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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by World Muslim Congress, a non-governmental organization in general consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[23 January 2021]

* Issued as received, in the language(s) of submission only.



Denial of economic rights and strangulation of economic opportunities in Indian Administered Jammu and Kashmir

In addition to continued human rights violation India has now unleashed policies aimed at whole scale economic destruction on the people of Indian administered Jammu and Kashmir.

Repeated shutdowns that include sudden curfews and protests that provoke such draconian measures have halted the economic activity in ways unthinkable in any democratic system. This is supplemented by controlled moments of ‘normalcy’, brief pauses in the State-led repression that produce some breather by way of allowing some limited economic activity in the name of development affording opportunities to settlers to grab economic activity and incentives to further disempowerment the local population.

The abrogation of Article 370 that guaranteed special Constitutional status to Jammu and Kashmir and its balkanization into two separate Union Territories on 05 August 2019 has already dented the local economy to the tune of nearly 18000 corer Indian rupees. This has further contracted the economy of Jammu and Kashmir, an economy which could have been enhanced to serve the needs of local people and the developmental project of the state.

In the past, there were instances when the state’s economic potential was compromised which ossified dependency on India. In an official report, the state government admitted that the conflict has condensed per capita gross domestic product growth, Foreign Domestic Investment inflow, exports, and trade flow in the state.

The majority of Kashmiris see this unilateral decision as sure path to settler-colonialism. That will catalyze rampant exploitation of resources, which would result in neocolonial mal-development.

Human rights activists have called for solidarity with Kashmir in the context of growing capitalism that indicates a colonial formation. Within a few months of revocation of Article 370, businessmen from outside the region started encroaching on the local resources that otherwise were exclusively meant for the locals. In the region, there are around 554 mineral blocks, each measuring a maximum of ten hectares that were auditioned. In 2020, the majority of mining rights in Kashmir were secured by outside firms, as many local contractors could not file their applications for e-auctions due to the government’s order on restrictive Internet communication in Kashmir. Similarly, on 12 August 2019, Mukesh Ambani, the owner of Reliance Industries and India’s richest man, announced his company would set up a task force meant for investment in Jammu and Kashmir. This Economist Intelligence Unit the research and analysis division of Economist Group, in its report on the stripping of Article 370, forecasts, “The costs of the move are more likely to be felt within India. We remain doubtful that the change in the status will deliver either economic dividends or the closer relationship between J&K and India that the BJP is aimed for. More certain, however, is that the move will do considerable damage to security and political stability within Kashmir Valley”.

India’s control over Jammu and Kashmir is not restricted to water resources, as the government of India through its army and other forces have occupied vast swaths of land as well. Although it is difficult and challenging to ascertain the actual quantity of the property in possession by the Indian army and other allied military and paramilitary forces in Jammu and Kashmir, it is possible to gauge the phenomenon of substantial land grab in Jammu and Kashmir. The Jammu Kashmir Coalition of Civil Society (JKCCS) indicates that the current deployment of regular Indian army and other forces in Jammu and Kashmir is estimated to be over 700,000 personnel turning the region into the largest militarized deployment in the world, with one-armed personal for seventeen civilians. Similar earlier studies suggest a ratio of one soldier for every eight Kashmiris. Moreover, there has been an emergence of a new form of military, multilateral, and humanitarian occupation that reinforced institutionalized vehemence against occupied people. The stationing of this colossal army has resulted in the land grab of diverse topographies, including forests, hills, glaciers, mountains, stream bed, paddy fields, and peripheries of lacks, in both urban and rural settings, thereby establishing permanent military structures. The exact figure of land

under Indian armed forces in Jammu and Kashmir is highly disputed, as huge tracts of land and buildings are never officially requisitioned, leased, or attained under Jammu and Kashmir Land Acquisition Act. During Omar Abdullah's tenure (2009–2015) as Chief Minister of Jammu and Kashmir, the government admitted in the state assembly that army was occupying 1,054,721 kanals of land (1,054,721.125 acres). At that time, the Indian military illegally occupied 855,407 kanals of land and had legal rights over 199,314 kanals that had been transferred by the state government to the army. More recently, Chief Minister Mehbooba Mufti (2015–2018) claimed that more than 4.3 lakh kanals of land in Jammu and Kashmir was under the illegal occupation of Indian army and other military forces spread across the state. The Chief Minister on record stated that 51,116 kanals of state land in Jammu province and 379,817 kanals of land in Kashmir and Ladakh were under the unauthorized occupation of the Indian army. The JKCCS documents that the occupation is not limited to land only but also 1,856 buildings, including 1,526 private buildings, 280 government buildings, 14 industrial units, five cinemas, and 28 hotels. Most of the owners of these establishments have not been paid rent, where the rent appears have been paid are negligible compared to market rates. The Public Commission on Human Rights in 2005 identified 46 schools and educational establishments occupied by the military forces. Indian authorities have furthered the occupation by acquiring land through agencies such as the National Highway Authority of India, Indian Railways, and others in the name of improved connectivity and development. There has also been forcible land acquisition for projects including highway and railway. Besides, the Defense Ministry of India billed Jammu and Kashmir government 500 crores for carrying out rescue and relief operation during the devastating flood in the valley in September 2014 that caused deaths and wide-scale mayhem. A report by the Oakland Institute Research team, in the context of the scrapping of Article 370, called the investment could be a "Trojan horse for forcing the demographic composition of Kashmir" and adds that this move resembles to that of the "illegal Israeli settlement in Palestine's West Bank". The government of India is using occupation as a tool to disempower residents of Kashmir. As stated above, military rule has systematically furthered the land grab, making inhabitation hard for the locals and rendering the population dispossessed. It does not end here, as Delhi uses other apparatus like controlling financial institutions to stronghold Kashmir.

The recurrent curfew and protests are ruining the state's economy, a fact that cannot be denied. However, the 'normalcy' in the state acts as a device for New Delhi to push Jammu and Kashmir further into economic captivity. The state has long been using the losses due to the frequent protests and unrest in Kashmir as a ploy to place the pro-freedom sentiment among locals.
