 400 shops being burned to the ground (Amnesty International, 1993). The term spaciocide was coined in the early 2000s to describe how Israeli colonialism targeted the Palestinian society as a collective. This term is now applied to the Indian government’s colonization and occupation of Jammu and Kashmir, where the Indian government and armed forces have made living spaces unlivable by destroying and vandalizing properties through search operations, encounters with the police, and by declaring Kashmiri actions as complicit. This form of spaciocide is described as a “form of collective punishment, reinforcing vulnerabilities, seeking to induce fear” (Mushtaq & Amin, 2021). This goes further than just property destruction, as the Indian government has also made moves to rezone areas to strategically cleave the region into areas that are “problematic” or more prone to violence, as opposed to areas with lesser issues. Social fragmentation has been a tactic used to divide groups to prevent a collective uprising. As an element of spaciocide, the rezoning of Jammu and Kashmir has led to polarization within the regions and a growing sense of isolation (Mushtaq & Amin, 2021).

Spaciocide, the panopticon, and the portrayed image of Kashmiris as intruders in Kashmir remain key components in the overall settler-colonial project that the Indian government has engaged and executed in the region. Settler colonialism, which, according to the late anthropologist Patrick Wolfe, works through the logic of elimination, is commonly associated with genocide and the liquidation of the indigenous population. At its core, settler colonialism strives to eliminate the native through relocation, cultural assimilation, religious conversion, and other hostile alternatives seeking to remove, alter, destabilize, or replace the indigenous population. As described by Wolfe, “Strategies, including frontier homicide, are characteristics of settler colonialism...settler colonialism destroys to replace” (Wolfe, 2006). In the case of the Jammu and Kashmir regions, the native Kashmiri population is being threatened by the actions of the Indian government through the harmful narrative that is being presented surrounding them. This practice is known as memocide. Despite being the native people who have lived in the region for generations, they are described as Muslim encroachers on Hindu land, making it seem as though they are illegally occupying stolen Indian land. Here, the Indian government is tapping into the longstanding narrative of Indian Muslims as foreign invaders, associated with the Arab, Turkish, and Persianate worlds (Zargar & Osuri, 2024).

In actuality, the Indian government illustrated this story as a means to regain control over the territory to reap the benefits, and forced the natives to assimilate or face discrimination or death. For example, in February 2020, policemen beat 5 native Kashmiri men in the street and were forced to sing India’s national anthem (Bajoria, 2020). Jayshree Bajoria of Human Rights Watch describes the polarized communities, stating that “Indians of all faiths have protested peacefully against the law...it also provoked the ire of the ruling BJP, with some of its leaders deriding the protestors...others led a chant to ‘shoot the traitors’” (Bajoria, 2020). Despite protests against the new citizenship laws by both Kashmiris and Indians alike, the Indian government continues to systematically target Kashmiris. Politically, a separatist insurgency against the Indian government has been operating for decades, likely contributing to the revocation of Articles 370 and 35A. Further, Jammu and Kashmir are rich in natural resources, providing economic incentives for India to regain control of the territory (Prasad & Desai, 2026). These factors combined to play a major part in the revocation of both articles, as well as the continued hostility in the region and the overall use of the settler colonialism framework in Kashmir.

Ever since the revocation of Articles 370 and 35A, internet shutdowns and media monitoring have risen in commonality. While many ask why people in Jammu and Kashmir have remained silent, the reality is that local journalists face constant threats, news outlets are heavily penalized, and civilians and reporters alike are killed for speaking out against these atrocities. Former senior assistant editor of *The Economic Times*, Najeeb Mubarki, describes the actions of the Indian government as “arguably the most blatant, openly repressive measures against journalists ever undertaken in Kashmir” (Raafi, 2021). In cases all around Jammu and Kashmir, journalists face police brutality, death threats, and arrest for reporting on news in the region. Due to these severe punishments, journalists and civilians alike remain silent to avoid drawing attention.

SURVEILLANCE, MEDIA CRACKDOWNS, & COMMUNICATION SHUTDOWNS

Following the revocation of Jammu and Kashmir’s special status by the Indian government, the civilian population within Kashmir has been subjected to a sharp increase in deployed surveillance. The presence of police forces and military, combined with the journalists, civilians, and news outlets, has created a tense environment where those in power assert control over other groups. The Indian government has manipulated the presence of the police and military to alter Kashmir into a panopticon, where individuals and communities alike are restricted from the practice of self-expression, limiting freedom, and intensifying conflict (Qadri, 2023). The Panopticon, conceived by the philosopher Jeremy Bentham in the 18th century, is a prison design in which a single guard can monitor all prisoners from a central tower while remaining unseen.

The Indian state utilizes both technology as well as manpower to strategically implement its counterinsurgency mechanism. Hidden cameras ensure that Kashmiris are watched, but perhaps worse, no matter where they are, the threat of being watched stalks Kashmiris past boundaries that cameras cannot cross. Fueled by advancements in digital technology, this network has expanded significantly across the region. With the introduction of drones, Jammu and Kashmir police have established a 'drone grid system' that provides around-the-clock electronic surveillance over vulnerable areas and regions prone to suspicious activity. Further, the usage of drones and CCTV allows the police to deploy forces or personnel, with special attention paid to the families of suspected members of the militant group. (Malik, 2021). The presence of cameras and drones creates a hostile environment for Kashmiris, as the feeling of being watched encourages them to keep their heads down and to avoid acts that could be interpreted as retaliation or as suspicious.

In tandem with CCTV and drones, the Indian state uses surveillance through social media. Major social media sites, including WhatsApp, X (formerly Twitter), Instagram, and Snapchat, granted Jammu and Kashmir police full access to track groups or individuals deemed as anti-national, with people of all ages being unknowingly watched through their activity on these sites. This act of surveillance, while it may seem small compared to other methods like CCTV, can be subjected to the snowball effect, where small, anti-nationalist comments can pile up and lead to consequences like arrest and administrative detention or imprisonment (Qadri, 2023).

Since 2018, the Indian army has reintroduced Cordon and Search Operations (CASOs) as part of its counter-terrorism strategy in Jammu and Kashmir. CASO serves as a mechanism to both find “insurgents” and to intimidate civilians; the event of unexpected searches often leaves homes ransacked, with these missions being both effective and traumatizing to civilians subjected to them. Over the past decade, Kashmiris have lived in fear under prolonged military occupation, and the active targeting of the minority group deepens the unease throughout the region (“Army Brings Back CASO,” 2018).

Despite the intense coordination of surveillance and censorship in homes and communities, the oppression does not stop there. The immense scale of monitoring expands to regional checkpoints, workplaces, universities, and even hospitals. In late 2025, a medical college in Kashmir was shut down due to protests from right-wing Hindus over the number of Muslims admitted into the college. The recognition of the Shri Mata Vaishno Devi Medical Institute (SMVDMI) was revoked by the National Medical Commission (NMC), a body that regulates medical education and practices. 18-year-old Saniya told the story of the SMVDMI shutdown through the lens of a Baramulla district resident, saying that local Hindu groups launched demonstrations and demanded that the college revoke the admission of Muslims students. Even actions at the federal level were taken, with legislators of the BJP writing petitions to Kashmir’s lieutenant governor, encouraging him to take action to restrict minorities from admission into the SMVDMI. Students and parents alike voiced outrage, with comments regarding the supportive faculty, the lack of religious pressure, and the pristine facilities raising questions regarding the grounds on which the NMC based their claims (“India Shuts Kashmir Medical College,” 2026). The actions taken by legislators and the NMC signify a larger nationalist identity gaining control of all aspects of life for Kashmiris, where neither home nor school or work is safe for them.

While internet surveillance and restriction is a relatively recent development in the timeline of the ongoing conflict in Kashmir, its scale has already become massive. On August 5th 2019, a complete internet shutdown was imposed in Jammu and Kashmir; to this day, Kashmiris only have access to the 2G level and have kbps limits. The Indian government championed these blackouts as a means of reducing the circulation of anti-national content, as well as to reduce attempts of recruiting youth into the ranks of militants. Despite its presentation as a counter-violence mechanism, organizations like the Civil Society, as well as political parties and even retired security officials, have voiced objection to these policies (Shah, 2020). Acts of internet restriction serve as a way for the Indian government to restrict the abilities of civilians to speak out and serve as a quiet means of censorship. Further than this, however, the restriction of media also prevents communication between Kashmiris, eliminating the means of organized protest against the BJP and relevant policies. Overall, the internet blackouts in Kashmir serve as a multifaceted method that blankets the region in silence (Shah, 2020).

Along with internet blackouts, media crackdowns have also become rampant in Kashmir. While journalism remains a key method in which civilians speak out about the restrictions they face, these methods of media are also slowly being shut down. In Srinagar, despite mounting challenges, journals such as *The Kashmir Walla* (KW) had continued to report news from Kashmir. Known for its extensive coverage of news from Jammu and Kashmir, from local politics to human rights, KW grew as a critical voice in the overall discussion of Kashmir. However, 10 years after KW’s founding in 2009, the 2019 revocation of Article 370 & 35A led to a hard crackdown on the free press, creating an extremely hostile environment for journalism. In 2020, journalists working for KW began receiving threats from officials, who told them to take down their stories. It all came to a head when KW founder Fahad Shah was charged under the Unlawful Activities (Prevention) Act (UAPA). Since then, he has been repeatedly arrested on various counts, all related to the KW (Nabi, 2025).

In 2023, when Shah was in prison, the KW was permanently banned and taken down. Its shutdown came as a shock to many journalists who worked with him, as the *Kashmir Walla* was one of the few independent news organizations in Jammu and Kashmir. However, when journalists were approached, none of them were willing to disclose their names or go on record, further highlighting the process of social disciplining that grips the region (Nabi, 2025). Overall, censorship in Jammu and Kashmir remains one of the primary reasons why news from the region often fails to reach the mainstream media.

While censorship from external parties persists, internal barriers prevent people from speaking out. Self-censorship refers to the practice of silencing oneself, typically to divert attention and to avoid repercussions. In Jammu and Kashmir, journalists and civilians alike practice self-censorship to avoid attention from the police, the armed forces, and the government. Fear has become inescapable, forcing many Kashmiris into silence. An investigative report published in 2020 suggests that Kashmiris have taken actions to censor themselves in online spaces. Fearful civilians have taken to deactivating their accounts, making their accounts private, and restricting who can view their posts. Actions like these were likely done in light of the ongoing police crackdown on dissenters expressing their ideas through social media (Qadri, 2023).

While outright self-censorship remains very much present in Kashmir, it remains critical to acknowledge the role that surveillance plays in it. While surveillance may not outright cause censorship, it plays a massive role in self-censorship. An example of this is self-censorship in the media, where navigating the intensely political environment that comes with militarization often leads journalists to restrict themselves from speaking out. Kashmiri journalist Samreen Mushtaq contributes an interesting nuance to the situation, emphasizing that journalists might “attach significance to our words and writings which they may not actually carry. After all, what words could ever suffice a story written in blood” (Mushtaq, 2021)? In a region where dissent is widespread but minimized, those who speak out face being marked as political radicals by the BJP and police forces. Being singled out in such a manner draws a target on the back of loud dissenters, encouraging self-censorship. Mushtaq also cites the actions of the state that encourage self-censorship, where “the context of the state manipulating us to believe its apparent invincibility...not only directs violence but also forms of resistance to it in terms of what we (are allowed to) speak and when and how” (Mushtaq, 2021). The strong presence and preaching of the beliefs of India’s BJP further incite doubt in the minds of journalists and civilians alike, furthering the extent and severity of self-censorship in Jammu and Kashmir (Mushtaq, 2021).

HUMAN RIGHTS & RESTRICTIONS ON THE MUSLIM MAJORITY

Human rights are the inherent, universal, and inalienable freedoms and entitlements that all humans possess, regardless of any status. The prominence of this phrase rose to popularity after the events of World War II, which led to the adoption of the Universal Declaration of Human Rights (General Assembly, 1966). These rights guarantee civil, political, economic, social, and cultural equality for all, and are paramount in ensuring justice and equality for everyone. One of the most infamous events within

the Kashmir conflict occurred in 1947. The Jammu Genocide, also known as the Jammu Massacre, refers to the deaths of at least 200,000 Jammu Muslims in Dogra State of Jammu and Kashmir (Al Jazeera, 2017). Victims included those killed in massacres and during deportation. In addition, mass atrocities, war crimes, and crimes against humanity were often found and exemplified in the context of this genocide. As a prime example of widespread violations of human rights, the Jammu Genocide normalized some level of inequality between Muslims and Hindus, further exacerbating the already present religious tension.

In 2024, Amnesty International declared that India must “end repression of dissent in Jammu and Kashmir” (Press, 2024). Citing repression of human rights, they call for Indian authorities to cease the harassment and intimidation of those who speak out. While the umbrella of human rights can be somewhat broad, there is an alarming number that stands out. Out of the 30 human rights outlined in the Universal Declaration of Human Rights, Muslims in Jammu and Kashmir have been subjected to the violation of 19 of them. The rights violated are:

1. All human beings are free and equal
2. No discrimination
3. No torture and inhumane treatment
4. Equal before the law
5. Right to be treated fair by the court
6. No unfair detainment
7. Right to trial
8. Innocent until proven guilty
9. Right to privacy
10. Freedom of thought and religion
11. Freedom of opinion and expression
12. Right to assemble
13. Right to democracy
14. Right of social service
15. Right to education
16. Right to culture and the arts
17. Freedom around the world
18. Subject to law
19. Human rights cannot be taken away

While events such as the use of CASO, the termination of SMVDMI, and the censorship of media are more blatant examples of human rights violations (those being rights against unfair detainment and a right to privacy, the right to education, and the freedom of opinion and expression respectively), there is an abundance of instances and events in which the basic human rights of Kashmiri Muslims have been violated. For example, the unfair treatment of Kashmiris after the Pahalgam attack in 2025 led to the detention of around 2,800, with some detainees being “allegedly tortured, held incommunicado, and denied access to lawyers and family members” (“UN experts alarmed by Indian counter-terrorism

operations, 2025). As a blatant violation of the right to no torture and inhumane treatment, the right to trial, and the right of being innocent until proven guilty, this exemplifies how policies and actions taken by the Indian government have disregarded the rights of Kashmiri Muslims and have consistently taken harmful actions that violated them.

As discussed earlier, Samreen Mushtaq’s analysis of self-censorship outlines a hostile environment that allows almost no movement for speaking out (Mushtaq, 2021). Some critics argue that self-censorship as an act cannot violate rights if it is carried out and enforced by oneself, as it is the choice of the censored individual. However, while self-censoring is not explicitly a violation of human rights, the result of it is inherently a violation of human rights. The right to freedom of opinion and expression not only encompasses the fact that people can voice their own beliefs, but also supports that people are freely allowed to be able to speak in the first place. After all, how are people expected to speak their mind if they are not allowed to speak at all? This is the exact juxtaposition being faced in Kashmir. While the act of self-censorship itself does not violate human rights, the induced inability to speak out does violate these rights.

Another infamous and widely-cited event within Jammu and Kashmir is the 1987 Assembly elections, which is widely believed to have ignited the current insurgency within the region (Ganai, 2024). In this election, Farooq Abdullah was reappointed as the Chief Minister, but many believed this election to be rigged. This is due to the fact that the Congress and the National Conference allied in light of the 1987 election. This led to distrust amongst Kashmiris, with many believing that their vote had been nullified or otherwise unaccounted for. This is a clear violation of the human right to democracy, as having a rigged election inherently leads to a non-democratic form of leadership, since those in power wouldn’t be picked by the people. Even in 2024, the bitterness and outrage from the 1987 elections still remains present, with Mehbooba Mufti, the president of the People’s Democratic Party, having heavily referenced the injustices of that election into her campaign, garnering sympathy from Kashmiris. The president of the Apni Party, Altaf Bukhari, also condemns the actions taken during the 1987 elections, blaming the National Conference and Congress. Overall, many parties still look down on the human rights violations that “paved the way for violence in Jammu and Kashmir...these parties and their leaders are responsible for deaths and bloodshed” (Ganai, 2024).

Delving into the use of media surveillance and CCTV/drones in Kashmir, it has been noted that the implementation of methods of surveillance were meant to discourage and ultimately prevent Kashmiris from speaking out or doing anything declared anti-national (Qadri, 2023). The prevention and inability of Kashmiris to speak out is inherently a human right violation. Even in cases where the right to freedom of opinion and expression are not fully taken away, the inhibition of one being able to be free still violates the unalienable rights. After all, these rights are not just violated if they are fully broken, and are still violated if they are partially faulted.

From an external angle, human rights exist to protect all citizens of the world from violation and to ensure equal treatment of all. In Kashmir, these rights are no longer guaranteed, they are conditional. This is an

ongoing violation of international law, with Kashmiris having been systematically exploited for their land and resources, requiring immediate international attention and action.

SUGGESTED PATHS FOR INTERNATIONAL BODIES

Since the ongoing conflict was sparked in 1947, the war has seen no sign of stopping. For almost 8 decades, the region has seen plenty of enacted United Nations resolutions, news coverage, and calls for accountability, yet even these actions have had a very limited impact on the resolution of this conflict. It is important to note that while conflict resolution is a priority, securing equal rights for Kashmiris is also of major importance and cannot be disregarded. The gateway to universal human rights violations begins with a small infraction, and the ongoing Jammu and Kashmir conflict should not be the beginning of it all.

Here, we turn to plausible actions that international bodies and other countries may take to bring about change on a larger scale. Out of all the parties involved, it is the Indian government itself that has the ability to cease the war, as they were the perpetrator in its initiation. There are several methods in which the Indian government could realistically solve the conflict and bring about a resolution. The most obvious one would be to reinstate Articles 370 and 35A, bringing back the status of a special region to Kashmir and allowing its people the same privileges that they previously held. However, this does not address the fundamental question of Kashmiri self-determination and political sovereignty.

In the interim, more long-term actions can be taken. Firstly, rebuilding political trust via enforcing democratic processes would be paramount in stimulating confidence in voting processes and democracy in India. This would include voting verification and encouragement, actions to minimize voting fraud, and the institution of more local elections. Further, encouraging collaboration between stakeholders with the Indian government, especially Kashmiris, as well as removing all communication blocks, whether that be through social media monitoring or WiFi shutdowns would facilitate a greater sense of peace within the region. This could be through legislature ensuring that these rights are upheld in the future. Lastly, overall reform is needed within Kashmir and India in order to restore the nation. Defending human rights and altering the current security strategies in the region are both needed to ensure the safeguarding of the welfare of all. This might look like completely removing all surveillance systems and further implementing measures to prevent the violation of human rights.

As a key international body, the United Nations has already taken action to attempt to reduce the level of conflict seen in the Jammu and Kashmir regions via demilitarization by both Pakistan and India (Security Council, 1948). However, the UN Security Council Resolution 47 failed to achieve this goal, with a great amount of the disputes between actual specificities of what the withdrawal of “minimum forces” meant, as well as the fact that both India and Pakistan were unwilling to remove forces. Since then, there have been other UN resolutions passed, such as Resolutions 51, 80, and 91, which mainly reinforced the ideas within Resolution 47 and recognized the ceasefire line within Kashmir. Resolutions since then have mainly included reaffirmations and further calling for demilitarization, with no avail.

After further investigation into the role of the UN within Kashmir, one thing becomes evident: the reason why major UN presence within Kashmir is unattainable is due to the host country, India, refusing to allow mandates such as peacekeepers or UN Fact-Finding Missions into the region. A way that the UN could further their involvement without escalating the situation is through UN Special Political Missions (SPMs). Since India has refused UN involvement due to its belief in bilateral diplomacy, it would make sense to deploy SPMs, considering that diplomacy between India and Pakistan has seen little progress. SPMs are focused on mediation and the monitoring of human rights, and importantly, are civilian-led missions. A Security Council resolution deploying SPMs may help alleviate conflict and introduce more global knowledge about the issue, and might be especially effective as attempts at a ceasefire remain uncertain. Alternatively, the removal of Kashmiris from the conflict zone may be another route that could minimize civilian harm. Nations like Canada, the United States, and the United Kingdom all receive large numbers of asylum-seeker applications, but through a UN sponsored program, this process could be streamlined to disperse Kashmiris more evenly across nations (UNHCR, 2026).

Amnesty International has been one of the biggest critical voices regarding the repression within the Indian administered side of Jammu and Kashmir. Through public statements, issuing repeated calls, and coordinating international advocacy, they have very openly criticized India’s handling of the situation and the actions that they have taken (Press, 2024). As a non-governmental organization (NGO), Amnesty International cannot fully resolve the conflict, but they are able to raise awareness, an action that they have already been taking. This includes continuing to publicize the numerous human rights violations within the region, like reports on travel bans, arbitrary detention, and the misuse of anti-terror laws. The continuity of these reports has built pressure on the Indian government to stop these actions. Further, Amnesty International’s global campaigns could include sending open letters specifically to world leaders, especially to the Indian Prime Minister, to further pressure the Indian government to take action and cease the numerous violations of human rights. Lastly, Amnesty International could publicly push for legal reform and accountability, such as terminating the misuse of the Public Safety Act and arbitrary detentions under the Unlawful Activities Act. These actions, while they may not be able to directly incite change, are able to pressure the Indian government into taking action through what legal scholar Noura Erakat has called a “war of legitimacy” (Erakat, 2019).

On the other hand, the International Court of Justice (ICJ) has never ruled on Kashmir for a key reason, that being since India does not accept ICJ jurisdiction, and therefore cannot be taken to court. However, there is an option that the UN could take that would allow the ICJ to weigh in. If the United Nations were to request an Advisory Opinion, the ICJ would be able to address key questions such as the legal status of Kashmir or the legality of certain actions that the Indian government has taken. This would not require India’s consent, and while it would be non-binding, it would hold immense political weight to help further encourage a switch in India’s current policies.

Large tech companies such as WhatsApp, X (formerly Twitter), Instagram, and Snapchat have allowed Kashmiri police to monitor the actions of local civilians, which represents an extreme violation of rights

(Qadri, 2023). An action that they could take might include withdrawing police access to these social media platforms, effectively reducing online surveillance that plagues the region. However, it is also important to recognize why the police had access to these sites in the first place, and that measures should be taken to prevent these actions from happening again. Overall, international action can be taken to remove harmed civilians from the region and to pressure the Indian government to take action. However, this likely requires larger international cooperation and incentive to make a large-scale change.

Since the eruption of the insurgency in Kashmir in the 1980s, numerous organizations dedicated to Kashmiri liberation have taken root to launch widespread dissent and outrage. Even into the 2020s, protests against Kashmiri repression advocating for freedom are very much widespread. Starting in the 1980s, the Jammu and Kashmir Liberation Front (JKLF) was one of the first armed groups participating in the insurgency movement. Heading into the 2000s, groups like Hizbul Mujahideen, and soon after, Punjabi Lashkar-e-Taiba (LeT) and Jaish-e-Mohammad (JeM) began to escalate tensions in the region (Prasad & Desai, 2026). Around the 2010s, protesting began to become digitized as well, with social media use amongst militant groups becoming popularized. This allowed for these groups and people to become more well known. One person in particular, Burhan Wani, was especially popular with younger audiences and pro-Pakistan supporters. Upon his death in 2016, a new wave of unrest arose against Indian security forces. In response, security began to target protestors, leading to international organizations condemning their actions. This eventually came to a head in 2018, which came to be known as one of the deadliest years within the insurgency. Due to Indian tactics of surveillance, the online presence of many groups has diminished. This has led to counterinsurgency efforts being led to find militants amongst civilians, but this has raised concerns about civilians being wrongfully accused or harmed. Politically this is critical, as it intensifies India-Pakistan relations and otherwise exacerbates the divide between Hindus and Muslims. Further, the bilateral framework used by India and Pakistan pressures both nations to agree on a course of action, especially since the region’s conflict has been ongoing for decades, and with violence escalating. Holistically, mounting pressure, especially on India, makes the nation’s response to insurgency highly scrutinized by Kashmiris as well as international organizations, making the situation especially delicate.

The *azadi* movement, or the struggle for freedom in Kashmir, began pre-partition, but rose to prominence following the revocation of Articles 370 and 35A in 2019 (Qureshi, 2023). The constant fight for freedom amplified in light of grievances and human rights violations, demanding Jammu and Kashmiri liberation from Indian rule and supporting the creation of a united and independent Kashmir. Action from international organizations, such as the UN and Amnesty International, is vital to keeping Jammu and Kashmir discussed on a worldwide scale; by keeping the topic relevant, action is more likely to be taken. However, international discussion is not enough. Kashmiri political movements have long called for self-determination. At the broadest level, self-determination means that a people have the right to “freely determine their political status” and pursue their “economic, social and cultural development.” That is the language of common Article 1 of the ICCPR/ICESCR (General Assembly Resolution 2200A, 1966). Self-determination is not promised to Kashmiris. The initial UN framework in 1948, rooted in Security Council Resolution 47, largely imagined a binary choice: India or Pakistan (Security Council, 1948).

Many Kashmiri articulations of *azadi* have insisted on something broader: freedom from military rule, the right to decide Kashmir’s future, protection of land and identity, release from coercive state structures, and independence rather than accession to either state (Qureshi, 2023). Here, self-determination is not identical to Pakistan’s claim over Kashmir, and it is not exhausted by India’s claim that elections prove consent. The application of self-determination in Kashmir and the discussion of self-determination on a global stage is critical in resolving the Jammu and Kashmir conflict. While written into international law, global organizations must strive for this law to actually be implemented in the Kashmir region to restore order in the region and resolve the calls of freedom and political liberation.

CONCLUSION

Kashmir’s decades-long struggle is deeply rooted in India’s history of discrimination and persecution towards Muslims, where the systematic use of spaciocide and the “logic of elimination” have led to drastic measures of repression against Kashmiri Muslims (Wolfe, 2006; Mushtaq & Amin, 2021). The revocation of Articles 370 & 35A was one of the most controversial events within the conflict, with discussion surrounding democratic processes, as well as utilizing memoricide to erase Kashmiri Muslims from memory and laying claim to the Jammu & Kashmir regions, identifying Kashmiris as foreigners or infiltrators (Zargar & Osuri, 2024). From there, surveillance has been rampant in the persecution of Kashmiris, through CCTV, drones, social media, repression of media, and otherwise constant police presence, while simultaneous spaciocide has made Kashmir an extremely hostile environment for the native people (Qadri, 2023). Lastly, self-censorship and fear amongst Kashmiris prohibits speaking out and advocacy, keeping the region stuck in the cycle of repression (Mushtaq, 2021). The Indian government’s systematic targeting of Kashmiris, combined with measures designed to suppress resistance, have made resolution to this conflict increasingly difficult.

Taking into account the history and ongoing conflict in Kashmir, it is clearly visible that the post-2019 actions taken by the Indian government have affected the human rights of Kashmiris by restricting their capabilities in their daily lives. Through mechanisms such as the physical altering of their environments and constant surveillance, their lives have been impacted drastically, with a large portion of their human rights being violated and not adhered to (Qadri, 2023; Mushtaq & Amin, 2021). International action must be taken in order to mitigate the impacts on Kashmiris through cooperation between India and Pakistan, the restoration of Articles 370 and 35A, the upholding of human rights, and through the surveillance of the overall status of the region to ensure equality for all.

The *azadi* movement has endured since the core grievances have also endured (Qureshi, 2023). Ultimately, Kashmir remains a disputed region in which international commitment to the principles of self-determination remain unclear. Self-determination in Kashmir names the unresolved right of Kashmiris to become authors of their collective political future. Thus, the continuity of this movement stresses that change is still possible. International support is critical to the advancement of Kashmiri rights

and regional independence, and if organizations support the struggle and fight for *azadi*, then the protection of Kashmir and its people may be one step closer to reality.

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