At a time when physical and virtual spaces for journalists have shrunk globally, Kashmir is no exception. The Himalayan region of Jammu and Kashmir (J&K), which is the main bone of contention between India and Pakistan, has been marred by a full-blown armed insurgency since 1989. Skirmishes along the bloody Line of Control (LoC) that de facto divides India and Pakistan, regularly result in casualties of civilians and uniformed personnel.

In the period under review (May 2018 - April 2019), threat has grown manifold for journalists working out of the Kashmir Valley from both state and non-state actors. In 2018, Kashmir’s top journalist and peacenik Shujaat Bukhari was shot dead outside his office by unidentified gunmen. While the journalist community was still in mourning, a young journalist Asif Sultan was jailed under the Unlawful Activities (Prevention) Act, 1967, a law that has come under the scanner for silencing dissent.

Sustained surveillance by state agencies, especially the police, to monitor the activities of media workers is underway. Social media platforms, now integrated into the lives of journalists, are on the state’s radar with content being closely monitored. In the face of multiple risks, a loose collective of individuals (trolls) in cahoots with the state institutions are out on social media to discredit Kashmir-based journalists. They resort to name-calling, smear campaigns and sometimes threats against journalists who question and report facts which may be contrary to the line adopted by the state. Intentionally, it is aimed at criminalizing journalists and restricting their access to officials.
ATTACKS ON JOURNALISTS

The cold-blooded murder of editor-in-chief of daily Rising Kashmir, Shujaat Bukhari, rattled Kashmir's media community and drew massive outrage, nationally and globally. Around 7:00 pm on June 14, the 50-year-old journalist exited his office in Srinagar's Press Enclave, which houses the majority of newspaper offices including Rising Kashmir. Three gunmen showered bullets on his vehicle, leaving him dead. Two police personnel guarding him were also killed in the brutal attack.

Police held militant group Lashkar-e-Toiba responsible for the murder, a charge denied by the outfit. Police released a list of four suspects including Pakistan-based Sajad Gul, Naveed Jatt, Azad Ahmed Malik, Muzafar Ahmad Bhat as the killers. While Jatt and Malik were killed last year, Bhat is still at large.

The case has not reached legal closure, as the charge-sheet is yet to be filed. In the face of police 'claim' of solving the case, Kashmir Editors Guild, a grouping of Kashmir based newspaper owners, questioned the unwarranted delay in filing the charge-sheet in the murder case.

Bukhari, a peacenik who would attend Track 2 conferences and push for dialogue to reduce tensions between India and Pakistan, was the 19th journalist to fall to bullets in the Kashmir Valley since the insurgency began. Of the 18 journalists killed since 1989, six were shot dead by security forces, five each by militants and unknown gunmen and two in blasts.

Photojournalists, who are at the frontline of newsgathering in the Valley, bear the brunt of armed forces and mobs. Four photojournalists were injured after security forces fired pellets on them on October 30, while covering an anti-militancy operation in south Kashmir’s Shopian. Waseem Andrabi of Hindustan Times, Nasir ul Haq of Rising Kashmir, Junaid Gulzar of Kashmir Essence and Mir Burhan of ANI were hit in the eyes, head, and face but thankfully their vision is intact. Pellets are lethal lead metal balls regularly deployed against protesters in the Valley. The pump-action gun which disperses high velocity pellets across a wide expanse, were introduced in a significant way into the Jammu and Kashmir police force's enforcement repertoire following mass demonstrations in 2010. This followed widespread public outrage over the use of live and lethal ammunition to enforce crowd control, which caused massive loss of life through that cycle of unrest. The pellet gun was introduced on the understanding that it deters, but does not kill. But the injuries it inflicts have proven lethal on occasion and often cause lasting physical damage, including potentially, permanent loss of eyesight.

The weapon, which Amnesty International wants banned, is responsible for the blinding, killing and traumatizing of civilians in Kashmir. Two journalists Zuhaid Maqbool and Mir Javid were each blinded in one eye after being hit by pellets in 2016. But there is no end to the trauma for them, as expensive medical treatment continues.
In the face of heightened threats to journalists, the implicit and explicit arm-twisting measures to silence the press have intensified. In the aftermath of the February 14, 2019 suicide blast in Pulwama which killed 40 Central Reserve Police Force soldiers, the government began a crackdown on the press. Though there is no official order, government advertisements were stopped to three leading newspapers, Greater Kashmir, Kashmir Reader and Kashmir Uzma. In an unprecedented move, major newspapers published empty front pages on March 10, 2019 to protest the denial of advertisements.

News outlets in the Valley are in dire straits due to recurrent shutdowns and ongoing conflict which is severely impacting the economy. In such a situation, government advertisements are often the primary source of revenue for running publications. Without a vibrant corporate sector given the political uncertainty in the region, the denial of advertisements is aimed at serving a blow to leading newspapers at the forefront of reporting the conflict. Kashmir Reader was banned for three months beginning October to December in 2016 with no official reason given. It can be surmised that it was banned for its extensive reportage of the months’ long protests and civilian killings (above 70 civilians were killed) that occurred in the aftermath of killing of Hizbul Mujahideen commander Burhan Wani on July 8, 2016.
Journalists work amid multiple parties including state, separatists and militants. A slight slant or an oversight, even if unintentional, can be extremely dangerous for reporters and photojournalists. Over the last three decades, journalists have been shot, beaten and abducted for doing their jobs. And seldom have the accused, including uniformed personnel, been punished for these crimes against media workers.

On October 17, 2018, a single incident, which is a classic example of impunity, occurred in Srinagar’s Fateh Kadal neighbourhood. About a dozen journalists were beaten while covering a gunfight between security forces and militants in the city. Policemen pounced upon the journalists and physically assaulted them in front of senior officers. The incident was recorded on camera, yet no action followed against the accused.

Separatists frequently issue subtle threats to media outlets and workers for not carrying their press statements. One young reporter was pressured to reveal the source by a separatist group, which threatened to publicly blacklist and ostracize the journalist until the issue was resolved with separatist leader. The source, however, was not revealed. Again, there is no accountability and non-state actors continue to pressurize the media with impunity.

In May 2018, Zakir Rashid Bhat alias Zakir Musa (who claims to head Al-Qaeda affiliated Ansar Ghazwat-ul-Hind), threatened journalists with dire consequences if they continued to take photos of women who participated in funerals of militants. This emboldened mobs at many places and made photojournalists especially vulnerable.

In recent years, vulnerability has grown manifold and journalists have fallen prey to violent mobs. The public aversion is not helped by news channels headquartered in New Delhi, which are seen as lapping up a nationalist and pro-government stand on the Kashmir issue.
**DETECTIONS AND JAILING**

In a night raid on August 27, 2018, J&K police arrested Aasif Sultan from his home in Srinagar’s Batamaloo neighbourhood. The journalist, who was working as an assistant editor at Kashmir Narrator Aasif Sultan, was illegally held in police lock-up until he was formally arrested on August 31. The announcement followed after Kashmir-based journalists associations questioned his illegal detention.

Police charged the 30-year-old for “harbouring militants” and giving support to a “proscribed” militant organization. He was charged with Unlawful Activities (Prevention) Act, an anti-terror law which has come under sharp criticism for curtailing freedom of expression. Local and international media organizations have repeatedly urged the state government to withdraw charges or release him on bail, but he continues to languish behind bars. It is believed that Sultan was under watch by the police since he featured a story in July on the second anniversary of the death of the young Kashmiri militant Burhan Wani, a killing that sparked off months of strife on the streets. Journalists’ groups in Kashmir believe the incriminating material allegedly seized from his laptop computer may be legitimate background information gathered as part of his work.

Auqib Javed Hakim, a reporter at Kashmir Observer, was summoned by federal counter-terror agency, the National Investigation Agency (NIA) to New Delhi. He was questioned for three consecutive days about his interview with separatist leader, Aasiya Andrabi. While he was let go after questioning, his phone was seized by NIA officials and hasn’t been returned to date.

“I am suffering a lot since my all contacts were in the phone,” says Auqib.

Repeated reminders have been sent to the government to return his phone but all in vain. Journalists’ association in Kashmir reacted sharply, condemning the move as “intimidation and harassment”.

A young photojournalist from Pulwama in south Kashmir, Kamran Yousuf was early arrested by the NIA in September 2017. It is widely believed the arrest was for photos and videos taken by the photographer showing stone throwing protests, massive funeral gatherings of militants which went viral on social media.

The 21-year-old spent six months behind bars in Delhi and was released on bail on March 14, 2018. He was charged with stone pelting and other “subversive activities” but the NIA could not produce evidence of “any single photo/video showing that the applicant/accused was indulging in stone pelting activities at any site”.

Yousuf’s case attracted the attention of the Press Council of India (PCI). In refusing to recognize his credentials, the NIA had questioned Yousuf’s professional duty to write about the “developmental activity (sic) of any government department”, or the “inauguration of a hospital or a school”, or the “statement of any political party in power”. Far from being a journalist, the NIA alleged at Yousuf’s bail hearings, he was an agitator, often given to joining stone-throwing protests in Kashmir.

Though released on bail after a Delhi court found that the NIA had no evidence, the charges against Yousuf were not dropped. He was not formally charged until the PCI took cognizance of his matter and summoned the NIA for a hearing. In the intervening time, the NIA filed formal charges against Yousuf in a specially designated court, effectively removing the matter from jurisdiction of the PCI, which is not empowered to inquire into matters under criminal investigation.
SOCIAL MEDIA MONITORING

Social media is an integrated tool in journalism. In the Valley, however, the state views it as a part of the problem. Journalists active on social media have to bear the brunt, for they are being closely monitored by police and intelligence wings. Many journalists after sharing photos or information have been asked to describe the “motive” behind their posts, especially those of killings of civilians during protests. Sometimes they are asked to take down the posts from social media.

In many WhatsApp groups where officials and journalists are present, people who are close to state institutions post selective screenshots of a journalist’s post or story to question them and bar them from official access. “The surveillance is so acute that a reporter immediately gets the screenshots of what he or she has posted on social media from police and intelligence officials,” a journalist noted.

Senior journalist Gowhar Geelani, who is active on Facebook and Twitter, described two instances of threats. He said a police officer, who he did want to name for obvious reasons, abused and threatened him on social media, saying “he said would send the Indian Army to my house to teach me the difference between army and police”. “I have the screen grabs of his threats. I chose to respond to him with civility and requested him to come up prepared next time with a sound argument, not a threat,” he said. Another police officer tried to silence him for trying to write about a young schoolteacher who died in police custody on March 19, 2019.

CENSORSHIP: SUBTLE BUT INSIDIOUS

While there is no official ban on media, pressure and intimidation are used to make media outlets fall into line. For example, the advertisement ban imposed on Greater Kashmir, Kashmir Reader and Kashmir Uzma is not official as no order was issued. Last year, the state police’s intelligence department started sending a questionnaire asking newspapers to explain why a particular news story was published. The set of questions asking for the motive of a story was another subtle threat employed to curb press freedom.

One editor explained that these measures are aimed at stopping press from reporting. “It results in self-censorship, which is the ultimate motive of the state.”
On March 25, 2019, two policemen in civilian clothes arrived in the neighbourhood of Greater Kashmir Bureau Chief in south Kashmir, Khalid Gul. They carried with them a summons against him for a report on an attack on a local politician two days earlier. Like other journalists, Gul had reported the incident but was asked to explain how he described it as a ‘militant’ attack. He said a statement was forcibly recorded from him and at the police station with the station house officer keeping him waiting for more than an hour.

He said police officials in the districts will not accept his calls and describes it as harassment for his reporting. The situation in southern Kashmir, comprising three districts, is especially grim with frequent gunfights and attacks.

“Either I have to greet them every morning and don’t have to report, he says, “then nobody will have a problem with me,” said Owais Farooqi, who is a reporter based in north Kashmir’s Bandipora has been working at Kashmir Reader.

Besides threats and insecurity, he says the biggest challenge for journalist is to send story when the internet is suspended. “We have to travel to other districts to file stories or just do it by sending SMS. We travel for kilometres either by foot or if the situation is suitable then by the vehicles in search of internet,” he said.

A young reporter Raashid Hassan, who reports from south Kashmir’s Shopian district, said journalists face problems from both the government as well the public, given the deep distrust of the media in the region.
RESTRICTIONS AND CONTROL

During curfew or restrictions imposed by the government, curbs are also imposed on the movement of journalists. Senior journalist Farzana Mumtaz said uniformed personnel stopped her during curfew/restrictions last year in the city, despite proving her identity. Later she had to call a top police officer for intervention in order to get approval to move around and do her job.

Developments in the Kashmir Valley have made the region a significant place for news outlets across the globe. But the region has “restricted” access for foreign journalists working for news organizations outside of India. In 2018, the Government of India’s Ministry of External Affairs revived a dormant rule and sent an official dispatch to foreign news bureaus in New Delhi on May 22, asking them to get permission/clearance before travelling to Jammu and Kashmir. This fettered access to foreign journalists and restricted them from reporting. For example, The Washington Post’s outgoing India bureau chief, Annie Gowen, was not granted a permit last year by Indian government and used a “friend’s wedding as an excuse” to visit the Valley.

Another foreign journalist, Joanna Slater from Washington Post’s India Bureau highlighted that the permit granted to Kashmir for her story in March “limited the reporter to Srinagar and included a condition that the reporter not meet with people engaged in anti-national activities”. On January 26, India’s Republic Day, the state police’s security wing stopped seven journalists from reporting the event in Srinagar, prompting other journalists to boycott coverage. Though the state government later called for a meeting with official representatives of the journalists associations and assured them of no hindrance in the future, no action was taken against the officers responsible for the incident.

The journalists, including seniors who work for international news agencies include Tauseef Mustafa (AFP), Mehraj-u-din (APTV), Yusuf Jameel (Asian Age), Habib Naqash (Greater Kashmir), Danish Ismail (Reuters), Umar Mehraj (APTV) and Aman Farooq (Kashmir Uzma).

While the Republic Day ban was formal, reporters and photojournalists are often restricted from covering events in other non-formal ways. On October 11, 2018, reporters and photojournalists were stopped from covering the funeral of a militant leader Manan Wani in Kupwara. It was a significant newsworthy event as the militant was a doctoral candidate at Aligarh Muslim University before signing up with the Hizbul Mujahideen. Almost a dozen journalists were stopped by policemen on the road and not allowed to proceed, despite repeated pleas to them and their officers.

Similarly, journalists are also being stopped by youth who ask them to show their social media timelines or stories before allowing them moving ahead.

What is remarkable is that the media in Kashmir continues to be vibrant and competent, ably fulfilling its professional role amidst tremendous odds. In the words of senior journalist Gowhar Geelani: “Intimidation tactics don’t work. I have only one life, which they can snatch. Until I am alive, I will use my pen to reflect the ground reality of Kashmir’s political landscape along with the many shades of its competing narratives”.

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