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## India: Police harassment and intimidation of journalists and human rights defenders Masrat Zahra, Peerzada Ashiq and Gowhar Geelani in Kashmir

Between 18 April 2020 and 21 April 2020, the Cyber Police of the Kashmir Zone in Srinagar filed First Information Reports (FIR) against three journalists respectively: **Masrat Zahra, Peerzada Ashiq and Gowhar Geelani**. On 18 April 2020, photo-journalist Masrat Zahra was charged under the Unlawful Activities Prevention Act (UAPA) by the Cyber Police for uploading social media posts that allegedly glorify “anti-national activities” on social media. The following day, on 19 April 2020, an FIR was filed by the Cyber Police against journalist Peerzada Ashiq for an article he had written for *The Hindu*. On 21 April 2020, an FIR was filed against journalist and author Gowhar Geelani by the Cyber Police for his social media posts which allegedly glorify terrorism in Kashmir.

[Masrat Zahra](#) is a freelance photojournalist from Kashmir and a member of the Network of Women in Media in India (NWMI). She has been covering the situation in Kashmir for the past four years, focusing on human rights violations in one of the world’s most highly militarised zones, covering instances of stone pelting during protests, gun battles and the impact of the violence on women and children in the region. [Peerzada Ashiq](#) is a senior journalist and special correspondent for *The Hindu*, a daily newspaper in India. He has a lengthy history of covering Kashmir and his reports focus on the struggles facing the local population, especially in the context of increasing militarisation and isolation of the region from the rest of India and the international community. [Gowhar Geelani](#) is a well known journalist, author and commentator. He has been a critical voice against human rights violations by the Indian state and military control over the Kashmir region and his work has been published in national and international news outlets. He has also been targeted by Indian authorities in the past for his work.

On 18 April 2020, the Cyber Police issued a press release regarding an FIR filed against Masrat Zahra. The FIR includes offences under Section 13 of the UAPA, which relates to those who commit, advocate, abet or incite the commission of any unlawful activity, and Section 505 of the Indian Penal Code, which punishes those who induce others to commit an offence against the state or against public tranquillity. The police allege that the photos uploaded by the defender were intended to provoke the public to disturb law and order, and glorify anti-national activities. Masrat Zahra was not officially notified of the FIR and was only made aware of the charges when she saw social media posts about the case. The defender was questioned at the Cyber Police Station on 21 April 2020, but is not currently under arrest. The UAPA is a regressive counter terror law which has been used to target, criminalise and silence human rights defenders. If found guilty of offences under the UAPA, she will face up to seven years imprisonment.

On 19 April 2020, the Cyber Police filed an FIR against a report published in *The Hindu* written by senior journalist Peerzada Ashiq. He was summoned to the Srinagar police station, and subsequently to the Anantnag police station in South Kashmir, where he was interrogated about the report. The police claim that the article, regarding the families of two deceased militants seeking exhumation of their bodies to perform funeral rights, is factually incorrect. It remains unclear which laws Peerzada Ashiq has allegedly violated.

On 21 April 2020, the Cyber Police filed another FIR against the well known journalist, author and commentator, Gowhar Geelani, based on his social media posts. According to the police, the posts glorify terrorism in Kashmir and are ‘prejudicial to the national integrity, sovereignty and security of India’. The journalist has not yet been summoned to the police station, and he only found out about

the FIR against him from the press release issued by the police on 21 April 2020.

Human rights defenders from the region believe that Masrat Zahra, Peerzada Ashiq, and Gowhar Geelani are being targeted for their peaceful human rights work and honest documentation of the lives of the Kashmiri people. Human rights defenders and journalists in Kashmir live and work under highly militarised and hostile conditions. In the months following the unilateral abrogation of statehood in 2019, defenders and journalists reporting on violations were threatened, harassed and intimidated in a climate of isolation and impunity. Journalists in the region have even been [fired](#) at with pellet guns. They face constant surveillance and are regularly summoned to police stations and questioned about their reports and their sources of information. New restrictions in response to COVID-19 have only added to the difficulties that local human rights defenders and journalists already face.

Front Line Defenders condemns the police harassment of Masrat Zahra, Peerzada Ashiq and Gowhar Geelani, as it believes they are being targeted as a result of their work in defence of human rights and their exercise of the right to freedom of expression. It particularly condemns the use of counter-terror laws (UAPA) against journalists and human rights defenders, with the aim of terrorising them and silencing their work. Front Line Defenders is concerned about the particular timing of the police harassment, during the pandemic, when the state must enable the media to report without fear. The Indian State's treatment of journalists and the curtailing of their fundamental rights and freedoms, including freedom of expression, is a matter of grave concern. These rights are at the core of human rights defenders' work, and without them, they are unable to effectively carry out their peaceful activities. Front Line Defenders calls on the Indian authorities to fulfil their international commitments and uphold the right to freedom of expression as well as other fundamental rights and freedoms in Kashmir, which are enshrined in the Constitution of India.

#### **Front Line Defenders urges the authorities in India to:**

1. Immediately close the FIRs and cease the investigations against Masrat Zahra, Peerzada Ashiq and Gowhar Geelani, and drop all charges against Masrat Zahra, as Front Line Defenders believes that they are being targeted solely as a result of their legitimate and peaceful work in the defence of human rights and journalism;
2. Cease the harassment and intimidation of journalists covering the situation on the ground in Kashmir;
3. Guarantee in all circumstances that all human rights defenders in India are able to carry out their legitimate human rights activities without fear of reprisals, and free of all restrictions including police and judicial harassment.

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