

Half Widow, Half Wife?



**Responding to Gendered Violence
in Kashmir**

July 2011

About this Report

This report is the result of discussions with ‘half widows,’ widows, and married and unmarried women in Kashmir. It also draws upon conversations with Kashmiri men and women, including academics, students, homemakers, tailors, farmers, doctors, lawyers, and teachers. No consultations were made with any politicians in or outside Kashmir.

It is authored by the Association of Parents of Disappeared Persons (APDP), a member organization of the Jammu and Kashmir Coalition of Civil Society (JKCCS).

Srinagar-based APDP advocates for justice for victims of enforced disappearances and is an active member of JKCCS, which works to strengthen an independent civil society movement in Kashmir.

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Fahmeeda* and Bhat* were married when they were both 16. A year later, Bhat joined the Indian Army. After his early retirement, the two lived in Bhat's native village in Baramulla. Bhat ran a grocer's shop. "We had eight children. My youngest was only eleven months when my husband was taken." Bhat was taken during a joint taskforce raid on 14 July 1999. "They dragged him out of house...They locked me and the children inside. My daughter tried to jump out, but they threatened to kill her. We could see him being beaten. I didn't even get a chance to tell them he had served the Indian Army for most of his life." Fahmeeda has received no news of her husband since, though she searched in military camps and prisons in and outside Kashmir. "My son harbors the pain and anger of growing up fatherless ...and he hasn't received any government help either. There are no local vocational centers for his sisters, so they too are sitting at home. We have received no justice in any form. We filed a lawsuit, but nothing happened there either," Fahmeeda says without tears, but with the resignation of a woman who raised eight children single-handedly, without her life partner and without closure.

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Executive Summary

This report examines the situation of women labeled ‘half widows’ in Indian-administered Kashmir: women whose husbands have ‘disappeared’ but not yet been declared deceased. The Kashmir conflict as a whole and the recent waves in the summers of 2008, 2009, and 2010, have significant ramifications across the sub-continent and create fear of further cycles of violence. This report draws on the experiences of half widows to capture an often unseen and pernicious face of insecurity in Kashmir. It identifies how this population provides an immediate opportunity for meaningful engagement. It makes recommendations to law and policy makers as well as to local, national, and international actors for concrete steps to ameliorate the lives of half widows and the people of Kashmir.

Key Findings

- ❖ By conservative estimates, there are 1,500 half widows in Kashmir.
- ❖ Half widows are deemed ineligible for pensions and other governmental relief and thus face severe economic hardship.
- ❖ The current legal remedies are pursued only by a minority of half widows since they are unclear, exhausting, and degrading.
- ❖ Children of half widows are often particularly traumatized, showing extreme resentment and loneliness, and are vulnerable to impoverishment and exploitation.
- ❖ Civil society organizations working to address various socio-economic insecurities faced by half widows are hampered by current laws, a dearth of resources, and lack of outside support to develop programming for half widows and their children.
- ❖ Half widows represent various forms of insecurity, signify rights violations, stand as a constant reminder of alienation, and thus impede resolution in Kashmir.

Key Recommendations

Law and policy changes must address the various forms of gendered violence—direct violence against women or indirect violence due to violence against men in their community—in order to bring lasting security to Kashmir.

- ❖ The government must immediately (1 year) create a streamlined system of compensation for half widows and convene a special bench of the High Court to expedite their cases.
- ❖ The government must immediately pass special legislation on enforced disappearances, keeping with the International Convention for the Protection of All Persons from Enforced Disappearances, which the Indian government has signed and must ratify.
- ❖ In the short-term (2-3 years), security laws that provide legal immunity to the armed forces must be amended and disappearance cases in general must be resolved and families told the whereabouts of their loved ones, dead or alive.
- ❖ Civil society—local, Indian, and international—must recognize issues faced by half widows and advocate the government for meaningful change, while itself funding initiatives such as health care programs and income-generating projects that take a rights-based approach to directly aid half widows and their children.

- **Beyond being the contested territory between India and Pakistan, Kashmir has seen 22 years of struggle between residents and the Indian administration.**
- **An estimated 70,000 people have been killed, mostly civilians.**
- **8,000 enforced disappearances are estimated, though the Kashmir government concedes up to 4,000.**
- **Between 2004-07, Kashmiris gave up support for violent struggle.**
- **Tensions grew as the summers of 2008, 2009, and 2010 saw millions of Kashmiris taking to the streets, demanding *azaadi*, freedom.**

1. Insecurity in Jammu and Kashmir

Women whose husbands have been subjected to enforced ‘disappearances’ⁱ are often called ‘half widows,’ and hereinafter referred to as such. Half widows illustrate one of the starkest forms of the general insecurity in Kashmir.ⁱⁱ An in-depth analysis of the history of the dispute is outside the scope of this report but understanding the situational backdrop is imperative for contextualizing the issues highlighted and discussed herewith.

Kashmir has signified a major source of tension between India and Pakistan since 1947, and has seen armed conflict since 1989.ⁱⁱⁱ

Currently, 400,000 to 750,000 (the exact number remains unknown and disputed) Indian military and paramilitary remain in Kashmir, making this one of the world’s most militarized regions.^{iv} By the government’s own estimates, the number of active militants is below 500.^v The Indian government has passed security legislation—such as the Disturbed Areas Act, the Armed Forces (Special Powers) Act, and the Public Safety Act—giving military and police forces special powers to suppress insurgency and maintain a fortified presence in the region.^{vi}

Indian forces have been accused (by Kashmiri, Indian and international civil society)^{vii} of human rights abuses against civilians since 1989. By conservative estimates, 22 years of strife have seen more than 70,000 dead^{viii} and more than 8,000 disappeared.^{ix} In the face of these violations, failures in the justice mechanisms—in the state judiciary,^x military tribunals, and State Human Rights Commission^{xi}—amount to impunity.

Between 2004 and 2007, the armed struggle by Kashmiris abated and gave way to nonviolent resistance.^{xii} The summers of 2008, 2009, and 2010 have seen massive civil disobedience^{xiii}—workers’ strikes, student rallies, and business shut-downs. Such protests and unrest by millions of Kashmiris have been met with force, sometimes lethal in nature, and have led to heightened tensions.^{xiv} But Kashmiris continue to shun the gun.

This report strives to capture some of the multiple forms of insecurity, which while faced by women do in fact fuel the collective insecurity, but which go undetected or understudied in the conventional peace and security analysis.

2. Women and Violence in Kashmir

Bearing in mind the risks of generalizations, women's experiences of and roles in the long-standing conflict in Kashmir are broadly defined by the conditions outlined in this section. It should be noted that the real names of all half widows (unless referring to specific legal cases), their spouses and children, and most other women quoted in this report, have been changed to protect privacy and safety.

i. Gendered Violence. With the heavy militarization in the Kashmir Valley, women have often been the targets and survivors of violence suffering from trauma, injury, and disease. Like most conflict situations, gendered violence is systemic but typically overshadowed by attention to 'harder' security matters. Statistics of violence against women are thus especially lacking: while taboos around sexual violence result in under-reporting, the narrow definition—outside the overall context—of violence against women, has prevented accurate assessments of the actual harms perceived by women, for example, due to widowhood.

Within the South Asian context, and due to the universal taboos around sexual violence, women often do not report such crimes, even to receive crucial medical care. Thus, the actual extent of sexual violence is unknown though various independent observers have reported its prevalence in women's everyday lives.^{xv} Certain particularly violent 'events' that have gained notoriety provide a window into the violence faced by Kashmiri women. For example, in 1991, more than forty women, aged between 13 and 80 years, were allegedly raped at gunpoint by the 4th Rajputana Rifles Unit in village Kunan Poshpora, Kupwara.^{xvi} A subsequent one-man inquiry team stated that the allegations by the village were "a massive hoax."^{xvii} In 2009, the bodies of sisters-in-law Neelofar Jan and Asiya Jan were found in a shallow rivulet after an overnight search by their family and local villagers in Shopian. Though a postmortem declared both women had been raped and murdered, subsequent government commissions and a Central Bureau of Investigation report declared no rape or murder had been committed.^{xviii}

Besides violence inflicted directly on women's bodies, women also bear the ramifications of the general—typically male on male—violence in the Valley. Such effects on women also constitute gendered violence. Although the direct violence is disproportionately inflicted on males because they are perceived

- **Besides the violence inflicted directly on their bodies, women also face other forms of gendered violence: direct violence is disproportionately inflicted on males because they are perceived or imagined as threatening, resulting in indirect suffering for females, as is reflected in the experiences of half widows.**
- **Throughout the troubled decades, Kashmiri women have challenged the label of 'victims' and played a robust role in civil society, even though they are not often seen in leadership positions.**

“I would like to be part of a young women’s group that obviously has strong politics, but is not affiliated with any political group. Being part of any such organized activity here comes with risks, but I would be willing to take those, and so would my friends, if such a group was created and sustained.”

–Bilquees*,
Master’s Student,
Kashmir University,
April 2011.

“Five of my friends and I decided in college to start wearing hijabs. They are our continuous markers of resistance...we wear our politics on our bodies...they are our struggle against being stereotyped as oppressed. We exhibit how Muslim women can be proud of their faith and yet be fiercely independent.”

–Tara*,
Ph.D. candidate,
Kashmir University,
June 2011.

or imagined as threatening, females suffer indirectly, as reflected in the experiences of half widows. Women are also affected psychologically; women have been reported as the worst affected by mental health problems in Kashmir.^{xix} And women suffer severe socioeconomic hardship, given their conventional financial dependence on men in most cases.

ii. Civic Action. Throughout the troubled decades, Kashmiri women have challenged the label of ‘victims’ and played a robust role in civil society, even though they are not often seen in leadership positions. As service providers, women run orphanages, self-help groups, and crisis hotlines. As rights activists, women call for state accountability, disarmament, and report as journalists. As volunteers in various capacities, women work on disease and trauma. As advocates of self-determination, women actively participate in political protests.

Kashmiri women have a long history of joining protests, often in contravention of traditional South Asian gender roles.^{xx} When disenchantment with the electoral system led to mass public protests in the Kashmir Valley in 1990, at the onset of militancy, daily newspapers reported the extensive and spirited participation of women.^{xxi} In the recent protests in 2008, 2009, and 2010, women have again taken to the streets in large numbers, walking alongside the men, raising pro-Kashmiri independence slogans, in defiance of the security forces that surround them.^{xxii}

Many women employ their dress as an expression of resistance. On the one hand, increased covering, such as the *burqua*, historically not part of Kashmiri dress, is attributed to the increased insecurity due to militarization (also reported as the reason for suspension of girls’ education, the increasing literacy gap between girls and boys, and the decreasing average age of marriage in rural areas).^{xxiii} On the other hand, the increased wearing of the *hijab*, also historically not Kashmiri dress, is related to women’s self-expression of a unique, proud, and politically aware Kashmiri Muslim female identity.

However, it must be noted that sustained women-centric and women-led activism, unaffiliated with political parties, is thus far largely missing. There are limited resources and high rates of burnout (often times due to competing demands of family, especially immediately after marriage and/or children, as a result of cultural patriarchic setups where childcare and housekeeping are seen as the predominant responsibility of women). Many local

“When you read the newspaper in Kashmir, it’s full of reports about how many people were killed yesterday and how many women were raped or molested. You cannot be immune to all this suffering. How can we, as responsible individuals, just flip through the newspaper and just don’t act.”

– Aasia Jeelani, (1974-2004), co-founder, Kashmir Women in Peace & Disarmament (KWIPD).

- **Wives, mothers, and sisters of the disappeared have organized under the Association of Parents of Disappeared Persons (APDP) towards bringing peace and justice.**

women express an interest in women’s organizations that provide a site for leadership development, strengthening of women’s voices, and deepening of gender sensitivity across society. However, those interested cite the lack of no-political-strings-attached resources as the foremost impediment to such organizing.

iii. Peace-building. In the face of the tensions, women have made efforts to break the silence, calling for accountability, disarmament, and restoration of peace. While women were not active combatants in Kashmir, many supported the popular movement in the 1990s.^{xxiv} Their support for the armed struggle has waned drastically and given way to peaceful protests and community organizing.^{xxv} Instances of individual and collective action by women peacemakers are seen in KWIPD and APDP.

Kashmiri Women in Peace and Disarmament (KWIPD) was formed in Srinagar in 2000. KWIPD members published a monthly newsletter *Voices Unheard* that captured how women viewed the situation and its possible resolution. Through their activities, including organizing an international conference called *Sharing Experience, Interaction in Kashmir*, the group questioned the definition of ‘women’s issues’ and also whether peace and justice were indeed competing ideals. The group became dormant after 2007 due to a lack of funding and a leadership vacuum.^{xxvi}

Mothers, sisters, and wives of the disappeared have organized under the Association of Parents of Disappeared Persons (APDP) towards bringing peace and justice. Founded in 1994 (and subsequently split into two organizations in 2006), APDP-JKCCS now has members from over 150 families. Women constitute over 60% of the membership, have 50% representation on the Executive Board (5 of the 10 rotating members are women), and at least 50% representation during monthly public protests. Many women members have faced indirect or even direct threats against such activism, which is seen as ‘shaming’ the government, and at times even antithetical to militant groups’ interests,^{xxvii} but they have continued to actively participate in APDP activities.

While as caregivers and providers, women generally eschew violence, they have persevered in demanding a just peace, often while bearing direct violence for the same.

*“What do I want?
One meeting. If
he’s alive, just
show me...If he’s
dead, tell me
where his body is.
When I go back to
the police, or the
army, the officers
leer, like I am
available...like I
have to remind
them that I am
there about my
missing husband!
It’s been 8 years.”*
–Zara*, Srinagar,
November 2010.

*“The IG
[Inspector General
of Police], had
been kind, telling
me not to cry. He
said, ‘Bring some
clothes for your
husband, you’ll
see him
tomorrow.’ It had
been a whole year.
But when
tomorrow came,
and I reminded
him, he thundered,
‘From where
should I bring
him, the sky?’”*
–Zaina*, Srinagar,
December 2010.

- **APDP/JKCCS
research
estimates 1,500
‘half widows’
in Kashmir.**

3. ‘Half Widows’: State of Perpetual Limbo

i. Numbers. APDP estimates at least 1,500 half widows in Kashmir. The estimate is borne by extrapolation from the following JKCCS study: A three-year door-to-door survey in District Baramulla, 1 of Kashmir’s then 20 districts,^{xxviii} revealed 337 cases of disappearances.^{xxix} 152 of these 337 were married (see, Appendix II). If we assume that about 45% of all those disappeared in Kashmir, estimated at 8000,^{xxx} were also married, then APDP’s estimate of 1,500 half widows is very conservative.^{xxxi}

Several issues compete for attention in the Valley and a complete survey of disappearances (of single and married men) has not been possible. While civil society lacks the resources to undertake such a project, the government would be grossly amiss to spend precious resources on prioritizing such a project over initiatives that provide concrete assistance to half widows (pp.24-7). It is clear from the available data that half widows are a significant part of the Kashmiri landscape, a continuous reminder of unaddressed rights violations, and require immediate attention.

ii. Overview. Women are labeled ‘half widows’ when their husbands have been disappeared but not yet been declared dead. Such disappearances have been carried out by government forces—police, paramilitary, or military—or by militants. However, the number of disappearances carried out by militants is significantly lower since militants generally have no reason to hide anyone they abduct. Nevertheless, for this report, half widows of those disappeared by state as well as non-state actors have been interviewed and included (see, also, Appendix I).^{xxxii}

The report takes into account the half widows of civilians, militants, as well as ‘suspected militants’ (while the government often employs this term to explain or even justify the disappearances, here, it stands for those who may have aided militants or whose involvement in armed militancy is suspected by their own families). In all cases, the women have a right to know the whereabouts of their loved ones. But in cases of civilian disappearances, the shock and sense of injustice is even greater. It should also be noted that the great majority of half widows who

“Look, I don’t know who took him, or where he is...but no, he couldn’t have just gone to Pakistan. If he had, he would have called sometime, written a letter or two...if not for me, for his kids!”

–Atiqa*, Bandipora, January 2011.

“I spent most savings on messengers until one such man started calling the house at midnight, insisting on speaking with my 16-year-old daughter. I had to accept that this was a dead end. I couldn’t risk losing my daughter too!”

–Zaina*, Srinagar, January 2011.

“I was asked by an Army Major to pay 50,000 rupees cash at the local military camp if I wanted to see my husband.”

–Rubina*, Palhallan, December 2010.

“The militants took him saying he was an army informer. If he was, wouldn’t we at least have a pucca [concrete] house to show for it?”

–Fatima*, Banihal, March 2011.

have joined APDP and have pursued the disappearance cases are the wives of civilians. Wives of militants, even ‘suspected militants,’ often come to find closure in the belief that the disappearance/death of their husband was a natural by-product of being involved in the violence.

The 1,417 cases of disappearances documented by APDP reveal a common pattern: The forces enter and search a house and take the eldest son, stating they need to question him. This son is never seen again. In most cases, wives and other family members who go looking for their loved one are sent from one military base to another, one jail to another, each suggesting some clue at the next. Many times, officials, perhaps to give fleeting hope to the family, even give a fixed date and time when they will allow a meeting, and ask the family to bring a fresh set of clothes for the ‘missing’ person. Later, they state that they do not have the person in their custody. He has truly disappeared.

As wives of men thus ‘disappeared,’ half widows face various economic, social, and emotional insecurities (*see*, Appendix I). It should be noted that most disappearances have occurred in rural areas, where women generally enjoy less economic and social independence to begin with. The absence of husbands thus renders them economically reliant, most often on their in-laws, with their property and custody rights undetermined (3. iii, iv). Further, the uncertain nature and duration of the absence opens women to scrutiny and policing by their society as well as threats, extortion, and manipulation by those in external positions of power (3. iv). For example, a class of ‘messengers’ has made a business out of taking money (up to hundreds of thousands of rupees) from families to convey (ostensible) information from the captors. In their desperation, many half widows visit pirs, fakirs, darweshs (‘holy men’), make offerings at Sufi shrines, and some even patronize fortune tellers. Further, government officials themselves at times make direct demands of money or even sexual favors. Amidst this socioeconomic insecurity, women battle their emotional traumas while struggling as single mothers, many of whose children also often show manifestations of trauma (3. v.).

These various insecurities are compounded rather than addressed by the legal and administrative remedies currently available to half widows. The punishing nature—including delays, costs, and harassments—of the process of availing the remedies is deterrent enough for most. Even for the few half widows who persevere, justice and closure remain elusive. (3. vi.)

Hena* was rendered a half widow in 2003. Her 35-year-old husband, Muneer*, worked as a mason. They lived in their Baramulla house with their four children, Muneer's parents, his two sisters, and four brothers. On 19 July 2003, men of the 2nd Rashtriya Rifles (a paramilitary group) knocked at their door. The male members of the family were separated from the women and children. Muneer, the eldest brother, was escorted out of the house. The family was told he would be returned the next day, after some questioning. Eight years later, Muneer has still not returned.

"We went everywhere...we recognize the men who came that night, we even know their names. We went and asked them and they refused knowing anything about my husband," says Hena. *"We looked everywhere, we even rented a shikara, in case he was killed and his body thrown in the water."*

Hena recalls with painful anger how some of the policemen she approached *"had the gall to say, he's probably gone across [to Pakistan]... just like that, they said it! My husband was taken from the family sitting room. Yet those men roam free, and I am neither a married woman nor a widow...I'm just waiting."*

In 2003, a lawsuit around Muneer's disappearance was filed by pro bono lawyer, Parvez Imroz. The legal case has been impeded by several roadblocks and is at a complete standstill since 2009.

Meanwhile, Hena's economic situation has only deteriorated. She is dependent on her in-laws, with whom she has continued to live. *"But now the children are older, things are cramped and tense,"* she explains quietly. Hena's children are now 21, 18, 14, and 10 years old. The eldest, Riyaz*, leaves home every day to work as a daily-wage laborer and earns about 100 Rupees, when he finds work. Hena works in fields nearby and earns a little less than that per day. When Riyaz finds no work, quarrels ensue between Riyaz and Hena's father-in-law. *"He has said he won't give these fatherless 'good- for-nothing boys' any share of the inheritance. And when he gets really mad, he even tells me to go get remarried."*

Hena smiles sadly. *“Now? Get remarried now when the children are so much older? Now my in-laws threaten to throw me out of their house?”* Her anger at her husband’s family wanes quickly though, *“We are a burden on this already impoverished family ... really, they know it and we know it,”* she says. But she sees no way out; she has mostly lost hope that her pending lawsuit will yield even monetary results.

19 February 2007 brought further traumatizing news for Hena. A skeleton had been found in an abandoned building near Hena’s village. Since it is not uncommon that men who are picked up are tortured and killed at nearby places, the villagers alerted Hena’s family that the skeleton might be Muneer’s (but it might also be of any one of the numerous people who have disappeared in that or neighboring villages).

The ‘exhumation,’ with a household rake, was conducted by Hena’s brother-in-law, Bilal*, while local police officers sat nearby and observed. From some clothes and a fractured bone, Bilal thought it might indeed be Muneer. *“But the clothes were so dirty, and it was only a heap of bones, how can I say it was my husband? No one told us they took him to an abandoned house...? I don’t believe that was him,”* says Hena. A DNA sample was apparently taken, but the forensic reports have never been released to Hena and her family.

While the Courts and government have remained non-responsive, Hena herself has been steadfast in her search for Muneer. *“One, I want to know what happened to him. Two, I want justice. The culprits should be held responsible,”* she maintains. *“And the least they can do is provide one government job to one of my sons, so that we can stop burdening the extended family as much as we have had to in these last eight years.”*

Every month for the past eight years, Hena has travelled from Baramulla to Srinagar to sit in silent protests organized by the Association of Parents of Disappeared Persons. When asked why she makes these trips, she replies, *“What choice do I have but to struggle?”*

“Every now and then someone comes to hear our story. But I have been raising these girls without a father. I don’t need to be reminded of that. I need jobs. Can someone provide my daughters jobs? We aren’t asking for handouts...they will work. I have educated them, as a single mother.”

–Rubina*, Palhallan, December 2010.

“Sometimes you see women in burquas begging on the streets in Srinagar. They aren’t overly religious... I know some half widows who do this, they cover not out of religion, but out of social shame. They must beg to feed their children.”

–Gul*, Srinagar, November 2010.

“If my in-laws were wealthy they would have helped. I was like a daughter to them. But when their son was taken, they cried all the time. Then they cried about me and my children. I took their blessing, and left.”

–Sakina*, Baramulla, March 2011.

iii. Economic Hardship. The absence of husbands renders women economically vulnerable. In already socioeconomically weak families, which is the status of most families that have suffered disappearances, such vulnerability leads to destitution.

Generally, the husband is the sole breadwinner in the family and his disappearance results in an abrupt paucity of income. Further, several other potential sources of relief—such as issuance of ration cards^{xxxiii} or transfer of husband’s property or bank accounts—are also closed to half widows. This is because these processes either require death certificates, which the half widows do not have since their husbands are not officially recognized as deceased; or involve government verification procedures, which mostly result in the inquiring officer noting the person is ‘missing’ (often with the suspicion that he is an underground or overground militant).

The half widow is mostly not equipped, educationally or socially, to begin earning for her family. As a result she, as well as any children she has, become dependent on others, most often the husband’s family (given the cultural context where parents live in a joint family with their sons and daughters-in-law, not with their married daughters). In the in-laws’ family, relationships often sour after the disappearance. The half widow and her children are seen as constant reminders of the family’s loss and as additional mouths to feed. Further, by Muslim law, if the son dies during his father’s lifetime, the father may, but is not required to, give property to his son’s heirs. While deciding matters of inheritance, the disappeared sons are often counted out as deceased and their children’s inheritance comes to naught (or at the best remains undetermined till the grandfather’s death). The half widow thus often does not receive economic relief from this quarter either and remains solely responsible for supporting her children.

In several cases, half widows leave or are forced to leave the in-laws’ home. Then, in most of these cases, the maternal homes become the source of shelter and food. However, once again, the half widow and her children are seen as burdens; culturally, a daughter is not supposed to live with her parents once the parents have fulfilled their duty of marrying her.

“During the day, I would beg. In the evening, I washed neighbors’ dishes. That’s how I filled the rent. I would not tell anyone, not even the landlord, about him. I would say, he is on duty, away to Jammu...”

–Samina*, Lolab, Kupwara, March 2011.

“People have good reasons to question the safety and chastity of a woman alone... A few months ago, our neighborhood was cordoned off for almost a week. Soldiers insisted on checking women’s breasts for grenades. Who knows what else they did in homes without men...?”

–Ifat*, Pattan, December 2010.

“When people want to hurt me they say things like ‘Your face is like this, which was why your husband disappeared.’”

–Hena*, Baramulla, November 2010.

In cases where there is no family able or willing to support the half widow and her children, they are rendered homeless. The children may be put in an orphanage, for example, those run by the Jammu and Kashmir Yateem Trust. Some half widows are able to find menial work, others turn to begging, and a few have been known to resort to prostitution.

Government assistance for the family of the disappeared is extremely difficult to come by (*see*, vi). In some of those few cases where ex gratia relief is granted (pp.15-16), the relief can also become a bone of contention within the family—for the in-laws claim a stake in the relief, and their right to a share is supported by Muslim Personal Law, resulting in the wife receiving only about one-eighth of the relief. Further, a debate rages within the society about whether the half widow should accept economic compensation at all: one, because she isn’t certain her husband will not be returning and two, (in the majority of cases where disappearances are by the army, military, or paramilitary) because she is accepting money from the very state actors who are responsible for her husband’s disappearance in the first place.

However, in APDP’s experience, it is clear that if compensation is made easily available through a transparent process, most families would likely not shun it. Most half widows’ claims that they will not ‘sell’ their husbands for government compensation arise only when compensation and relief are predicated on abandoning their legal cases or other efforts to locate their husbands. Half widows are generally not opposed to receiving assistance. But while the stories of half widows are recorded by many, few bring them hope of any economic assistance, which is what they need most desperately.

iv. Social Challenges. The prolonged and indeterminate nature of the husbands’ absence makes half widows vulnerable to several threats against their physical and mental well-being. While social networks have been crucial to most half widows for surviving their trauma, societal biases have at times further traumatized half widows.

Half widows often suffer further loss when they are separated from their children. Given the aforementioned tense dynamics in the in-laws’ home, the in-laws at times choose to keep and raise their grandchildren, while turning out the half widow and providing no visitation rights. In other cases, the half widow’s

“If I went to a social function, a wedding, people would ask, ‘She’s the one whose husband was taken?’ Then they would comment on my clothes, ‘Look, she has a fancy border on her kameez. Who is she trying to attract? The neighbor’s son?’ I stopped going out.”
–Asima*, Baramulla, November 2010.

“I was going to the DC’s office to file for ex gratia relief. I got tired of the clerk’s apathy and eventually asked if he wanted a bribe. He said, ‘You just come with me today, I’ll take a look at that file.’ I flung the file in his face, right there in the office, with his subordinates standing. I ran out...”
–Zara*, Srinagar, December 2010.

“Getting remarried was not an easy decision...but I was lucky someone wanted me...he is a good, religious man. I gave life a second chance.”
–Salma*, Uri, March 2011.

natal family takes her in only on the condition that her children remain with the in-laws or be sent to an orphanage. In still other cases, children are divided between the half widow’s parents and in-laws and she may never see one/some of her children.

Their forced status as ‘single women’ coupled with gender biases results in half widows facing social isolation, shaming, and physical vulnerability. Half widows are at times senselessly blamed for their husbands’ disappearances. For example, the women are told they are bad luck for the family or that they brought on tragedy due to their bad character or deeds. Furthermore, they are often watched with suspicion: being ‘without a man,’ they are accused of trying to attract other men should they continue to dress as they did when married, or leave the house for work or everyday chores, or meet with lawyers or government officials. Some half widows have also reported becoming targets of sexual violence from those viewing them as defenseless without a partner.

Only a small fraction of half widows choose to remarry. Many half widows do not contemplate re-marriage, believing they will eventually receive some information about their husbands. Even more give up the option of remarriage on account of their children; there is a deeply held fear that a stepfather will never accept his wife’s children or give them his best. And for those who want to remarry, social stigmas around remarriage remain strong, while religious interpretations of the rules around remarriage remain contested.

The social taboos around remarriage are cultural rather than religious. Islam encourages widow remarriage. However, Sufi Islam in Kashmir has absorbed many dominant South Asian cultural values, including the disapproval of widow re-marriage.

In Islamic law, Shariah, there is no consensus around the marriage of women who are half widows, because there is no special provision for the phenomenon of enforced disappearances. All four major schools of Islamic thought—Hanafi, Maliki, Shafi, and Hambali—provide different guidance about re-marriage. However, the concept of ‘Ijtihad’ provides for scholars to extrapolate an opinion regarding any topical issue that has no instance in Islamic jurisprudence, if done in accordance with the context and urgency of the issue and without violating basic Shariah. Thus, though the Hanafi school has declared that a woman has to wait 90 years after her husband’s disappearance, many Hanafi scholars have agreed with the interpretation of the

“After my husband was picked up by unidentified gunmen, my mother-in-law was very insecure about me. She wanted to keep me, and planned to marry me to my husband’s youngest brother. He was 12 years old.”

–Rubina*, Kupwara, March 2011.

“You see, I have three children. I got proposals even from young bachelors. But I always said no. Because how parents raise their own kids, no one else does.”

–Asima*, Baramulla, November 2010.

“The mental state of half widows can best be described as Complicated Grief. Frankly, it is an under-studied population. But these women exhibit a one-track mindedness that both sustains them as well as further entrenches their grief. They are constantly searching and waiting.”

–Psychiatrist, Srinagar, March 2011.

Maliki school: that a woman wait for either 4 or 7 years (there is some difference among scholars within this school), and if her husband remains missing, without information about his whereabouts even after proper investigation, the marriage is deemed to have been dissolved. Further, there are also many opinions regarding the validity of a second marriage should the first husband in fact return. But most scholars opine that if the woman had sought permission from the qazi (Islamic scholar), and he had nullified the first marriage, the second marriage would remain valid.

The different interpretations of the holy Quran on the issue of the remarriage of half widows should however not be over-stated; this in itself is not the chief impediment for half widows to reconstruct their lives. Some younger half widows, especially those without children, and those half widows in better economic situations, re-marry within years of their husband’s disappearance, with the blessing of their local qazi and without anxiety over the different religious interpretations.

The various socio-economic pressures together have psychological effects on half widows that largely go unaddressed. Most half widows report anxiety (often described in terms of “speeding up” or palpitations), sleep disorders, and lack of interest in everyday activities. Many half widows exhibit Post Traumatic Stress Disorder (PTSD); anxiety attacks may be triggered by memories of the disappearance or the disappeared. The Government Psychiatric Diseases Hospital in Srinagar continues to receive 200 patients a day in its Out Patients’ Department. However, doctors there report not seeing half widows or other family members of the disappeared come in for treatment very often; the families continue to harbor hope without recognizing that retaining such hope has taken its toll on their own mental well-being. Half widows are known to self-medicate, consuming easily available antidepressants, resulting in further health issues.^{xxxiv} In a vicious cycle, the worsening mental and physical health has adverse effects on their economic situation, which further worsens their social standing and vulnerability, entrenches their isolation and suffering, further compromising their health and well-being.

“My children would hide under the table whenever there was a knock. They said, ‘If those people could take our Papa, they can take us too!’”

–Samina*, Lolab Kupwara,
March 2011.

“She is eleven, but she is more like my sister...she has no friends. She was only one when her father went missing.”

–Shazia*, Srinagar,
March 2011.

“In ten years, I don’t think my mother has slept. I sleep next to her every night and scold her, ‘Go to sleep now, go to sleep.’ My sister sleeps on the other side. Ma wakes up early in the morning and starts ‘get up, have tea.’ Because she can’t sleep she won’t let us either. And she hurts all over.”

–Afroza,* daughter of a half widow,
Baramulla,
December 2010.

v. Children. The initial trauma of the disappearance, and the resulting economic hardships and social challenges—that combines to have lasting adverse effects on the lives of half widows—in turn deeply affect their children as well.

These children either grow up in the insecurity that shrouds the lives of half widows or away from their mothers in orphanages or in their grandparents’ homes. They carry the social stigma of being ‘fatherless’ in a society where the father’s—rather than the mother’s—name, status, and protection are crucial to a child’s identity. Many half widows thus often lie to their children for years about their father’s fate, in an attempt to protect them from stigmatization. When they are forced away from their mothers as well, these children are rendered orphans.

After the disappearance of their father, children’s education is often suspended and they become vulnerable to exploitation. Due to the abrupt paucity of funds, children of half widows are often removed from schools. Given the gender biases, young girls are the first to suffer; their education is discontinued before that of their brothers. Furthermore, the economic conditions force some of these children into child labor.

Without any support system, these children exhibit various forms of trauma akin to their mothers. This trans-generational trauma often also goes unaddressed, especially in cases where children take the role of caregivers for their mothers and siblings. When the psychological condition of the half widow renders her unable to perform daily tasks and care for the family, often her oldest child becomes the de facto head of the family. Such interrupted childhoods, the social isolation of being ‘fatherless,’ and the memory of the injustice against their family, result in feelings of resentment, loneliness, and anger. Like half widows, their children are also labeled and spoken about, but little is done to ameliorate their condition.

“The children of half widows simply miss out on their childhoods.”

–Khurram Parvez,
Coordinator,
JKCCS, Srinagar,
March 2011.

“Many half widows end up envious of widows, for the latter are likely, at least on paper, to receive some form of administrative relief, even if the legal system stalls and fails. Half widows are entitled to no administrative relief either.”

–Parvez Imroz,
Advocate in the
Jammu & Kashmir
High Court for 32
years.

- **Widow pension is unavailable to half widows.**
- **Ex gratia relief and compassionate appointment are inapplicable to half widows because they cannot prove their husbands’ death.**

vi. (Un)Available Remedies. Half widows and their children currently fail to receive due response and assistance from the government despite being an at-risk population that faces serious economic and social hardships. There are two possible sources of remedies: legal and administrative (non-legal). While most administrative remedies are unavailable to half widows (for their widowhood status is undetermined); most legal remedies remain elusive due to the severe financial and emotional costs over multiple year timelines. Further, half widows may face additional roadblocks from two possible sources: the perpetrators of the disappearance and the society that surrounds the half widow.

Despite its wide extent, the phenomenon of disappearances in Kashmir is not officially recognized by the government, which leads to several challenges for half widows. For example, applying for ration cards or transfer of land title may become impossible (*see*, p.10). Another stark illustration is the case of disappeared public servants. According to the Service Law,^{xxxv} a public servant can only be terminated from service if he willfully remains absent from duty. While a disappeared person is not willfully absent, he is treated as such and his employment, benefits, and pension are accordingly terminated.

Administrative remedies fall short of providing due relief to half widows. While the government has created relief systems (ex gratia relief^{xxxvi} and compassionate appointment^{xxxvii}), these are available only in cases where the death is certain and can be proven (e.g., a copy of the death certificate must be produced). Also, relief is contingent on the deceased not having been involved in any militancy-related activities. In disappearance cases, the death is not ascertainable. Furthermore, in many cases, the government posits that the disappeared may have had a link to militant activities (p.6).

The possibility for ex gratia relief for half widows lies in a government order that allows application for relief (only if it has been more than seven years since the disappearance) to the District Magistrate who will place such a case before a ‘District Screening cum Coordination Committee.’ This Committee will decide whether the disappeared person can be presumed dead and also cleared of any militant-related activity and thus whether ex gratia relief may be awarded.^{xxxviii} The Committee is however constituted of representatives from the security forces and police as well as other governmental agencies. Thus, in many cases half widows do not have confidence in this procedure since the very

“After I had searched everywhere, I begged the police to file an FIR, but they didn’t care. They told me to check with the army. I finally got a missing persons report only. Now where should I take that? No one told me about any options...Options must exist in Srinagar...it takes four hours to get there from my village, and who would I go to there? Who would care for my five children here?”

–Ifat*, Kupwara,
March 2011

“With the help of a neighbor... he goes to Jammu and knows about things... I applied for SRO relief, so my son would be hired on compassionate grounds. But police control that. They say my husband has gone across [to Pakistan]... rather than taken from our home by armed men... and so we can’t get a death certificate.”

–Saira*, Banihal,
March 2011.

perpetrators of the disappearance may be on the Committee. Further, APDP notes that this Committee has in fact rarely met and is thus not an effective avenue for remedy.

The only other possible source for non-legal relief lies in the State Human Rights Commission (SHRC). While the weaknesses of this body have been noted previously (p.4), its mandate includes making advisory opinions in human rights cases.^{xxxix} From time to time it may advise relief for half widows in the form of ex gratia relief and/or the commission of an investigation into the disappearance. The law requires the state government to respond to the SHRC’s report within four weeks from the receipt of intimation and to take the related appropriate action.^{xl} However, SHRC opinions often remain unimplemented and half widows have to then resort to the courts and file writs regarding inaction by the state. The state may respond in one of three ways: by requesting additional time; by stating the SHRC opinion is excessive and needs amendment; or by rejecting the opinion (which is advisory and non-binding). Thus, half widows often do not find remedy in the SHRC even after spending years pursuing their cases.

In the case of legal remedies, the hurdles begin during the initial search for the disappeared husband. When a half widow approaches the police, they often refuse to register a First Information Report (FIR) and at most file a ‘Missing Person’ Report. Without an FIR, the investigation into the crime of disappearance does not commence. The very registration of an FIR, a basic task for the police, is most often not carried out without the intervention of a lawyer. And very few half widows have the legal awareness or economic strength to hire a lawyer and pursue legal recourse.

The legal procedure is convoluted, lengthy, and daunting, all the more so for half widows who often live far from cities, may have young children, and mostly have had no formal education. The legal remedy is the half widow’s last option when all else has failed, and is mostly pursued only if a lawyer takes the case pro bono, essentially free of cost.

If a lawyer begins working on the case, she will file a habeas corpus petition in the Jammu and Kashmir High Court,^{xli} seeking the whereabouts of the disappeared from the State. The State almost invariably denies knowledge of the disappearance. The Court takes either of two routes. It may order an inquiry (by a District Judge or Chief Judicial Magistrate), wait to receive the

- **Few half widows ever approach lawyers. Lack of formal education, economic constraints, and geographic distances (compounded by the many military barricades) from the capital city Srinagar stand on the one hand, and the fears of further victimization, retaliation, and mutilation of the memories of the disappeared stand on the other.**

“These are not what you would call organized litigants. Only about 5% of the half widows in Kashmir in fact pursue legal recourse.”

–H.U. Salati,
Advocate,
J&K High Court,
May 2011.

- **Average time for a half widow’s legal case: 10-12 years.**

findings, and then decide to either direct the police to file an FIR (if one has not been filed, which is most often the case) and conduct the investigation and/or order (in rare cases) the State to pay ex gratia relief to the petitioner. The second route is that the Court order the furtherance of an investigation into the disappearance in cases where the FIR was filed, but the alleged perpetrators failed to cooperate with the police.

However, even completed police investigations do not ensure that the case will move forward swiftly. For example, under the Armed Forces (Special Powers) Act (*see*, p.2), armed forces have immunity and cannot be tried in civilian court unless formal permission, ‘sanction,’ is granted by the central government to authorize a particular prosecution. Thus, if the police investigation does find the forces guilty of the crime, the sanction process begins. The case file then goes to the Home Department in Jammu and Kashmir, which passes it on to the Home Department in New Delhi, which in turn sends it to the Defense Secretary (when the perpetrator indicted by the police belongs to the army) or the Home Secretary (when the perpetrator belongs to the paramilitary forces). It remains unclear as to how many sanctions have ever been granted by New Delhi and whether such grants have actually been followed by prosecutions.^{xlii}

At each stage of the legal process, delay and non-compliance with court orders are the rule rather than the exception. Lawyers have to repeatedly file contempt petitions requesting compliance, to ensure that the case progresses. The process thus often results in the half widow’s tiredness and inability to closely pursue the case, which may lead to her lawyer’s laxity or even abandonment of the entire case. More troubling, even in cases where the half widow remains vigilant, the process proves punishing, as illustrated by Jana Begum’s case (p.19).

Half widows face further obstacles at each stage of the painful process. The first source of roadblocks is the perpetrator-defendant, against whom she files a case, whether in court or before the SHRC. The half widow effectively puts her own security on the line in pursuing these cases and is often subjected to intimidation, coercion, and blackmail by those who do not want the disappearance be highlighted. The second source of intimidation is society at large. There is a bias against a woman seeking ex gratia relief for the disappeared; it is equated to her ‘selling’ her husband. Also, half widows who pursue remedies have to necessarily meet with police and government officials, and are thus at times suspected by their community of having

“Once I started going to the SHRC, people came threatening us... the iqwanis [renegades] from the nearby camps. They said, ‘Do not pursue this case, don’t go to the police.’ I just thought ‘If I don’t do this now...then they’ll do the same to someone else tomorrow.’ I just kept silent. What could I say to them? I stayed silent, but didn’t stop pursuing the case.”

–Raja*, Kupwara, March 2011.

- **APDP member and volunteer, Dilshada, was killed by militants on 26 August 2003, in front of her three children. Subsequent APDP visits to her village revealed complete silence about the killers amidst a prevailing belief that Dilshada was an ‘informer’ for the government forces.**

become informers for the government, military, and/or paramilitary. In cases where militants learn of such supposedly suspicious activities by half widows, they coerce and threaten the half widows. In a few instances, such coercion has taken deadly forms.

In sum, pursuing remedies is a tiring process and the problems faced by half widows are compounded rather than addressed by the legal and administrative remedies currently available. The punishing nature—including delays, costs, and harassment—of the process of availing such remedies is deterrent enough for most and leads to further dejection. But even for the few half widows who persevere through the process, justice and closure remain elusive.

Jana Begum Pursues All Legal Remedies
—Process as Punishment

18-19 January 2002: Jana's husband, Manzoor Ahmed, is picked up by the Army from their family home, never to return.

20 January- 31 January 2002: Jana and other family members go to the Police and search in the Rashtriya Rifles Regimental Center in Chaar Chinar, Srinagar. Police refuse to lodge a First Information Report (FIR). Jana, her daughters, and neighbors begin public protests.

1 February 2002: Police finally lodge the FIR but take no action.

16 February 2002: Colonel Kishore Malhotra (who had led the raid on house on the night of 18 January) visits Jana's home, reiterating that he had committed no wrongdoing, while assuring the family that Ahmed would return home soon.

24 June 2002: Jana's lawyer files a writ petition before High Court, after inaction by the police.

17 March 2003: High Court holds that an inquiry must be held by the Chief Judicial Magistrate (CJM).

10 October 2003: CJM conducts inquiry (calling witnesses to the disappearance) and files his report with the High Court.

24 July 2004: High Court orders that since the FIR had been filed, the police must carry out an "expeditious investigation."

19 April 2005: Since the ordered investigation had not commenced, Jana's lawyer filed a contempt petition in the High Court.

16 April 2007: High Court orders that the investigation must be completed within two months and instructs the Director General of Police (DGP) to personally monitor the investigation.

24 April 2007: DGP files compliance report stating that the relevant Army commanders had been asked to provide the whereabouts of Col. Malhotra.

24 May 2007: High Court orders that Col. Malhotra be presented before the Court within ten days.

31 May 2007: High Court passes another order with the same instructions.

11 October 2007: High Court repeats its order.

15 November 2007: Direct communiqué sent to Col. Malhotra.

12 December 2007, 19 February 2008, 7 April 2008, 13 May 2008, 10 July 2008: Court serves further notices to Col. Malhotra and Army.

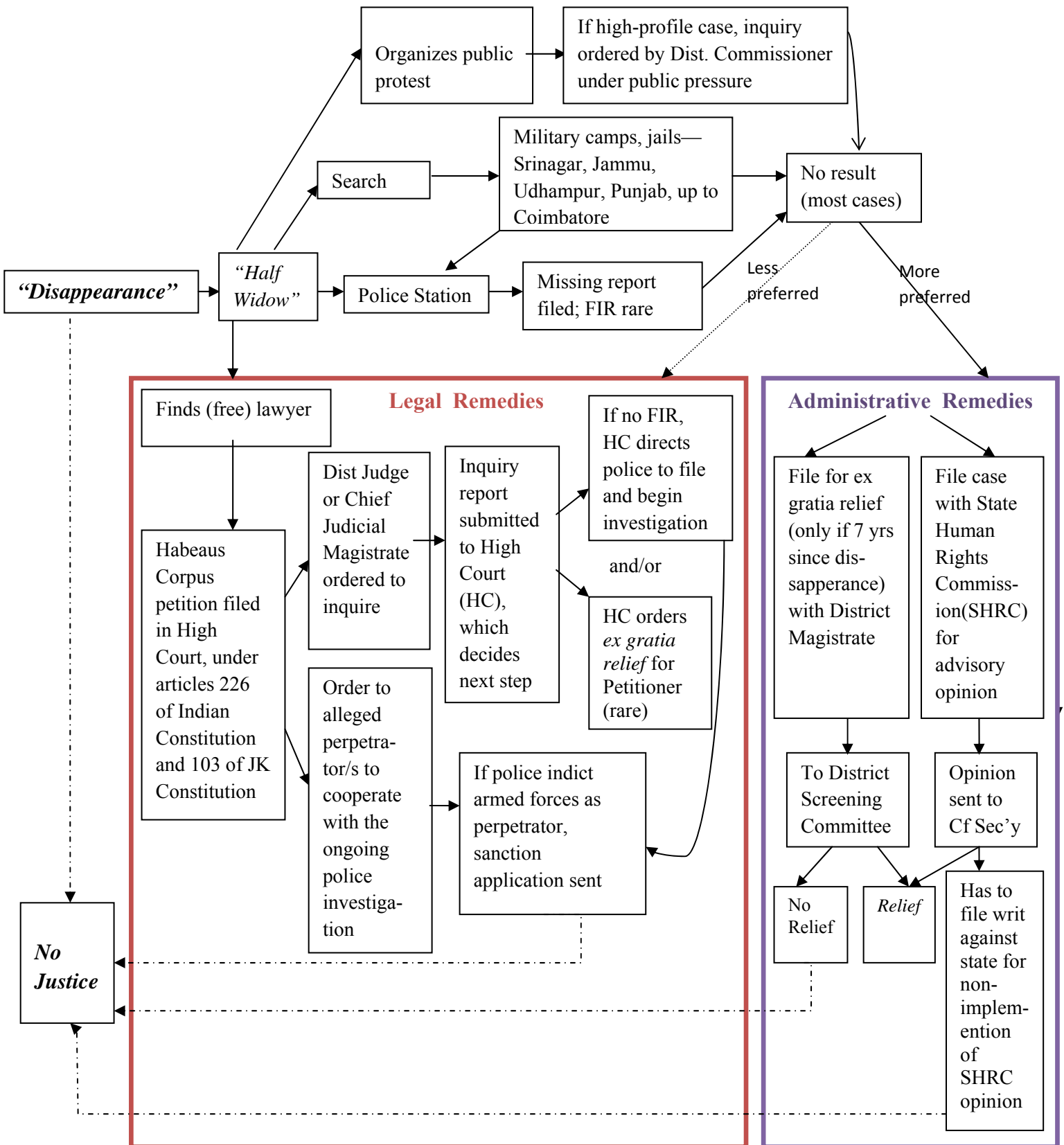
10 July 2008: Army submits that due to Col. Malhotra's sensitive nature of duty at the Line of Control, the Special Investigation Team should come and meet with him in the Army Head Quarters. The High Court rejects this prayer.

August 2009: Indian Supreme Court dismisses a Special Leave Petition filed by the Army claiming that Col. Malhotra's appearing would be tantamount to prosecution, which was barred in case of Army personnel unless sanction was obtained from the Central Government (Armed Forces (Special Powers) Act, 1990).

As of this report, 2011: Case is ongoing in the Jammu and Kashmir High Court.

Years since Jana Begum's husband's disappearance: 9.

Typical Sequence of Events When a Half Widow Perseveres to Pursue all Options



“I suppose I have this determination and fearlessness because of anger...if he was a militant, then, fine, he would have killed and gotten killed...but he was a civilian. Unless I keep going to court, we create an environment where this just goes on.”

–Raja*, Kupwara,
March 2011.

“Mostly my mother keeps quiet. But every 28th, she meets other women who are going through the same thing... her burden is lightened, she even offers them advice.”

–Mehvish*,
Baramulla,
December 2010.

“Attending APDP meetings also scares me... neighbors tell me it will hurt my daughter’s chances of getting a job on compassionate grounds...that the government sees us at the sit-ins and does not process our papers.”

–Haneefa*, Pattan,
Baramulla,
November 2010.

4. Local Action by & for Half Widows

While not nearly all of the 1,500 estimated half widows in Kashmir are organized, represented, or heard, many half widows and their civil society supporters have actively worked for justice and survival through the years.

The Association of Parents of Disappeared Persons was formed in 1994. In 2006, APDP split into two organizations, under different leadership. Half widows constitute the membership of both APDPs. Each month, for the last 8 years, APDP stages sit-ins in Srinagar. Half widows and other family members of the disappeared sit together in solidarity, as a reminder that the disappeared have not been forgotten. A space has thus been created for survivors of the crime of disappearance to gather, support each other, and share strategies for pursuing remedies.

Such organizing comes at a cost. Some family members dissuade half widows from attending meetings, for they would rather she stay within the home and not expose her vulnerability (which may in turn threaten her security; prospects of remarriage; and/or her family’s social status). Children often attend these meetings with their mothers and thus repeatedly hear about disappearances and rights violations, which often deepens their own angst and depression. While APDP-JKCCS urges parents not bring young children to the meetings, mothers often have nowhere to leave their children. Also, APDP-JKCCS is keen on creating child-centric programming, in which the children can be engaged every month while their mothers attend the sit-ins. However, the dearth of resources prevents such additional programming.

Other members of Kashmiri civil society have also attempted to champion the case of half widows. Lawyers have pursued disappearance cases pro bono. Writers^{xliii} and filmmakers^{xliv} have tried to raise awareness about families of the disappeared.

Despite the few awareness-raising efforts, sustained programs that address the socioeconomic and psychological issues have been scarce. One successful initiative was the APDP stitching center in Srinagar. Modeled around the concept of a self-help group, the center provided a safe space for sharing and earning. Half widows and their daughters produced several items of traditional Kashmiri handicraft. Paucity in resources, particularly inability to pay the rent, led to the closure of the center in 2009.

“If the APDP stitching center were re-opened, I would again have a place to go with my daughters and earn additional income, in a respectable environment. I also find embroidery therapeutic and miss working alongside other young women.”

**–Saira*, Srinagar,
December 2010.**

“My children say, ‘Today they are firing openly, and we see what is happening with the people... But with our father, who knows, they might have taken him to jail or killed him... we were too young to find out what happened there. But now we are no longer young...’ They were especially angry throughout the 2010 violence, and wanted to join the protesters. I have to take my eldest son to a psychiatrist regularly, because he is always so agitated.”

**–Zara*, Srinagar,
November 2010.**

Finally, it must be noted that despite the various societal challenges faced by half widows, societal support has also been invaluable to many women. After a disappearance, communities have banded together, often for days, to stage protests and attract government attention to the crime and the victim’s family. Furthermore, entire neighborhoods have at times raised money for food and shelter for half widows and their families. However, given the weak socioeconomic backgrounds of most half widows, their surrounding communities also often have little to share. Moreover, such support is mostly not sustainable, especially given the general environment of insecurity in Kashmir.

5. An Opportunity

The vulnerable population of half widows stands as a constant reminder—for not only their children and communities but for all Kashmiris—of unresolved investigations, unattended needs, and continued suffering. Peace is more than merely the absence of war; for ordinary citizens it is also inextricably linked to development and a better future. Efforts that improve the quality of life of Kashmiris and remove everyday vulnerabilities enhance momentum towards resolution and inclusive peace.

The deserving population of half widows presents an occasion for promoting trust and security in the Valley. The Indian government has the opportunity to exhibit any seriousness about addressing rights violations and bringing security to Kashmiris—given the discrete nature and concrete concerns of this population, tangible steps will be highly effective as well as visible. Half widows also represent opportunities for the international community to meaningfully engage in relief and empowerment work in Kashmir, though such involvement is also contingent on government willingness and approval.

It is however clear that addressing the problems faced by half widows is impossible without addressing the disappearances themselves, and thus necessarily requires a holistic rights-based approach. The following law and policy recommendations help outline such an approach.

6. Required Law and Policy Changes

Law and policy changes must address the various forms of gendered violence—violence committed directly against women, or indirectly, due to violence against men in their community. ‘Women’s issues’ cannot be defined narrowly, outside the larger context. The general environment of insecurity must always be taken into consideration in order to accurately assess and address the actual harms perceived by women.

i. Recommendations to the Government

While the majority of these recommendations are addressed to the state government, they are also aimed at the central government, given how New Delhi continues to have significant influence in the state’s administrative matters, particularly those related to traditional security issues.

Immediate-Term (1 Year)

❖ **A streamlined system for compensation, without room for delays, harassment, or coercion, must be instituted for half widows.** This report has noted the grave economic situation of half widows and their dependent children (pp.10-11). The government’s remedies have thus far failed to alleviate this situation (pp.15-18). The current administrative remedy involves sending the half widow’s case to a ‘District Screening cum Coordination Committee,’ which includes military, paramilitary, and police personnel, since a major criterion for relief is that the disappeared person was not involved in any militant activity (pp.15-16). This process lacks public confidence and has been ineffective, leaving half widows to face severe economic vulnerabilities. Instead, the government should create a system for compensation wherein a civilian Committee focuses on providing relief after determining: (i) whether the woman has had any male partner in the past seven years (the Indian legal benchmark for considering whether a person reported ‘missing’ may be deemed dead); (ii) her economic condition; and (iii) the number of dependent children. The Committee should focus on the plight of the women and children and prioritize cases where the half widow has minor children. Such a Committee must be immediately constituted and made functional.

❖ **A special bench in the Jammu and Kashmir High Court must be constituted to hear cases filed by half widows on an expedited basis.** The legal system, generally over-crowded and costly, presents special difficulty for half widows, who are generally at an economic, social, and educational disadvantage (pp.16-17). Since most disappearance cases follow a similar pattern (p.7) and also involve common legal features (such as the non-filing of a FIR), a special bench to hear half widows' petitions would be particularly suitable. Such a bench must be committed to independent and impartial judgments. International remedies and recourses need not be sought if the state legal system makes special provisions for hearing cases of half widows, a vulnerable and deserving section of Kashmiri society.

❖ **The government must allow free civil society activity around the cases of half widows.** The government must aid rather than prevent civil society from assisting the half widow population. Such assistance includes, but is not limited to, the documentation of the disappearances that led to half widowhood; provision of legal representation; creation of income-generating self-help groups; and offering of psychological care. The government must also not interfere with peaceful public gatherings and protests by families of the disappeared.

❖ **The central Indian Government must ratify the International Convention for the Protection of All Persons from Enforced Disappearances.** India has signed (on 6 February 2007) but not ratified the Convention. Disappearances have been and are a widespread phenomenon in many states (including, but not limited to, Punjab, Kashmir, and Manipur)^{xlv} to which the Indian government owes the responsibility of protection. The signature of the Convention itself obliges India, under international law, to refrain, in good faith, from acts that would defeat the object and purpose of the treaty (which is, preventing enforced disappearances and combating the resulting impunity). However, India must also ratify this Convention to make it part of the Indian legal system and to exhibit a true commitment to promoting universal respect for, and observance of, human rights and fundamental freedoms.

❖ **Special legislation on enforced disappearances must be drafted and passed.** Disappearances have been a long-standing phenomenon in Kashmir, among other places, and must be recognized by the law, so as to pave the way for better

remedies for victims of disappearances. Such legislation must (i) define and prohibit enforced disappearances in any and all circumstances; (ii) guarantee the rights due to persons deprived of their liberty—including to be held only in officially recognized and supervised places of detention and to be allowed free communication with family and counsel of one's choice; (iii) clearly state the range of punishment applicable to perpetrators of enforced disappearances; and (iv) lay down guidelines for government departments that work with families of the disappeared (for example, when a half widow applies for a ration card, there should be a streamlined system that does not require her husband's death certificate but rather ascertains her economic status on the basis of her survival as a single woman and mother (p.10)). The government must draft such a law, with meaningful input from civil society, and place it for a legislative vote, as soon as possible.

Short-Term (2-3Years)

❖ **Disappearance cases must be resolved; families must be told the whereabouts of their loved ones, whether dead or alive.** Beyond special consideration to the cases of half widows, credible and independent investigations must be undertaken into all disappearances since 1989 (after which the armed militancy commenced and disappearances began to be recorded in Kashmir in large numbers (p.2)). While the extent of disappearances makes this a considerable task, it is essential for the government to finally provide information about the disappeared of Kashmir. It must be noted that APDP currently awaits acknowledgement of and action on the detailed list of 1417 cases of disappearances that it submitted to the Jammu and Kashmir government on 28 May 2011. The government should begin by rendering into the public domain details of any investigations already undertaken into these disappearances. Furthermore, a full-scale investigation must be commissioned to inquire into the disappearances within a stipulated and reasonable timeframe, not beyond three years.

❖ **Perpetrators of enforced disappearances must be punished under the full extent of the law.** Punishments for those found responsible for enforced disappearances through the above investigations must be decided swiftly and enforced strictly. Such punishment is necessary to provide justice to the victims of past crimes as well as to deter future crimes.

❖ **Security laws,^{xlvi} particularly AFSPA, that stand as barriers to redressal, must be repealed.** Prevention of and effective remedies for disappearances both demand that special laws that provide immunity to the forces in Kashmir be reconsidered. This realization has been repeated by Indian national bodies such as the Prime Minister’s Working Group on Confidence-Building Measures in Jammu and Kashmir, which has recommended repeal of AFSPA. Also, international bodies have repeatedly called for the repeal of AFSPA: in 2007, the UN Committee on the Elimination of Racial Discrimination urged the Indian government to repeal AFSPA and replace it with a more humane Act within one year; in 2007, the UN Committee on the Elimination of Discrimination Against Women also asked the Indian government to do the same; in 2009, the High Commissioner for Human Rights said that AFSPA breached “contemporary international human rights standards;” and in June 2010, the European Parliament called for the repeal of AFSPA. Besides, national and local civil society has demanded that AFSPA be revoked or reworked.^{xlvii} The government must not delay any further and must display a commitment to truly bring resolution to Kashmir.

Long-Term (4-7Years)

❖ **A complete survey of those disappeared must be undertaken and the results presented to the public.** A complete survey of disappearances in Kashmir has not been undertaken since civil society lacks the resources for such a project. The government would be grossly amiss to spend precious resources on making such a project its priority in the immediate or short terms: it is clear from the available data that disappearances and half widows are a significant part of the Kashmiri landscape (p.6; Appendix II). However, after it has implemented the most immediate recommendations, the government should sponsor a complete survey that brings to light the true extent and nature of disappearances and provides acknowledgement to the families that have suffered enforced disappearances. Again, it is essential that the government first take immediate steps to alleviate the situation of individual half widows and also amend the systemic problems that lead to disappearances and half widowhood in the first place.

ii. Recommendations to Civil Society

❖ **Indian and international civil society must recognize the issues faced by half widows in Kashmir and advocate the government to act on the opportunity to bring meaningful change to a visible and vulnerable section of Kashmiri society.** Since action by the government is absolutely essential to improve the lives of half widows, the first role of civil society is to advocate that the government pay close attention to the situation of half widows and make immediate policy changes, which will serve as concrete ‘Confidence Building Measures’ between the government and Kashmiris. Indian civil society groups, particularly those committed to peace and security and gender justice, should sensitize their constituencies to the issues of half widowhood in Kashmir and build popular campaigns for change. International institutions such as UN bodies, development agencies, and human rights groups should continue to inquire into the issue of half widows.

❖ **Civil society—local, Indian, and international—must consider funding initiatives that directly aid half widows, such as health care programs, income-generating projects, and scholarships for the children of half widows.** Existing civil society efforts in Kashmir exhibit the ability to organize half widows and their children, and additional funding should build on these efforts and promote empowering programming for half widows. For example, the APDP stitching center, which had to be closed in 2009, was a source of economic and social empowerment for half widows (p.22). Funding directed at such initiatives could bring some immediate relief to half widows and their dependants.

❖ **Islamic scholars must develop and publicize a consensus around the ‘waiting period’ of 4 years, after which a half widow be permitted to re-marry under Islamic law.** There are currently different opinions on re-marriage, as per different schools of Islamic thought (pp.12-13). But scholars should decide a fixed number of years, and announce the same to the general public. Four years is advised as an appropriate wait period, keeping in mind the precedence for this in the Maliki school.

❖ **A holistic understanding of women’s rights issues must be promoted and a rights-based approach developed.** Half widows and other women should not be viewed as mere recipients of assistance, but rather as agents of change. Their courage in the face of all obstacles should be recognized and their identities beyond their half widowhood respected. Such recognition trickles down to the children of half widows who are in turn empowered. Civil society operating in Kashmir should advance such an understanding first by developing a rights-based approach internally and then by holding trainings, workshops, and discussion sessions that provide due space for discussion by and for women and their unique experiences of the insecurities in Kashmir.

❖ **An increased investment in women’s leadership must be made.** Half widows exist within the large Kashmiri society and thus the general advancement of women’s rights will also aid half widows. Development of leadership will enable empowerment of the women involved as well as of their surrounding society, thus promoting a cultural change—for example, in attitudes towards single women, whether unmarried, widowed, or divorced. Local and international civil society should support such leadership development: (i) by supporting increased participation of women in leadership roles in the existing Kashmiri civil society organizations and (ii) by concentrating increased funding on women-led initiatives, whether women-run trauma counseling centers, or reading and listening groups, or women’s publications.

7. Conclusion

Half widows are a stark and pernicious, often unidentified, face of the insecurity in Kashmir that stands as a hindrance to broader improvement. As displayed by the summers of 2008, 2009, and 2010, unaddressed needs and lack of space for civil society action can result in vicious cycles of violence. The population of half widows provides an immediate and meaningful opportunity for positive change and engagement in Indian-administered Kashmir. Kashmiri grassroots organizations face an uphill battle as they work with inadequate resources toward peace and justice in the face of instability and insecurity. Despite the severity of challenges, the small successes of local organizations provide a model for the attention and action required from national and international groups. The Indian government, the Kashmir government, and Indian and international civil society must not squander this opportunity for change. Half widows and their children demand and deserve immediate action.

Endnotes

ⁱ “[E]nforced disappearance’ is considered to be the arrest, detention, abduction or any other form of deprivation of liberty by agents of the State or by persons or groups of persons acting with the authorization, support or acquiescence of the State, followed by a refusal to acknowledge the deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person, which place such a person outside the protection of the law.” United Nations, International Convention for the Protection of All Persons from Enforced Disappearance, 2006, Article 2.

ⁱⁱ This report concerns itself with Indian-administered Kashmir, the Indian state of Jammu and Kashmir, which geographically consists of three regions: the Kashmir valley, Jammu, and the hilly region of Ladakh. While the conflict is mostly concentrated in the Kashmir Valley, the neighboring region of Jammu has also seen a significant number death and disappearances. The entire affected region is referred to as “Kashmir” in this report.

ⁱⁱⁱ See, e.g., Sumantra Bose, *Kashmir: Roots of Conflict, Paths to Peace*, Harvard University Press, 2005. Especially post 1987, popular disenchantment with the Indian electoral system was reported, and this soon spurred a groundswell movement for Kashmiri secession from India. For example, in one demonstration in February 1990, 400,000 Kashmiris—almost half the population of capital city Srinagar—marched to the office of the UN Military Observer Group to hand over petitions demanding independence. Simultaneously, armed militants, some backed by Pakistan, became the violent face of the self-determination movement.

^{iv} “The Indian troops-to-Kashmiri people ratio in Kashmir is the largest soldiers-to-civilians ratio in the world.” Junaid Ahmed, “Putting Kashmir on the Agenda,” *Zmag*, 24 March 2002. Independent sources have estimated 500,000-700,000 soldiers—one for every 10 civilians. See, e.g., Federation Internationale Des Liges Des Droits De L’Homme, *Violation of Human Rights Committed by the Indian Security Forces in Jammu and Kashmir*, 1993; Pankaj Mishra, “These Murders Take a Toll on Kashmiri Tolerance,” *The Guardian*, 22 July 2002; The Indian People’s Tribunal on Environment and Human Rights, *Wounded Valley,...Shattered Souls: Women’s Fact-Finding Commission Probing Army Atrocities on Women and Children in Kashmir*, 1997. Besides, there is an at least 60,000 strong police force, which is further supplemented by Special Police Officers, including surrendered militants and other contracted troopers, and Village Defense Committees, which have been described as civilian vigilante groups, armed and trained by the security agencies. See, Human Rights Watch, “Everyone Lives in Fear,” *Patterns of Impunity in Jammu and Kashmir*, September 2006.

^v See, e.g., “500 militants active in J&K: DGP,” *The Times of India*, 3 January 2011.

^{vi} Armed Forces (Special Powers) Act, 1958, enacted in Jammu and Kashmir in 1990; the Disturbed Areas Act, 1976, enacted in Jammu and Kashmir in 1992. These grant powers and legal immunity for the armed forces and ensure continuous military presence in Kashmiri civilian life. The Jammu and Kashmir Public Safety Act (PSA) of 1978 provides police powers for administrative detentions, without trial, for years at a time; See, Amnesty International, *A ‘Lawless Law’: Detentions Under Jammu and Kashmir Public Safety Act*, 2011. In summer 2010 alone, over 120 PSA detentions have been reported. Wasim Khalid, “3500 arrests, 120 PSA detentions,” *Greater Kashmir*, 30 December 2010.

^{vii} Committee for Initiative on Kashmir, *India’s Kashmir War*, 1991; Asia Watch and Physicians for Human Rights, *The Human Rights Crisis in Kashmir: A Pattern of Impunity*, 1993; People’s Union for Civil Liberties, *Kashmir: A Report to the Nation*, 1993; Physicians for Human Rights & Asia Watch, *The Crackdown in Kashmir: Torture of Detainees and Assaults on the Medical Community*, 1993; Human Rights Watch, *India: Arms and Abuses in Indian Punjab and Kashmir*, 1994; *The Informative Missive: A Monthly Newsletter of the Public Commission on Human Rights, Srinagar*, Volumes 1-162, 1994-97, 2000-present; Lokk Shahi Hakk Sangathana, *Blood in the Valley*, 1995; The Indian People’s Tribunal on Environment and Human Rights, *Wounded Valley, Shattered Souls Women’s Fact-Finding Commission Probing Army Atrocities on Women*

and Children in Kashmir, Bombay, 1997; Surinder Singh Oberoi, "Kashmir is Bleeding," *Bulletin of the Atomic Scientists* 53(2), March-April 1997; Human Rights Watch. *India: Behind the Kashmir Conflict: Abuses by Indian Security Forces and Militant Groups Continue*, 1999; Ayesha Jalal, "Kashmir: The Deepening Scars," *The News*, 2000; Amnesty International, *India: Punitive use of preventive detention legislation in Kashmir*, May 2000; Jammu and Kashmir Coalition of Civil Society, *Dead But Not Forgotten, Survey on people killed since 1989-2006 in Baramulla District, of Jammu Kashmir*, 2006; Angana Chatterji, Parvez Imroz, et al., *BURIED EVIDENCE: Unknown, Unmarked, and Mass Graves in Indian-Administered Kashmir*, International People's Tribunal on Human Rights and Justice in Indian-Administered Kashmir, 2009; Bela Bhatia, Vrinda Grover, Ravi Hemadri, et al., *Four Months the Kashmir Valley will Never Forget*, 2011.

^{viii} See, e.g., Internal Displacement Monitoring Centre, *India: Large numbers of IDPs are unassisted and in need of protection*, 2007; Project Ploughshares, *Armed Conflicts Report: India- Kashmir*, 2008; Amnesty International, *India: If they are dead, tell us: Disappearances in Jammu and Kashmir*, March 1999.

^{ix} Research undertaken by Jammu Kashmir Coalition of Civil Society. The Government has itself admitted 4,000 enforced disappearances (statement by Chief Minister Omar Abdulla (then in the opposition) on 2 May 2008). But, there have been several conflicting statements by politicians on the extent of disappearances, and concrete action remains elusive at best. See, e.g., Ravi Krishnan Khajuria, "Govt not keen on forming commission: Families of disappeared persons continue to suffer," *Tribune News Service*, 18 November 2009.

^x See, e.g., Interchurch Peace Council (IKV) and Lawyers Without Borders, Press statement by delegation to Kashmir, The Hague, The Netherlands, 7 June 2004. "The administration . . . appear[s] to have thrown to the winds the rule of law, there is a total breakdown of the law and order machinery... Even this [High] Court has been made helpless by the so-called law enforcing agencies. Nobody obeys the orders of this Court." Even when not limited by the security laws or forces, state courts are overburdened and often show inordinate delay. In 2005, Mian Abdul Qayoon, President of the J&K High Court Bar Association, reported that at least 60,000 habeas corpus petitions have been filed since 1990 to contest detentions or disappearances. Human Rights Watch, *Everyone Lives in Fear*, 2006.

^{xi} In 1997, the State Human Rights Commission (SHRC) was established as a recommendatory body to hear cases of rights violations, but has since been criticized as a toothless tiger by civil society and as a "ruse to befool the world," by its own former Chairman ("SHRC Chief Resigns: 'Human rights violations have increased; Commission was a ruse to befool world,'" *Informative Missive*, Srinagar, July 2006; see, also, "Rights panel chairman Justice Mir resigns," *Tribune News Service*, 1 August 2006).

^{xii} This resistance is by the civilian population in the Kashmir Valley. About 150,000 Kashmiri Pandits, 90% of the Valley's Hindu population, migrated in 1989-90. The population of the Kashmir Valley today is majority Muslim.

^{xiii} See, Arundhati Roy, "Land and Freedom," *The Guardian*, 22 August 2008; Lydia Polgreen, "2 Killings Stroke Kashmiri Rage at Indian Force," *The New York Times*, 15 August 2009; Parvaiz Bukhari, "Kashmir 2010: The Year of Killing Youth," *The Nation*, 22 September 2010.

^{xiv} See, Najeeb Mubarki, "The Age of Stone Wars in Kashmir," *The Economic Times*, 2 July 2010; Suvir Kaul, "Days In Srinagar," *Outlook India*, 6 August 2010.

^{xv} As per one of the few studies on gender violence, by Médecins Sans Frontières (MSF), "1 in 7 respondents had witnessed rape, and 1 in 20 had witnessed rape more than five times." MSF noted that in the period of 1989-2006 people reported an unusually high incidence of sexual violence (alongside crackdowns, frisking, round-up raids, destruction of property, illegal detentions and other methods of intimidation.) The MSF report is

based on 510 interviews conducted over 11 weeks in mid-2005. Médecins Sans Frontières, *Kashmir: Violence and Health. A quantitative assessment on violence, the psychosocial and general health status of the Indian Kashmiri population*, November 2006. See, also, Asia Watch & Human Rights Watch, *Rape in Kashmir*, 1993 (“There can be no doubt that the use of rape is common and routinely goes unpunished.”); Sukhmani Singh, “Protectors or Predators?” *The Illustrated Weekly of India*, 30 September 1990, p. 34 (“While villagers in the interior have witnessed the highest number of rapes, those [in the cities] have not been spared either).

^{xvi} See, Barbara Crossette, “India Moves Against Kashmir Rebels,” *The New York Times*, 7 April 1991; Human Rights Watch, *Abdication of responsibility: The Commonwealth and Human Rights*, 1991, p. 14.

^{xvii} See, Asia Watch and Human Rights Watch, *Rape in Kashmir: A Crime of War*, New York, 1993.

^{xviii} See, Angana Chatterji, Parvez Imroz, et al., *Militarization with Impunity: A Brief on Rape and Murder in Shopian, Kashmir*, International People’s Tribunal on Human Rights and Justice in Indian-Administered Kashmir, July 2009.

^{xix} See, MSF, *Kashmir: Violence and Health*, 2006.

^{xx} See, generally, Seema Kazi, *Between Democracy and Nation: Gender and Militarisation in Kashmir*, New Delhi: Women Unlimited/Kali for Women, 2009, pp. 138-48.

^{xxi} See, e.g., “More Kashmiri Women Turning Militant,” *The Hindu*, 3 September 1990.

^{xxii} See, e.g., Sanjay Kak, “The Last Option: A Stone in Her Hand,” *Times of India*, 8 August 2010; Soutik Biswas, “The Angry Housewives Setting Kashmir Ablaze,” *British Broadcasting Corporation*, 16 August 2010.

^{xxiii} Rita Manchanda, “Guns and Burqua, Women in the Kashmir Conflict,” *Women, War and Peace in South Asia: Beyond Victimhood to Agency*, Sage Publications, 2001, p.72; Uma Chakravorty, “A Kashmir Diary,” in Urvashi Butalia (ed.), *Speaking Peace: Women’s Voices from Kashmir*, Zed Books, 2002. While rural areas are reportedly seeing a decrease in marriage age (that was earlier 22-25 years and post graduation from college), urban areas are seeing the increase in marriage age (from 28 to 38 years).

^{xxiv} Women acted as couriers, including of weapons, as well as provided food, shelter, and protection for militants. See, e.g., Ramachandran, 2000, “Women Lift the veil on Kashmir struggle,” *Asia Times*, 7 March 2002; Farida Abdulla, “A Life of Peace and Dignity,” in Butalia (ed.), *Speaking Peace*, p. 266. See, also, Pamela Bhagat, “Interviews,” in Butalia (ed.), *Speaking Peace*, p. 268-75.

^{xxv} In 2005, three Kashmiri women, Parveena Ahanger, Nighat Shafi Pandit, and Dilafroz Qazi were nominated for the Nobel Peace Prize through the ‘1000 Global Women for Peace’ initiative.

^{xxvi} For one, a founding member, Aasia Jeelani, died in an IED explosion while election monitoring in northern Kashmir on 20 April 2004.

^{xxvii} An extreme example is the murder of APDP member and volunteer, Dilshada, on 26 August 2003. She was shot dead in front of her three young children. When other APDP members visited her village to ascertain the details about her death and killers, they were met with silence. But it was soon learnt that there was a prevailing belief in her locality that Dilshada was an ‘informer’ for the government forces. Her travel and independence due to APDP work had been misunderstood and misrepresented in this way. This misinformation was conveyed to militants operating in the area, who were responsible for her death.

^{xxviii} At the time of the survey the Kashmir Valley was constituted of 20 Districts; now, there are 22 Districts.

^{xxxix} Jammu and Kashmir Coalition of Civil Society, *Dead But Not Forgotten, Survey on people killed since 1989-2006 in Baramulla District, of Jammu Kashmir*, 2006.

^{xxx} See, *fn*. ix. Also, APDP has documented 1,417 individual cases of disappearances. See, *e.g.*, “APDP Seeks Probe Into 1417 Disappeared,” *Kashmir Observer*, 28 May 2011.

^{xxxix} Note that other independent commentators estimate the number of widows and half widows in Kashmir to be between 15,000 and 20,000. See, Kazi, *Between Democracy and Nation*, 2009, p. 148.

^{xxxix} For the purposes of this report, besides information drawn from various extensive interviews in APDP archives, multiple individual interviews (between 1-3 hours each) were conducted with 23 half widows. 5 group interviews (between 2-3 hours each) were also conducted. 20 interviews were conducted with children of half widows. Individual lawyers, doctors, social service providers, academics, and NGO leaders were interviewed regarding their experiences in working with the half widow population.

^{xxxix} Government-issued ‘ration cards’ allow families to buy essential commodities—such as food grains, sugar and kerosene—at a subsidized rate (determined on the basis of the family’s economic bracket) from fair price shops.

^{xxxix} See, *also*, Sahba Hussain, “Will Peace Return? Trauma and Health-Related work in Kashmir,” in Butalia (ed.), *Speaking Peace*, pp. 246-7.

^{xxxix} Civil Service Regulations (Classification Control and Appeal) Rules, 1956.

^{xxxix} “In the light of the Government Order No.723-GR of 1990 dated 10-7-1990 the ex-gratia relief shall be payable in respect of persons killed permanently/partially disabled or to those persons whose houses got damaged as a result of violence attributable to the breach of law and order or any other form of commotion.” Website of Office of Divisional Commissioner, <http://kashmirdivision.nic.in/about/services/exgratia.htm>, accessed on 20 June 2011.

^{xxxix} “Any person who happens to be an NOK of the deceased who dies in subversive/militancy related incidents can apply for issuance of the certificate under SRO 43. Provided he/she fulfills the other conditions like age/qualification/PRC etc.” Website of Office of Divisional Commissioner, <http://kashmirdivision.nic.in/about/services/sro43.htm>, accessed on 20 June 2011.

^{xxxix} Government Order on Payment of Ex Gratia Relief for Disappeared Persons (on file with APDP):

“In continuation of Govt order No. 723 GRGAD of 1990 dated 10.7.1990 read with Govt order No. 173 GR of 1990 dated 19.11.1990, the following norms may be kept in view by the concerned while recommending the cases for grant of ex gratia relief to persons who are reportedly missing or his body has not been identified:

a. District Magistrate will place such cases before the District Screening cum Coordination Committee where representatives of the security forces, police are participants. The committee should decide that it can be presumed that the person is dead and ex gratia relief should be recommended by the District Magistrate saying that screening committee has cleared him. This will also clear the case from the standpoint of the involvement of the missing person in any militancy-related activity.

b. The District Magistrate while recording the case will furnish an indemnity bond as well as security bond of a person of substance to the effect that the amount of ex gratia relief shall be refunded in the event of any subsequent event which proved that the death had not in fact taken place.

c. A certificate should be furnished by the District Magistrate to the effect that the NOKs of the missing person are not involvement in any militancy related activity.”

^{xxxix} The SHRC may recommend even prosecution of police officers, but may not of any army officials (for which the case must to be sent to the National Human Rights Commission).

^{xl} The Jammu and Kashmir Protection of Human Rights Act, 1997.

^{xli} Under Article 226 of the Indian Constitution and Section 103 of the Constitution of J&K.

^{xlii} See, Amnesty International, “*India: Briefing on The Armed Forces (Special Powers) Act, 1958*,” 9 May 2005. Amnesty said in 2005 that there were almost three hundred cases that were forwarded to the federal government by the Jammu and Kashmir government for permission to prosecute, and permission was granted in none of them.

^{xliii} See, e.g., Zahir-Ud-Din, *Did They Vanish in Thin Air, Volume II*, Owaisi Publications, 2000; Altaf Hussain, “The plight of Kashmir’s ‘half-widows,’” *British Broadcasting Corporation*, 2007; Afsana Rashid, *Widows and Half Widows, Saga of extra-judicial arrests and killings in Kashmir*, Pharos Media, 2011.

^{xliv} See, e.g., Global Witness, *Chandaw (The Search)*, sponsored by JKCCS, 2002 (a documentary on the disappeared and their wives).

^{xliv} See, e.g., Ensaaf and Benetech Human Rights Data Analysis Group, *Violent Deaths and Enforced Disappearances During the Counterinsurgency in Punjab, India: A Preliminary Quantitative Analysis*, 2009; Human Rights Watch, “*These Fellows Must Be Eliminated*”: *Relentless Violence and Impunity in Manipur*, 2008.

^{xlvi} Most prominent is the 11-year hunger strike by Manipur’s activist Irom Sharmila. Sharmila has been fasting since November 2000, calling for a repeal of AFSPA. She is currently admitted in a hospital in New Delhi and force-fed through a feeding tube. See, “Irom Sharmila’s silent resilience ignored,” *CNN-IBN*, 10 June 2011.

Appendix I

Case Study: Shazia*, Srinagar

Shazia's husband, a painter, left for work in 2001, never to return. She has no clue about what happened to her husband of two years. She lives in a rented one-room apartment with her brother-in-law, her mother-in-law, and her 11-year-old daughter.

Shazia, herself about 25-years-old, is effectively the breadwinner of the family. She works in neighborhood homes, cooking and cleaning and doing domestic chores as required. The money fluctuates and everything she makes is spent on food for the four family members, her daughter's school supplies, and medicines for her mother-in-law. Her brother-in-law, Ahmed*, has a disability since birth and walks with difficulty. He cannot earn for the family. The family has received no compensation for the disappearance. Shazia's brother-in-law and mother-in-law made several trips to the District Commissioner's office, all unsuccessful. This, despite the fact the family has a copy of a confidential report by the Special Branch of the Criminal Investigation Department (CID) report from October 2009 that states:

"...as per reports the subject has not come to adverse notice prior to his missing."

That is, the CID affirmed that Shazia's husband was not part of the militancy and is thus not believed, even by the CID, to have potentially left with a militant group and/or gone to Pakistan.

Shazia no longer hears from her natal family. While her parents are long deceased, her siblings refuse to help her unless she re-marries. They believe she is squandering her energy taking care of an ailing old mother-in-law, a brother-in-law with debilitating disability, and a young girl. *"Look, if I get married, my daughter's life will be ruined. If it were a son, it would still be fine...but she is a girl, what will she do without me...? I have no mother, no father, and my husband is lost...now they ask me to leave my daughter too? As it is she has no friends. Her childhood is already ruined."*

Shazia came to the APDP office with her brother-in-law for the first time in March 2011. They had been convinced to visit by an acquaintance who knew of the monthly meetings. This man confided that this family had nothing to eat in the house, but they would never beg.

Case Study: Zara Begum*, Srinagar

Zara had been married to the father of her three sons, Gulam,* for 10 years before he disappeared. Gulam, a mason by trade, worked at the the Uri Civil Project near the Line of Control, a highly militarized area. On 10 December 2002, he left home for New Delhi; he was in search of greener pastures. A young girl on the shared cab from his village was the last person to see him; she remembered him for having shared some chewing gum with her.

Zara went to the police on 26 December 2002, but no FIR was filed and no investigation was undertaken. Zara was unaware of this till two years later, when her case began to be pursued by Advocate Parvez Imroz. A writ petition requesting the court to order filing of the overdue FIR was submitted on 31 March 2005. Zara's legal case is pending.

Zara has not received any administrative relief either, and instead has faced severe harassment at government offices. *"I began wearing a burqua to such places. They treated me as if I had done something wrong!"* She found her social circle also became stifling. *"People would comment about my clothes and then the next man would walk by, and they would say, 'maybe she is going with him!'"* Zara worked as a domestic help in people's homes to feed her children. Once a relative offered to take one of her sons, *"They wanted him as a servant. I couldn't even think of that. I worked harder."*

Zara also worries about the physical insecurity in the Valley. Both her sons were beaten by the police during the 2010 unrest. *"They were not throwing stones... why beat them? Forces go from house to house picking up boys. And they misbehave with women. I am alone here, and if they come and misbehave with me, who will I tell?"*

Zara is currently taking her eldest son to a psychiatrist since she is worried that he is depressed and has violent thoughts. She herself takes several antidepressants, mostly through self-medication. *"My mind and body often start racing."* She is in her late thirties.

In 2003, a volunteer from APDP went to Zara's home. *"He told me about a stitching center for women in Srinagar, where I could work. So for 5 years, I worked at that Center. Unfortunately, it is now closed. Now I make paper bags for a local shop-keeper, do some beauty parlor work from home, and some stitching for a local tailor. It's just about enough to pay rent."*

Case Study: Sameena*, Devar Lolab, Kupwara

Sameena was a 'half widow' for two months, before she discovered her husband's grave. During Ramadan 2001, her husband, a horse-carriage driver, left for morning nimaaz at the mosque, about forty steps from their house. As neighbors returned to their homes, they told Sameena her husband had been taken by men who were wearing uniforms. *"People said they were like Army uniforms, but their faces were hidden by niquabs, black cloth covered everything but the eyes."*

Sameena began searching for her husband at military camps and police stations. She even went to the State Human Rights Commission. Renegades began visiting her house and warning her against asking questions. Sameena's four young children were petrified, but she convinced them to stay with her relatives while she continued looking for their father.

Through the family of another man who was also picked up the same day, she learnt her husband might be in Handwara. The other man's clothes were found there. Some policemen from Sameena's village were also serving in Handwara and they alerted her that a second body had been buried in Rafiabad. For three days the Rafiabad police denied having information. *"They all thought I would tire and leave. I sat there. Then I heard the junior officers talking among themselves in Kashmiri, convinced that I wouldn't understand since I am Pahari. One of them said 'you know, that one man also looked like from her parts, must be her brother or something.' After that, I told their superior that I knew! He was so frustrated with the noise I made that he gave me 5-7 photographs and said 'fine, here, see if you recognize anyone.' I picked out my husband's photo. The police had taken photos of the bodies brought by the Army. All things in their pockets, ID cards, and their shoes, and outer clothes, all had been taken. There was nothing but bare minimum clothes. One photograph, I can never forget. It was of a very little child, who was cut in half...only the bottom part, below his stomach, was in the photograph."*

On Sameena's insistence, her husband's grave was exhumed, but she was not given his remains. The police insisted that the Army would never allow that.

Sameena moved to Srinagar for many years and raised her children with the money she earned from begging during the day and doing domestic chores for her neighbors during the evening.

Sameena heard of APDP only three years ago, and now regularly attends meetings and continues to pursue a legal case in the High Court.

Case Study: Fatima*, Banihal

8 years ago, Fatima was out grazing cattle while her husband, Mohammed Nazir,* was at his shop, like every other day. But on that day in 2003—Fatima does not remember the date—Nazir* was taken by some militants, never to return.

“He had been taken by the Army earlier...you know you see all these camps now, then, there used to be camps every twenty steps. The Army kept him in their camp for 4 or 5 days. They accused him of giving the militants free rations from his shop.” Nazir* was still recovering from the Army interrogation and torture when the militants came for him. *“They basically must have decided he was an Army informant. That happened a lot. Who knows which militants for sure...but the HM [Hizbul Mujahideen] was strong here. Some say the men who abducted my husband were also paid by the Army. I don’t know. I just know that my father-in-law went looking everywhere, but no one gave him any clue as to what might have happened.”*

Fatima’s father-in-law’s quest for justice for his son was in fact met with force. A group of militants came to their house and beat all the remaining men in the family and *“threatened to kill them if we kept going to the police.”* Till date, no FIR has been filed in Fatima’s case.

While there has been no investigation, since there is no FIR, Fatima has applied for administrative relief with the help of a local activist. But the police have claimed that her husband *“is across,”* in Pakistan. Fatima knows she is mostly on her own, with her four young children (her youngest daughter was born a month after her husband was taken). *“My brothers send grain and help out. And during Eid, people give money to the needy...it is a tenet of Islam to help widows as well, so we get money around that time.”*

Fatima believes that *“some of the local boys and men became crazed when they had weapons...became criminals even. People outside probably blame the fighters trained across the border, but those ones didn’t harm the locals like this. These local criminals did. Imagine, they just picked up my husband on suspicion of being with the Army. I guess the Army is better, they only tortured him, they didn’t kill him!”*

Fatima had never heard of APDP and when she was told about the monthly meetings, she smiled and shook her head. *“See where we are sitting? No one comes here, no news goes out...think how long it took you to come here... Who would go to Srinagar? And what for?”*

Case Study: Salma*, Pringle, Uri

Salma's first husband, Tariq*, 'disappeared' in 1990. Salma, herself 22, was at home with her daughters, then 2-months and 14-months. Tariq, a driver, had taken leave that day to go interview for a government job. At one of the Army checkpoints, he was taken, never to return. *"Two men were taken from two separate cars at that checkpoint... His own brother-in-law saw him being taken by soldiers. The other man's body was found in the water. And my husband was never seen again."*

Tariq's family unsuccessfully searched in local jails and camps. They also decided that Salma was no longer a part of their family. *"They blamed me for bringing some sort of bad luck on their son. I was so demonized that I left for my maternal home about ten days after my husband disappeared. I took my infant daughter with me, while my in-laws kept the older one."*

Salma and her daughter were an economic burden for her brothers and their wives, who were already struggling economically. *"Then, one day, the neighbors approached my father. A widower had asked if I would consider re-marriage."* This man's first wife had died of a brain tumor and he had five grown children.

"The minute my in-laws learnt of the potential re-marriage, they started sending messages: that Tariq's clothes were found; that there was a clue from such-and-such jail. The wedding was called off at first...then we realized this was a ruse, to ensure I would not move on with my life."

Salma's second marriage took place three years and two months after Tariq's disappearance. Salma and her husband, who is the Koran teacher of the village, have no qualms about their decision. *"The waiting period is supposed to be four years. But that's to give time to confirm the person is no more. Here, there was already zero information that he was alive."*

Salma has three children from her second marriage. But her former in-laws refuse to send her daughters from Tariq to live with her.

Salma has herself never visited APDP offices, but her former mother-in-law regularly attends the meetings and also takes Salma's daughters with her.

Appendix II

JKCCS's three-year survey of people killed (1989-2006) in Baramulla District revealed 337 cases of disappearances. 152 of these 337 men were married:

| NAME OF THE DEAD / DISAPPEARED PERSON | FATHER'S NAME | ADDRESS | AGE | INCOME | AFFILIATION | SPOUSE'S NAME | SPOUSE'S AGE | NUMBER OF CHILDREN | ANY EARNING MEMBER OR SOURCE OF INCOME | TOTAL INCOME | CHILDREN | DATE AND TIME OF DEATH / DISAPPEARANCE OF THE PERSON | LOCATION OF DEATH OR DISAPPEARANCE | PERSON SEEN LAST: DATE AND TIME | WITNESSES: (NAME AND ADDRESSES) | PERPETRATORS: NAME OF THE AGENCY | FIR FILED? | IF YES FIR NUMBER | POLICE STATION (POLICE OFFICER WHO REGISTERED THE FIR) | HABEAS CORPUS PETITION FILED | APPLIED FOR RELIEF AND REHAB (SHORT DETAILS) |
|---------------------------------------|----------------------|------------------------------|-----|--------|-------------|---------------|--------------|--------------------|--|--------------|----------|--|------------------------------------|---------------------------------|---|----------------------------------|------------|-------------------|--|------------------------------|--|
| KHAZAR MOHD BHAT | ABDUL SAMAD BHAT | AALI BAGH SOPORE | 39 | 1500 | CIVILIAN | | 40 | 6 | MOTHER | 0 | 6 | 10/29/1994 | HOME | 11/20/1994 | ABDUL SAMAD BHAT | Army | Yes | | PATTAN | Yes | |
| ARIF REHMAN | NAIK ALLAM | AJAS | 37 | 500 | Militant | | 35 | 2 | WIFE | 0 | 2 | 1/1/1999 | | 1999 | NIL | NOT KNOWN | No | | | No | |
| SHAMS-UL-DIN MIR | HAFIZULLA MIR | AJAS | 26 | 1500 | HM | | 30 | 2 | BROTHER OF VICTIM | 5000 | 2 | 1/3/1998 | RESIDENCE | SAME DAY | NIL | Unidentified | Yes | | SAFAPORA | No | NO |
| GH MOHD NAJAR | AB AZIZ NAJAR | AJJAR, WARD 16-17, BANDIPURA | 40 | 2000 | CIVILIAN | | 45 | 6 | | 0 | 6 | 7/5/2003 | RESIDENTIAL VILLAGE | 05/07/2003 | NIL | NOT KNOWN | Yes | | BANDIPURA | No | YES(UNDER PROCESS) |
| MOHD SHABAN BHAT | LATE MOHD ASLAM BHAT | ALOOSA | 35 | | POLICE | | 38 | 3 | | 0 | 0 | 5/23/1995 | | | NIL | NOT KNOWN | Yes | 184/1997 | BANDIPURA | Yes | EX GRATIA (1LAKH); SRO-43(WIFE) |
| RIYAZ AHMAD LONE | | ALOOSA, BANDIPURA | 25 | 1000 | CIVILIAN | | 23 | 1 | FATHER-IN-LAW | 0 | 1 | 12/1/1992 | ALOOSA | | NIL | Unidentified | No | | | No | YES(UNDER PROCESS) |
| HAIDER ALI KHAN | GAIR KHAN | ARAGAM | 25 | 500 | RENEGADE | | 0 | 2 | UNCLE | 0 | 2 | 2/17/1994 | | | NIL | UNIDENTIFIED | No | | | No | NO |
| AB RASHID LONE | GH MOHD LONE | ATHWATOO, BANDIPURA | 19 | | CIVILIAN | | 21 | 2 | GRAND MOTHER | 0 | 2 | 7/7/1998 | * | 1 DAY BEFORE HE DIED. | NIL | Army | No | | | No | |
| ABDUL SAMAD LONE | ABDUL AHAD LONE | AYATMULLA, BANDIPURA | 45 | 9000 | POLICE MAN | | 44 | 4 | BROTHER | 0 | 2 | 10/1/1992 | | 1 MONTH BEFORE HE DIED | NIL | Unidentified | Yes | | BANDIPURA | No | EX-GRATIA(GIVEN) SRO-43(GIVEN) |
| MOHD YOUSUF MALIK | GH QADIR MALIK | BANKOTE, BANDIPURA | 30 | 1900 | CIVILIAN | | 30 | 3 | GRAND FATHER | 0 | 3 | | | | | | NOT KNOWN | No | | | No |
| RUBEENA BEGUM | LATE AB. GANI WANI | BARKAT MOHALLA SAFAPORA | 25 | NIL | CIVILIAN | | 0 | 3 | LABOUR | 200 | 4 | 8/23/1997 | RESIDENTIAL VILLAGE | 6 DAYS BEFORE | HABEEB BHAT S/O ABDULLAH,ZA HOOR AH BHAT S/O HABEEB | Militant | Yes | 185/97 | Safapora | Yes | EX-GRATIA(GIVEN) SRO-43(GIVEN) |
| MOHD EHSAN BABA | GH AHMAD BABA | BARZULLAH, BANDIPURA | 35 | | CIVILIAN | | 37 | 4 | | 0 | 4 | 5/13/1997 | GANDERBAL | 1 DAY BEFORE HE DIED. | NIL | Army | No | | | No | |
| GH. NABI PARRAY | AB. SAMAD PARRAY | BATA MOHALLA BEGUM | 40 | 1500 | J.K.H.M. | | 35 | 4 | SON | 0 | 2 | 6/15/1993 | SUMBAL | 15 JUNE 1993 | | Renegades | Yes | | Sumbal | Yes | |
| GH. NABI PARRAY | AB. SAMAD PARRAY | BATA MOHALLA BEGUM | 40 | 1500 | J.K.H.M. | | 35 | 4 | SON | 0 | 2 | 6/15/1993 | SUMBAL | 15 JUNE 1993 | | Renegades | Yes | | Sumbal | Yes | |
| RAJA ALI MARDAN KHAN | WALI MOHD KHAN | BELA SALAMABAD, BONIYAR | 65 | 4500 | CIVILIAN | | 50 | 3 | BROTHER | 0 | 3 | 4/8/1991 | RESIDENTIAL VILLAGE | 08/04/1991 | NIL | NOT KNOWN | No | | | No | NO |
| AB AZIZ SHEIKH | AB JABBAR SHEIKH | BERNATE, URI | 45 | 1500 | CIVILIAN | | 42 | 3 | MANZOO R | 1500 | 3 | 3/15/1996 | RESIDENTIAL VILLAGE | 15/03/1996 | NIL | UNIDENTIFIED GUNMEN | No | | | No | NO |
| MOHD AMIN KHAN | ALI MOHD KHAN | BINNER, BARAMULLA | 34 | 1000 | CIVILIAN | | 35 | 5 | | 0 | 0 | 1/1/1990 | HOME | 1990 | NIL | Unidentified | No | | | No | |
| AB. RASHID DAR | HABEEB DAR | BONIYARI HAJAN | 30 | 1000 | Civilian | | 35 | 3 | GRAND FATHER-HABIB | 1000 | 3 | 10/1/1990 | RESIDENTIAL VILLAGE | SAME DAY | NIL | UNIDENTIFIED | Yes | | HAJAN | No | NO |
| GH. AHMAD LONE | AB. RAZAK LONE | BONPORA NAID KHAI | 22 | 2500 | JKLF | | 25 | 2 | GH. MOHD. LONE | 2000 | 6 | 10/12/1991 11:00:00 AM | NAID KHAI | 11 OCT 1991 | AB. REHMAN BHAT R/O NAID KHAI | Army | Yes | | Sumbal | No | NO |
| AB RASHID BHAT | HABIBULLAH BHAT | BRAD MULLA, URI | 35 | | CIVILIAN | | 40 | 2 | | 0 | 2 | 2/1/1991 | RESIDENTIAL VILLAGE | 02/1991 | YES | Army | Yes | | URI | No | YES(UNDER PROCESS) |

| NAME OF THE DEAD / DISAPPEARED PERSON | FATHER'S NAME | ADDRESS | AGE | INCOME | AFFILIATION | SPOUSE'S NAME | SPOUSE'S AGE | NUMBER OF CHILDREN | ANY EARNING MEMBER OR SOURCE OF INCOME | TOTAL INCOME | CHILDREN | DATE AND TIME OF DEATH / DISAPPEARANCE OF THE PERSON | LOCATION OF DEATH OR DISAPPEARANCE | PERSON SEEN LAST: DATE AND TIME | WITNESSES (NAME AND ADDRESSES) | PERPETRATORS: NAME OF THE AGENCY | FIR FILED? | IF YES FIR NUMBER | POLICE STATION (POLICE OFFICER WHO REGISTERED THE FIR) | HABEAS CORPUS PETITION FILED | APPLIED FOR RELIEF AND REHAB (SHORT DETAILS) |
|---------------------------------------|-------------------|--------------------------|-----|--------|-------------|---------------|--------------|--------------------|---|--------------|----------|--|------------------------------------|---------------------------------|--------------------------------|----------------------------------|------------|-------------------|--|------------------------------|--|
| GH HASSAN KAKROO | AMIRJOO KAKROO | BRARIPORA URI | 65 | | CIVILIAN | | 70 | 5 | | 0 | 0 | 4/4/1992 | RESIDENTIAL VILLAGE | 4/4/92 | NIL | Army | Yes | | BIJHAMA | No | YES, BUT NOT GIVEN |
| AB. RAZAQ RESHI | M. SULTAN RESHI | BUDERKOTE TANGMARG | 30 | 1000 | ARMY | | 30 | 2 | BROTHER- AB. AHAD | 1500 | 0 | 10/1/1992 | RESIDENTIAL VILLAGE | SAME DAY | NIL | NOT KNOWN | Yes | | Tangmarg | No | YES(UNDER PROCESS) |
| AB GAFAR WANI | NOOR MOHD WANI | CHACHLURA KUNZAR | 50 | 1500 | CIVILIAN | | 45 | 5 | SON(KHAZAR MOHD WANI) | 1500 | 0 | 6/1/1993 | | | NIL | Unidentified | Yes | | KUNZAR | No | SRO-43 & EX GRATIA |
| BILAL AHMAD PEER | ABDUL GANI PEER | CHAKLU, BARAMULLA | 28 | | AL JEHAD | | | 1 | | 0 | 1 | 1/1/1993 | BARAMULLA | | NIL | Unidentified | No | | | No | |
| MUSHTAQ AHMAD PEER | | CHAKLU, BARAMULLA | 35 | | CIVILIAN | | 35 | 3 | RUBEEN A BEGUM(UNDER SRO-43) | 0 | 2 | 1/1/1993 | RESIDENTIAL VILLAGE | 1993 | NIL | Unidentified | Yes | | BARAMULLA | No | EX GRATIA (1LAKH); SRO-43(DAUGHTER) |
| BASHIR AHMAD WANI | MOHD JAFFAR WANI | CHAKPORA HAIGAM SOPORE | 25 | 3000 | CIVILIAN | | 25 | 2 | BROTHER OF DECEASED, GH. MOHIUDDIN WANI | 2000 | 6 | 6/10/1995 | RESIDENCE | 6/10/1995 | GH MOHIUDDIN WANI | ARMY | Yes | | SOPORE | No | NO |
| LATEEF AHMAD KHAN | MOHD YAQUB KHAN | CHANDWARI, URI | 45 | | CIVILIAN | | 40 | 7 | PENSION | 0 | 0 | 6/10/1989 | RESIDENTIAL VILLAGE | 10/06/1989 | YES | C.R.P.F. | Yes | | BONIYAR | No | YES(UNDER PROCESS) |
| GH. MOHD. DAR | GHULAM AHMED DAR | CHEK SARI WARPORA PATTAN | 40 | 1000 | Civilian | | 40 | 4 | ELDER BROTHERS | 2000 | 0 | 4/15/1991 | RESIDENTIAL VILLAGE | N/A | FATHER, GHULAM DAR | Unidentified | Yes | | Pattan | No | YES(UNDER PROCESS) |
| SHOWKET AHMAD MIR | MOHD SULTAN MIR | CHEK SIRI WARPORA | 25 | 1000 | | | 30 | 1 | ONE | 1000 | 1 | | HOME | | NIL | NOT KNOWN | Yes | | PATTAN | No | SRO-43 & EX GRATIA |
| ABDUL GANI GANAI | GH RASOOL GANAI | CHICHILORA KUNZAR | 55 | 2000 | CIVILIAN | | 65 | 4 | SON OF VICTIM (BASHIR AHMAD) | 1500 | 1 | 2/21/1990 12:00:00 PM | RESIDENCE | SAME DAY | NIL | UNIDENTIFIED | No | | | No | NO |
| GH. MOHD. DAR | AB. AHAD DAR | CHINAD WAGOORA | 25 | 3000 | Al Jihad | | 27 | 1 | FATHER, FARMER | 1200 | 0 | | | APRIL 89 | | Unidentified | Yes | | Baramulla | No | |
| BASHIR AHMAD WANI | GULZAR AHMAD WANI | CHOKER PATTAN | 23 | 500 | HM | | 35 | 3 | ELDER BROTHER- GHULAM MOHD. | 500 | 5 | 3/6/1993 | BORDER | 2 MONTHS BEFORE | NIL | Army | No | | | No | NO |
| MOHD JAMAL KHAN | SULIMAN KHAN | CHONTI MULLA, BANDIPURA | 40 | | CIVILIAN | | 50 | 3 | | 0 | 2 | 3/1/1998 | FORESTS | | ALL | Militant | Yes | | BANDIPURA | No | |
| ALIFDIN BANDAY | KARAMUDIN BANDAY | DANDIWARA SHATLOO | 45 | | CIVILIAN | | 45 | 2 | | 0 | 0 | 10/8/2005 | RESIDENTIAL VILLAGE | SAME DAY | NIL | UNIDENTIFIED | Yes | | SHATLOO | No | NO |
| HAJI HABIBULLA GANIE | LALA GANIE | DANGARPORA | 74 | 1000 | CIVILIAN | | | 0 | | 0 | 0 | 10/9/1995 | DANGARPORA | 10/9/95 | NIL | Unidentified | Yes | | Sopore | No | SRO-43 & EX-GRATIA:100000 |
| GAMA KHAN | ABDULLAH KHAN | DARAPURA, BANDIPURA | 40 | | CIVILIAN | | 42 | 3 | | 0 | 3 | 6/22/2001 | RESIDENTIAL VILLAGE | 22/06/2001 | NIL | Militant | Yes | | BANDIPURA | No | YES(UNDER PROCESS) |
| ABDUL AHAD MALIK | ASSADULLA MALIK | DOLIPORA KREERI | 50 | 2300 | CIVILIAN | | 45 | 2 | | 0 | 2 | 5/25/1995 | WAGORA | 5/24/1995 | ALTAH HUSSAIN MALIK | Army | Yes | | KREERI | Yes | SRO-43; EX-GRATIA: 100000 |
| HAFIZULLAH DAR | MOHD SABRI DAR | DRANGBAL, BARAMULLA | 30 | 2100 | CIVILIAN | | 32 | 1 | GRAND FATHER | 0 | 1 | 1/1/1990 | HOME | | NIL | NOT KNOWN | Yes | | BARAMULLA | No | |
| SANAULLAH DAR | AB AHAD DAR | DUROO | 60 | 5000 | CIVILIAN | | | 4 | SON | 3000 | 0 | 1/1/1997 | | 1997 | NIL | Army | Yes | | Sopore | No | |

| NAME OF THE DEAD / DISAPPEARED PERSON | FATHER'S NAME | ADDRESS | AGE | INCOME | AFFILIATION | SPOUSE'S NAME | SPOUSE'S AGE | NUMBER OF CHILDREN | ANY EARNING MEMBER OR SOURCE OF INCOME | TOTAL INCOME | CHILDREN | DATE AND TIME OF DEATH / DISAPPEARANCE OF THE PERSON | LOCATION OF DEATH OR DISAPPEARANCE | PERSON SEEN LAST: DATE AND TIME | WITNESSES: (NAME AND ADDRESSES) | PERPETRATORS: NAME OF THE AGENCY | FIR FILED? | IF YES FIR NUMBER | POLICE STATION (POLICE OFFICER WHO REGISTERED THE FIR) | HABEAS CORPUS PETITION FILED | APPLIED FOR RELIEF AND REHAB (SHORT DETAILS) |
|---------------------------------------|-----------------------|------------------------------|-----|--------|-------------|---------------|--------------|--------------------|--|--------------|----------|--|------------------------------------|---------------------------------|---------------------------------|----------------------------------|------------|-------------------|--|------------------------------|--|
| BASHIR AHMAD GANAI | MOHD SULTAN GANAI | GANAI MOHALLA AJAS | 30 | 1000 | HM | | 40 | 2 | MOTHER | 0 | 2 | 1/1/1998 | AJAS | SAME DAY | NIL | UNIDENTIFIED | No | | | No | NO |
| AB RASHID MIR | MOHD MAQBOOL MIR | GANTMULLA, BARAMULLA | 27 | | CIVILIAN | | 30 | 2 | | 0 | 2 | 1/11/1994 | RESIDENTIAL VILLAGE | 11/01/1994 | YES | Unidentified | Yes | | GANTMULLA | No | NO |
| JAVID AHMAD MIR | GH RABANI MIR | GANTMULLA, BARAMULLA | 35 | 8000 | CIVILIAN | | 30 | 1 | | 0 | 1 | 1/5/1992 | SOPORE | 05/01/1992 | YES | Unidentified | Yes | | GANTMULLA | No | NO |
| AB RASHID SHAH | AZIZ SHAH | GARKOTE, URI | 30 | 1500 | CIVILIAN | | 45 | 5 | WIFE | 600 | 5 | | HOME | | ZOONA R/O GARKOTE | UNKNOWN SECURITY AGENCY | Yes | | URI | No | YES(UNDER PROCESS) |
| AB KHALIQ PEER | MOHD SYED PEER | GARURA, BANDIPURA | 30 | 1500 | | | 28 | 3 | BROTHERS | 4000 | 1 | 1/1/1992 | WANGAM | SAME DAY | NIL | UNIDENTIFIED | No | | | No | EX-GRATIA(GIVEN) |
| GH RASOOL CHOPAN | MUKHTA CHOPAN | GOHOON | 35 | ? | CIVILIAN | | 35 | 5 | MOHD YOUSUF CHOPAN | 1500 | 6 | 3/12/1993 | GULMARG | 15 DAYS AGO | NIL | NOT KNOWN | Yes | | BARAMULLA | No | SRO-43 & EX GRATIA |
| FAROOQ AHMAD LONE | MUNAWAR AHMAD LONE | GOND PURA, BANDIPURA | 35 | 1500 | HM | | 30 | 2 | GRAND FATHER | 0 | 2 | 9/9/2001 | RESIDENTIAL VILLAGE | 09/09/2001 | NIL | B.S.F. | Yes | | BANDIPURA | No | |
| MOHD YOUSUF AHANGER | HAJI GH AHMAD AHANGER | GUNDI NOWGAM SONAWARI | 38 | 500 | MILITANT | | 32 | 4 | MOTHER | 500 | 4 | 2/3/1992 | MACHIT SECTOR BORDER | | NIL | BSF | Yes | | SUMBAL | No | |
| MOHD YOUSUF AHANGER | HAJI GH AHMAD AHANGER | GUNDI NOWGAM SONAWARI | 38 | 500 | Militant | | 32 | 4 | MOTHER | 500 | 4 | 2/3/1992 | MACHIT SECTOR BORDER | | NIL | BSF | Yes | | Sumbal | No | |
| ALI MOHD. DOGRA | GHULAM MOHD. DOGRA | GUNDI NOWGAM SONAWARI SUMBAL | 40 | 500 | Civilian | | 38 | 6 | MOTHER | 500 | 6 | 7/2/1991 7:45:00 PM | ZALPORA SUMBAL SONAWARI | SAME TIME | NIL | Unidentified | Yes | 74/91 | Sumbal | No | DENIED |
| FAYAZ AHMAD DAR | ASSADULLA DAR | HAIGAM SOPORE | 19 | 1500 | M.G.F | | 23 | 4 | brother | 1000 | 4 | 9/13/1991 | kupwara | 9/13/1990 | NIL | Unidentified | No | | | No | |
| MITHA BEGUM | | HAKBURA HAJAN | 38 | | CIVILIAN | | 45 | 2 | | 0 | 0 | 5/1/1998 | RESIDENTIAL VILLAGE | | FAMILY MEMBERS | NOT KNOWN | Yes | | HAJAN | No | NO |
| MOHD. ASHRAF GANAI | GH. MOHIUDDIN GANAI | HAMRAY PATTAN | 27 | 1500 | MILITANT | | 40 | 5 | AGRICULTURE | 0 | 5 | 1/1/1991 | LOC | SAME DAY | NIL | UNIDENTIFIED | No | | | No | NO |
| AB REHMAN MIR | KABIR MIR | HARVAN, TUJJER | 35 | | AL JEHAD | | 35 | 2 | MOTHER | 0 | 2 | 7/1/1994 | RESIDENTIAL VILLAGE | 07/1994 | NIL | Militant | Yes | | SOPORE | No | YES(UNDER PROCESS) |
| REYAZ AHMAD AKHOON | SANAULLAH AKHOON | HIB DANGER PURA, DANGIWACHA | 35 | 4000 | CIVILIAN | | 34 | 1 | BROTHER | 0 | 1 | 12/1/1992 | HOME | 12/1992 | NIL | Unidentified | Yes | | SOPORE | No | |
| MOHD SULAIMAN ABBASI | MIR AKBER ABBASI | ISHAM, URI | 30 | 5000 | BSF | | 35 | 2 | MOTHER, GRAND FATHER | 0 | 2 | 7/19/1992 | SAMBA, JAMMU | 6 MONTHS BEFORE HE DIED. | NIL | NOT KNOWN | Yes | | URI | No | NO |
| HABIBULLAH SHAH | MOHD ISMAIL SHAH | JANBAZPUR, BARAMULLA | 35 | 7000 | CIVILIAN | | 40 | 3 | | 0 | 0 | 12/1/2000 | HOME | 12/2000 | NIL | Army | Yes | | BARAMULLA | Yes | |
| ABDUL KHALIQ GANAI | ABDUL REHMAN GANAI | KANLOO PATTAN | 60 | 1500 | CIVILIAN | | 60 | 8 | SHABIR AHMAD, AB RASHID, MUSHTAQ AHMAD | 3000 | 9 | 10/8/1997 | HOME | 10/8/1997 | SHAMIMA AKHTER | Army | Yes | | PATTAN | No | SRO-43 & EX GRATIA |
| ALI MOHD YATOO | GH HASSAN YATOO | KANLOO PATTAN | 65 | 4000 | CIVILIAN | | 60 | 3 | SON | 5500 | 2 | 10/8/1997 | HOME | 10/8/1997 | GH AHMAD YATOO | Renegades | Yes | | PATTAN | No | |
| NOORU | KAMA | KETSON, | 40 | | EX | | 38 | 1 | UNCLE | 0 | 1 | 9/9/2001 | HOME | 09/09/2001 | NIL | Unidentified | Yes | | BANDIPURA | No | YES(UNDER |

| NAME OF THE DEAD / DISAPPEARED PERSON | FATHER'S NAME | ADDRESS | AGE | INCOME | AFFILIATION | SPOUSE'S NAME | SPOUSE'S AGE | NUMBER OF CHILDREN | ANY EARNING MEMBER OR SOURCE OF INCOME | TOTAL INCOME | CHILDREN | DATE AND TIME OF DEATH / DISAPPEARANCE OF THE PERSON | LOCATION OF DEATH OR DISAPPEARANCE | PERSON SEEN LAST: DATE AND TIME | WITNESSES: (NAME AND ADDRESSES) | PERPETRATORS: NAME OF THE AGENCY | FIR FILED? | IF YES FIR NUMBER | POLICE STATION (POLICE OFFICER WHO REGISTERED THE FIR) | HABEAS CORPUS PETITION FILED | APPLIED FOR RELIEF AND REHAB (SHORT DETAILS) |
|---------------------------------------|--------------------|-----------------------------|-----|--------|------------------|---------------|--------------|--------------------|--|--------------|----------|--|------------------------------------|---------------------------------|---------------------------------|----------------------------------|------------|-------------------|--|------------------------------|--|
| CHECHI | CHECHI | BANDIPURA | | | MILITANT(HM) | | | | | | | | | | | | | | | | PROCESS) |
| AB RASHID KHAN | MATWALI KHAN | KHAHMOH, ROHAMA | 35 | 2500 | CIVILIAN | | | 7 | | 0 | 0 | 1/1/1995 | BARAMULLA | 1995 | NIL | Unidentified | Yes | | PANZLA | No | YES(UNDER PROCESS) |
| MOHD AMIN LONE | WALI MOHD LONE | KHAMBYAR PATTAN | 32 | 1600 | MILITANT | | 42 | 1 | SON | 3500 | 1 | 4/4/1993 | HOME | 4/3/1993 | NIL | NOT KNOWN | Yes | | PATTAN | No | SRO-43(RECEIVED) & EX GRATIA(RECEIVED) |
| HABIBULLAH LONE | GH MOHD LONE | KHANBYAR PATTAN | 25 | 1500 | CIVILIAN | | 30 | 1 | FAMILY MEMBER S | 1200 | 9 | 1/1/1992 | | 10/1992 | | NOT KNOWN | Yes | | PATTAN | No | |
| ABDUL RASHID SHEIKH | KHALIQ SHEIKH | KIRPALGADH SINGHPORA | 30 | 3000 | CIVILIAN | | 38 | 2 | WIFE OF THE VICTIM | 0 | 2 | 11/19/1990 11:00:00 AM | RESIDENCE | SAME DAY | NIL | 194 BATTALION B.S.F. | Yes | | PATTAN | Yes | EX-GRATIA(GIVEN) SRO-43(UNDER PROCESS) |
| SAIFA MIR | ABDULLAH MIR | KONDI BARJZALLA, URI | 40 | | CIVILIAN | | 40 | 5 | BROTHER | 0 | 0 | 6/5/1990 | RESIDENTIAL VILLAGE | | | NOT KNOWN | No | | | No | |
| BASHIR AHMAD PALA | MOHD AKBAR PALA | KRANK SHOUN GANAI MOHALLA | 25 | 2500 | CIVILIAN | | 45 | 2 | GRAND PARENTS | 2000 | 2 | 12/19/1993 | | | | Unidentified | Yes | | SOPORE | No | |
| NASEER HUSSAIN SHAH | MOHD YASEEN SHAH | KULOOSA, BANDIPURA | 30 | 1500 | CIVILIAN | | 25 | 2 | UNCLE | 0 | 2 | 6/5/2003 | RESIDENTIAL VILLAGE | | FAMILY MEMBERS | NOT KNOWN | Yes | | BANDIPURA | No | YES(APPLIED) |
| SHOWKET AHMAD JAN | GH MOHD JAN | KULOOSA, BANDIPURA | 45 | 5000 | CIVILIAN | | 0 | 0 | | 0 | 0 | 1/1/1994 | SRINAGAR | 1 DAY BEFORE HE DIED. | FAMILY MEMBERS | Militant | Yes | | BANDIPURA | No | |
| GH HAIDER DAR | GH MOHI-UD-DIN DAR | KUNZAR | 45 | 500 | HIZB UL MOMINEEN | | 25 | 1 | GH HASSAN DAR | 1500 | 0 | 1/1/1995 | SULTANPORA | | NIL | Unidentified | Yes | | PATTAN | No | YES |
| AB LATEEF KHAN | MOHD YAQUB KHAN | LACHIPURA, URI | 45 | 8000 | CIVILIAN | | 40 | 3 | SONS | 5000 | 2 | 5/1/1990 | RESIDENTIAL VILLAGE | 05/1990 | NIL | Army | Yes | | BIJHAMA | No | EX-GRATIA(GIVEN) SRO-43(GIVEN) |
| BASHIR AHMAD SHAH | MOHD YASEEN SHAH | LAMBER, URI | 50 | | CIVILIAN | | 60 | 4 | BROTHER | 0 | 0 | 12/6/1990 | NOT KNOWN | 06/12/1990 | | NOT KNOWN | No | | | No | NO |
| FAROOQ AHMAD KHAN | GH AHMAD KHAN | LAWAYPURA, BANDIPURA | 30 | 2000 | JKLF | | 34 | 3 | GRAND FATHER | 0 | 3 | 10/16/1997 | RESIDENTIAL VILLAGE | 1 DAY BEFORE HE DIED. | NIL | Army | No | | | No | |
| HUSSAIN KHAN | ISMAIL KHAN | LAWPURA, BANDIPURA | 30 | | CIVILIAN | | 36 | 5 | | 0 | 0 | 7/7/1999 | GUREZ | 07/07/1999 | NIL | Army | Yes | | BANDIPURA | No | EX GRATIA(GIVEN) ; SRO-43(UNDER PROCESS) |
| MOHD FATEH NAJAR | AB GAFAR NAJAR | LIMBER, URI | 35 | 1000 | CIVILIAN | | 32 | 2 | | 0 | 0 | 4/2/1990 | BARAMULLA | 5 DAYS BEFORE HE DIED. | NIL | NOT KNOWN | No | | | No | NO |
| MANZOOR AHMAD LONE | GH NABI LONE | LORIHAMA, ROHAMA, RAFI ABAD | 25 | 1500 | MILITANT | | 27 | 2 | GRAND FATHER | 0 | 2 | 11/1/1992 | LOC | 11/1992 | NIL | B.S.F. | Yes | | SOPORE | No | NO |
| GH RASOOL NAJAR | MOHD KHALEEL | MAGNIPURA, BANDIPURA | 50 | | CIVILIAN | | 55 | 4 | AB MAJEED | 2500 | 0 | 12/30/1999 | RESIDENTIAL VILLAGE | 31/12/1999 | NIL | Unidentified | Yes | | BANDIPURA | No | EX GRATIA(GIVEN) ; SRO-43(UNDER PROCESS) |
| MOHD SHAFI KALIS | GHULAM DIN KALIS | MALANGAM B, BANDIPURA | 25 | | HM(SURRENDERED) | | 29 | 1 | GRAND FATHER | 0 | 0 | 11/1/1996 | RESIDENTIAL VILLAGE | 11/1996 | NIL | Militant | Yes | | BANDIPURA | No | |
| GHULAM NABI | MOHD ISMAIL | MALANGAM, BANDIPURA | 25 | | CIVILIAN | | 30 | 1 | GRAND FATHER | 0 | 1 | 7/15/1993 | RESIDENTIAL VILLAGE | 15/07/1993 | FAMILY MEMBERS | NOT KNOWN | No | | | No | |

| NAME OF THE DEAD / DISAPPEARED PERSON | FATHER'S NAME | ADDRESS | AGE | INCOME | AFFILIATION | SPOUSE'S NAME | SPOUSE'S AGE | NUMBER OF CHILDREN | ANY EARNING MEMBER OR SOURCE OF INCOME | TOTAL INCOME | CHILDREN | DATE AND TIME OF DEATH / DISAPPEARANCE OF THE PERSON | LOCATION OF DEATH OR DISAPPEARANCE | PERSON SEEN LAST: DATE AND TIME | WITNESSES: (NAME AND ADDRESSES) | PERPETRATORS: NAME OF THE AGENCY | FIR FILED? | IF YES FIR NUMBER | POLICE STATION (POLICE OFFICER WHO REGISTERED THE FIR) | HABEAS CORPUS PETITION FILED | APPLIED FOR RELIEF AND REHAB (SHORT DETAILS) |
|---------------------------------------|-------------------------|--------------------------|-----|--------|-----------------------------|---------------|--------------|--------------------|--|--------------|----------|--|------------------------------------|---------------------------------|--|----------------------------------|------------|-------------------|--|------------------------------|--|
| JAVID AHAM SHEIKH | ABDUL AHAD SHEIKH | MALANGAM, BANDIPURA | 18 | NIL | LTM(LOCAL TRAINED MILITANT) | | 24 | 1 | | 0 | 0 | 5/1/1998 | | | NIL | Unidentified | Yes | | BANDIPURA | No | |
| NOOR DIN THIKREY | LAL DIN THIKREY | MALANGAM, BANDIPURA | 50 | 2000 | HM | | 45 | 3 | MOHD ASHRAF | 0 | 0 | 10/3/2000 | RESIDENTIAL VILLAGE | 03/10/2000 | NIL | Unidentified | Yes | | BANDIPURA | No | YES(UNDER PROCESS) |
| AB AHAD BHAT | AB GAFFAR BHAT | MALGOONIPURA | 70 | | CIVILIAN | | 80 | 5 | | 0 | 0 | 12/14/1990 | RESIDENTIAL VILLAGE | 14/12/90 | GH HASSAN S/O AB AHAD BHAT R/O MALGOONIPURA & CO | B.S.F. | Yes | | SOPORE | Yes | |
| AB. RAHIM RATHER | MOHD. JAFFER RATHER | MATIPORA PATTAN | 45 | 1500 | Civilian | | 35 | 4 | WIDOW, LABOUR | 1000 | 4 | 11/9/1993 | MATIPORA | 9 NOV 1993 | NIL | Unidentified | Yes | | PATTAN | No | NO |
| ABDUL REHMAN DAR | ABDUL AZIZ DAR | MIRGUND PATTAN | 45 | 1500 | RENEGADE | | 35 | 6 | SON(NO OR MOHD DAR) | 1000 | 5 | 3/13/1996 | | 3/30/1996 | NIL | IKHWANUL MUSLIMOON | Yes | 807-5-96 | PATTAN | No | SRO-43 & EX GRATIA |
| MOHD AMIN KHANDAY | GH MOHD KHANDAY | MOHALLA TAKYABAL, SOPORE | 28 | 1500 | CIVILIAN | | 27 | 2 | GRAND FATHER | 0 | 2 | 3/1/1991 | RESIDENTIAL VILLAGE | 03/1991 | FAMILY MEMBERS | Unidentified | No | | | No | |
| FAROOQ AHMED SHAH | SAIFUDDIN SHAH | MUGAM BANDIPORA | 25 | | CIVILIAN | | 30 | 1 | | 0 | 0 | 11/1/2001 | SRINAGAR | 1 WEEK BEFORE | YES | UNIDENTIFIED | Yes | | BANDIPORA | No | YES(UNDER PROCESS) |
| KHAN WALI | SYED WALI | MULANGAM, BANDIPURA | 60 | 1000 | CIVILIAN | | 60 | 4 | | 0 | 0 | 12/1/1999 | RESIDENTIAL VILLAGE | | NIL | Unidentified | No | | | No | |
| FAROOQ AHMAD SHAH | SAIFUDIN SHAH | MUQAM, BANDIPURA | 32 | | CIVILIAN | | 35 | 1 | GRAND FATHER | 0 | 1 | 4/1/2002 | SRINAGAR | 1 MONTH BEFORE HE DIED. | NIL | Unidentified | Yes | | BANDIPURA | No | YES(UNDER PROCESS) |
| AB. MAJEED GANAI | ALI MOHD GANAI | MURAN TANGWADI | 25 | | Civilian | | 20 | 0 | | 0 | 0 | | LOC | | | NOT KNOWN | No | | | No | |
| MOHD SIDIQ DAR | GH AHMAD DAR | NAGEENBAG H, SOPORE | 40 | 1500 | CIVILIAN | | 40 | 2 | | 0 | 2 | 6/7/1991 | BATMALO O | 07/06/1991 | NIL | NOT KNOWN | Yes | 229/97 | SRINAGAR | Yes | YES |
| M. AFZAL LONE | AB. AZIZ LONE | NAID KHAI HAJAN | 26 | 11000 | Civilian | | 25 | 3 | AB. REHMAN LONE, FARMING | | 3 | 4/1/1993 | FAMILY | APR 1993 | BROTHERS | Unidentified | Yes | | Sumbal | No | EX-GRATIA(GIVEN) SRO-43(NOT GIVEN) |
| MOHD HUSSAIN KHAN | MOHD YAQOOB KHAN | NILSAR BARAMULLA | 23 | 3000 | HM | | 20 | 3 | | 0 | 0 | 10/1/1992 | NILSAR | | NIL | UNIDENTIFIED | No | | | No | |
| MOHD YOUSUF DAR | GH HASSAN DAR | NOORIPORA | 28 | 1500 | CIVILIAN | | 30 | 3 | MOHD YASEEN DAR(SON) | 1000 | 2 | 9/1/1990 | HOME | | FAMILY MEMBERS | NOT KNOWN | No | | | No | ? |
| GHULAM MOHD. GANAI | MOHD. JAFAR GANAI | NOWGAM SONAWARI SUMBAL | 70 | 500 | Civilian | | 55 | 4 | | 500 | 4 | 10/15/1995 | ZALPORA SUMBAL | SAME DAY | MOHD. QASIM GANAI & MOHD. QASIM AHANGAR | UNIDENTIFIED | Yes | | Sumbal | No | NO |
| ABDUL AHAD LONE | MOHD SUBHAN LONE | OGMONA | 20 | 1500 | MILITANT | | 21 | 1 | UNCLE | 1000 | 1 | 1/1/1990 | LOC | 1989 | NIL | NOT KNOWN | Yes | | KUNZAR | Yes | |
| BASHIR AHMAD SOFI | GH MOHD SOFI | ONAGAM, BANDIPURA | 32 | | JAHAD FORCE | | | 0 | | 0 | 0 | 6/20/1993 | LAWPURA | 20/06/1993 | NIL | Unidentified | Yes | | BANDIPURA | No | YES(UNDER PROCESS) |
| PEER ABDUL MAJID MAKHDUMI | PEER HAFIZULLA MAKHDUMI | PAHLIPORA HAKBARA HAJAN | 30 | 5000 | CIVILIAN | | 30 | 1 | GRANDFATHER OF VICTIM | 0 | 1 | 5/28/1991 | RESIDENCE | SAME DAY | NIL | UNIDENTIFIED | Yes | | HAJAN | No | EX-GRATIA(GIVEN) SRO-43(UNDER PROCESS) |
| AB RASHID WANI | AB KHALIQ WANI | PAHLIPORA SAFAPORA | 40 | 2000 | S.P.O | | 35 | 5 | MOTHER | 1000 | 5 | | AT HOME | | NIL | Unidentified | Yes | | Safapora | No | |

| NAME OF THE DEAD / DISAPPEARED PERSON | FATHER'S NAME | ADDRESS | AGE | INCOME | AFFILIATION | SPOUSE'S NAME | SPOUSE'S AGE | NUMBER OF CHILD-REN | ANY EARNING MEMBER OR SOURCE OF INCOME | TOTAL INCOME | CHILD-REN | DATE AND TIME OF DEATH / DISAPPEARANCE OF THE PERSON | LOCATION OF DEATH OR DISAPPEARANCE | PERSON SEEN LAST: DATE AND TIME | WITNESSES: (NAME AND ADDRESSES) | PERPETRATORS: NAME OF THE AGENCY | FIR FILED? | IF YES FIR NUMBER | POLICE STATION (POLICE OFFICER WHO REGISTERED THE FIR) | HABEAS CORPUS PETITION FILED | APPLIED FOR RELIEF AND REHAB (SHORT DETAILS) |
|---------------------------------------|--------------------------|------------------------------|-----|--------|----------------------|---------------|--------------|---------------------|--|--------------|-----------|--|------------------------------------|---------------------------------|---------------------------------|----------------------------------|------------|-------------------|--|------------------------------|--|
| MOHD. MAQBOOL TANTRAY | GH. MOHIUDDIN TANTRAY | PALHALAN | 28 | 2500 | Civilian | | 27 | 2 | FATHER | 4000 | 2 | 4/23/1993 | PALHALAN | SAME DAY | FATHER OF VICTIM | Militant | Yes | | Pattan | No | EX-GRATIA(GIVEN) SRO-43(GIVEN) |
| MOHD. AKBAR RATHER | MOHD. SUBHAN RATHER | PALHALAN ANDERGAM | 26 | | Civilian | | 22 | 1 | | 0 | 0 | 11/29/1996 | PALHALAN | 29 NOV 1996 | | Army | Yes | | Pattan | No | |
| MUSHTAQ AHMAD BHAT | GH. MOHAMMAD BHAT | PALHALAN TANTRAYPORA | 30 | 1000 | J.K.H.M. | | 27 | 2 | FATHER | 1500 | 2 | 7/14/2001 | RAWPORA PALHALAN | SAME DAY | FAMILY | Unidentified | No | | | No | NO |
| AB HAMID DAR | GH MOHD DAR | PALIHARN, BARAMULLA | 35 | | AL BARQ | | 30 | 1 | | 0 | 0 | 2/4/1995 | RESIDENTIAL VILLAGE | 04/02/1995 | ALL | Army | Yes | | GAT MULLA | No | |
| GH MOHD BHAT | ABDUL KHALIQ BHAT | PANZIPORA | 20 | 1500 | HM | | 18 | 1 | | 0 | 0 | 3/1/1995 | HOME | 3/1/1995 | NIL | NOT KNOWN | Yes | | SOPORE | No | |
| MOHD. RAJAB SOFI | AB. AZIZ SOFI | PATT LALAD | 30 | 1500 | Civilian | | 45 | 4 | LAND | 0 | 0 | 7/15/1991 | HIS HOME | BEFORE SOME TIME | HIS NEIGHBOURS | Unidentified | No | | | No | SRO-43; |
| GH MOHIUD-DIN GANAI | AB AZIZ GANAI | PAZALPURA, DANGIWACHA | 55 | 1500 | HM | | 55 | 4 | SON | 1500 | 1 | 7/1/1995 | DARBUL | 07/1995 | YES | NOT KNOWN | No | | | No | |
| AB. RAHIM WANI | KHAZER MOHD. WANI | PUTT KHA SOPORE | 45 | 2000 | Civilian | | 43 | 8 | LAND | 5000 | 8 | 12/31/2000 | GRID | | ALL FAMILY | Unidentified | Yes | | Sopore | No | SRO-43; EX-GRATIA, 100000 |
| ABDUL JABAR WANI | ABDUL SIDEEQ WANI | RAIPORA PALHALAN | 35 | 500 | Ikhwani-ul-Muslimeen | | 40 | 1 | | 0 | 0 | 1/1/1998 | RAIPORA PALHALAN | SAME DAY | FAMILY MEMBERS | Security Forces | Yes | | Pattan | No | NO |
| GHULAM QADIR GOORU | GHULAM MOHD GOORU | RANGHAMA, SUMLER, BANDIPURA | 35 | 3000 | RENEGADE | | 40 | 3 | UNCLE | 0 | 0 | 10/17/1999 | RESIDENTIAL VILLAGE | | | Unidentified | No | | | No | |
| BASHIR AHMAD DAR | AB AHAD DAR | RESHIPURA, BANDIPURA | 35 | 1000 | RENEGADE | | 30 | 3 | | 0 | 0 | 11/1/2004 | RESIDENTIAL VILLAGE | | | NOT KNOWN | No | | | No | |
| MOHD AKBAR RESHI | GH QADIR RESHI | RESHMOHALL A, SHIVA, ZANAGIR | 25 | 1200 | | | 35 | 1 | UNCLE | 0 | 1 | 10/25/1992 | RESIDENCE | SAME DAY | NIL | Unidentified | No | | | No | YES(DENIED) |
| AB GANI NAJAR | SHABAN NAJAR | SALAMABAD, DACHNA | 40 | 3000 | CIVILIAN | | 42 | 1 | GRAND FATHER | 0 | 1 | 5/7/1992 | RESIDENTIAL VILLAGE | 07/05/1992 | NIL | Militant | Yes | | URI | No | YES(UNDER PROCESS) |
| AB KARIM NAIKOO | FATAH NAIKOO | SALAMABAD, DACHNA | 30 | | MILITANT | | 25 | 3 | | 0 | 0 | 8/1/1992 | RESIDENTIAL VILLAGE | 2 MONTHS BEFORE HE DIED. | NIL | Unidentified | Yes | | URI | No | |
| MATUL CHANEZA | ALAM DIN CHANEZA | SALASAN, URI | 40 | 1500 | CIVILIAN | | 36 | 2 | | 0 | 0 | 7/1/1994 | LOC | 07/1994 | NIL | B.S.F. | Yes | | URI | No | |
| MOHD SHAFI DAKID | JILAL-UD-DIN DAKID | SALOSON, URI | 40 | | CIVILIAN | | 42 | 1 | | 0 | 0 | 7/18/1994 | LOC | 18/07/1994 | NIL | B.S.F. | Yes | | URI | No | YES(UNDER PROCESS) |
| AB. RASHID SHEIKH | AB. AHAD | SANGRAMA | 29 | 800 | J.K.H.M. | | 38 | 0 | | 0 | 0 | 2/4/1991 | BORDER | | FAMILY | NOT KNOWN | No | | | No | |
| MOHD. SHAFI JEELANI | LATE MOULVI GH. MOHAMMAD | SHAIRABAD KHORE PATTAN | 39 | | CIVILIAN | | 52 | 3 | SON-MASROOR | 7000 | 0 | 8/22/1990 5:00:00 PM | RESIDENTIAL VILLAGE | SAME DAY | VILLAGE | C.R.P.F.46 BTN | Yes | 193/90 | Pattan | No | NO |
| RIYAZ AHMAD NAJAR | SANAULLA NAJAR | SHAKPORA KREERI | 24 | 900 | | | 0 | 0 | | 0 | 0 | 9/7/2000 | HOME | | NIL | NOT KNOWN | Yes | | KREERI PATTAN | No | |
| BASHIR AHMAD KHAN | FAJA KHAN | SHALDAG, NOWSHERA | 40 | 1000 | CIVILIAN | | 0 | 0 | | 0 | 0 | 10/16/1996 | RESIDENTIAL VILLAGE | 16/10/1996 | NIL | NOT KNOWN | Yes | | BONIYAR | No | NO |

| NAME OF THE DEAD / DISAPPEARED PERSON | FATHER'S NAME | ADDRESS | AGE | INCOME | AFFILIATION | SPOUSE'S NAME | SPOUSE'S AGE | NUMBER OF CHILDREN | ANY EARNING MEMBER OR SOURCE OF INCOME | TOTAL INCOME | CHILDREN | DATE AND TIME OF DEATH / DISAPPEARANCE OF THE PERSON | LOCATION OF DEATH OR DISAPPEARANCE | PERSON SEEN LAST: DATE AND TIME | WITNESSES: (NAME AND ADDRESSES) | PERPETRATORS: NAME OF THE AGENCY | FIR FILED? | IF YES FIR NUMBER | POLICE STATION (POLICE OFFICER WHO REGISTERED THE FIR) | HABEAS CORPUS PETITION FILED | APPLIED FOR RELIEF AND REHAB (SHORT DETAILS) |
|---------------------------------------|---------------------------------|---------------------------------|-----|--------|-----------------|---------------|--------------|--------------------|--|--------------|----------|--|------------------------------------|---------------------------------|---------------------------------|----------------------------------|------------|-------------------|--|------------------------------|--|
| ABDUL AZIZ TANTRAY | ABDUL RAHIM TANTRAY | SHEER BUGH PATTAN | 36 | NIL | HM | | 34 | 6 | | 0 | 6 | 6/10/1998 11:00:00 PM | CHANDPO RA NISHAT SRINAGAR | | NIL | 21 RR HANDWARA & STF | Yes | | PATTAN | No | NO |
| HABIBULLA RATHER | MOHD RATHER | SHIMLERN, WAGOORA | 26 | 1500 | MILITANT | | 27 | 1 | UNCLE | 0 | 1 | 1/1/1990 | LOC | 1990 | NIL | B.S.F. | No | | | No | NO |
| LATEEF AHMAD KHAN | KALAM DIN KHAN | SHOG BABA SAHIB, GUJERPATI | 20 | | | | 0 | 2 | GRAND FATHER | 0 | 2 | 1/1/2001 | | | NIL | Unidentified | Yes | | BANDIPURA | No | YES(UNDER PROCESS) |
| FAROOQ AHMAD KHAN | KALAM DIN KHAN | SHOGBABA SAHIB, BANDIPURA | 35 | | CIVILIAN | | | 3 | UNCLE | 0 | 0 | 1/1/2001 | RESIDENTIAL VILLAGE | 2001 | NIL | Unidentified | Yes | | BANDIPURA | No | YES(UNDER PROCESS) |
| GHULAM MOHD WANI | MOHD SULTAN WANI | SHOKBABA, BANDIPURA | 58 | 6000 | CIVILIAN | | 45 | 5 | BROTHER | 0 | 2 | 9/1/1994 | | | NIL | Unidentified | Yes | | BANDIPURA | No | EX-GRATIA(GIVEN) SRO-43(UNDER PROCESS) |
| HABIBULLA WANI | LATE GHULAM MOHD WANI | SHOKBABA, BANDIPURA | 29 | 1000 | HM | | | 0 | | 0 | 0 | 1/1/1994 | RESIDENTIAL VILLAGE | 1994 | FAMILY MEMBERS | Unidentified | Yes | | BANDIPURA | No | YES(UNDER PROCESS) |
| GH. RASOOL MALIK | GH. MOHD. MALIK | SINGHPORA PATTAN | 40 | 1500 | Civilian | | 45 | 5 | SONS-SHAIB MALIK & TAROOQ AHMAD | 2000 | 1 | 11/1/1991 | PALHALAN | SAME DAY | NIL | NOT KNOWN | Yes | | Pattan | No | YES(UNDER PROCESS) |
| GH AHMAD DAR | MOHD JAFAR DAR | SOAM PATTAN | 24 | 2500 | CIVILIAN | | 40 | 3 | FATHER | 600 | 5 | 10/1/1990 | | 10/1/1990 | NIL | NOT KNOWN | Yes | | PATTAN | No | SRO-43 & EX GRATIA |
| FAYAZ AHMAD NAJAR | FATHER INLAW- ABDUL QADIR NAJAR | SOYAN SODENAR DANGIWACHA | 30 | 2000 | CIVILIAN | | 30 | 6 | BROTHER OF THE VICTIM | 2500 | 6 | 7/1/2006 | | 2 DAYS BEFORE | NIL | NOT KNOWN | Yes | | PANZLA | No | NO |
| GH MOHD BHAT | LATE GH RASOOL BHAT | SULTANPUR GOUNCHIPORA SUMBAL | 30 | 500 | CIVILIAN | | 0 | 0 | MOTHER | 1000 | 0 | 2/3/1992 | MACHIT SECTOR BORDER | | NIL | BSF | Yes | | SUMBAL | No | YES |
| MOHD SHABAN WANI | LATE GH. QADIR WANI | SUMLAR BANDIPORA | 25 | 1500 | RENEGADE | | 19 | 0 | | 1500 | 0 | 10/15/1996 | SHOKHBA B SAHIB SUMLAR BANDIPORA | SAME DAY | NIL | NOT KNOWN | Yes | | BANDIPORA | No | YES, BUT NOT GIVEN. |
| NOOR MOHD. WANI | AB. REHMAN WANI | TAKI GONIPORA | 26 | 500 | S.T.F | | 30 | 3 | NIL | 0 | 3 | 12/15/2000 | RESIDENTIAL VILLAGE | 12/15/2000 | NIL | UNIDENTIFIED | No | | | No | NO |
| GH MOHD KHAN | QUTUB DIN KHAN | TANGHATA, BANDIPURA | 26 | | HM(SURRENDERED) | | | 1 | GRAND FATHER | 0 | 0 | 11/18/1995 | RESIDENTIAL VILLAGE | 18/11/1995 | NIL | Unidentified | Yes | | BANDIPURA | No | YES(UNDER PROCESS) |
| MOHD AKBAR TANTRAY | MOHD SUBHAN TANTRAY | TANTRAY MOHALLA PALHALAN PATTAN | 30 | 1500 | CIVILIAN | | 30 | 1 | FATHER OF THE VICTIM | 1000 | 1 | 5/1/1996 | NOT KNOWN | SAME DAY | NIL | NOT KNOWN | Yes | | PATTAN | No | YES,BUT NOT GIVEN |
| ASSADULLAH SHEIKH | SONAULLAH SHIEKH | TANTRAYPORA PALHALAN | 30 | 3600 | Civilian | | 30 | 1 | FATHER | 1500 | 1 | 6/1/1991 7:00:00 PM | TANTRYPORA PALHALAN | SAME DAY | FATHER | Unidentified | Yes | | Pattan | No | DENIED |
| M. RAFIQ MIR | AB. KHALIQ MIR | TANTRAYPORA PALHALAN | 35 | 1000 | Civilian | | 35 | 2 | AB. KHALIQ MIR | 500 | 5 | 11/11/1993 | TANTRYPORA PALHALAN | SAME DAY | NIL | UNIDENTIFIED | Yes | | Pattan | No | YES(UNDER PROCESS) |
| SALEEMA BEGUM | ARSHID ALI SHEIKH | TANTRAYPORA PALHALAN | 27 | NIL | Civilian | | 65 | 3 | GH. AHMAD RATHER | 500 | 3 | 8/12/1995 5:00:00 PM | RESIDENTIAL VILLAGE | SAME DAY | FAMILY MEMBERS | IM RENEGADES | No | | | No | NO |
| AB. RASHID BHAT | GH. RASOOL BHAT | TARZOO | 35 | 2500 | Al Jihad | | 25 | 0 | | 0 | 0 | 3/8/1993 | HIS HOME | SAME DAY | | Army | Yes | | Sopore | No | |
| AB.REHMA | SANAULLA | TARZOO | 40 | 1000 | Civilian | | 35 | 4 | | 0 | 4 | 10/9/1991 | SAME | SAME DAY | VILLAGE | Army | Yes | | Sopore | Yes | SRO-43; EX- |

| NAME OF THE DEAD / DISAPPEARED PERSON | FATHER'S NAME | ADDRESS | AGE | INCOME | AFFILIATION | SPOUSE'S NAME | SPOUSE'S AGE | NUMBER OF CHILDREN | ANY EARNING MEMBER OR SOURCE OF INCOME | TOTAL INCOME | CHILDREN | DATE AND TIME OF DEATH / DISAPPEARANCE OF THE PERSON | LOCATION OF DEATH OR DISAPPEARANCE | PERSON SEEN LAST: DATE AND TIME | WITNESSES: (NAME AND ADDRESSES) | PERPETRATORS: NAME OF THE AGENCY | FIR FILED? | IF YES FIR NUMBER | POLICE STATION (POLICE OFFICER WHO REGISTERED THE FIR) | HABEAS CORPUS PETITION FILED | APPLIED FOR RELIEF AND REHAB (SHORT DETAILS) |
|---------------------------------------|-----------------------|-----------------------|-----|--------|---------------------|---------------|--------------|--------------------|--|--------------|----------|--|------------------------------------|---------------------------------|---------------------------------|----------------------------------|------------|-------------------|--|------------------------------|--|
| N BHAT | H BHAT | | | | | | | | | | | | VILLAGE | | | | | | | | GRATIA |
| FAYAZ AHMAD LONE | HAJI GH. MOHD. LONE | THENDUMA KREERI | 26 | 4000 | JKLF | | 30 | 0 | | 0 | 0 | 1/8/1994 | ABDUCTED FROM MOSQUE AT KREERI | 8 JAN 1994 | VILLAGERS | Militant | Yes | | Kreeri | No | EX-GRATIA(GIVEN) SRO-43(GIVEN) |
| MANZOOR AHMAD WANI | ASADULLAH WANI | TRAGPURA, ROHAMA | 22 | 2000 | CIVILIAN | | 20 | 1 | GRANDFATHER | 0 | 0 | 1/1/2002 | TRAGPURA, ROHAMA | 2002 | NIL | Army | Yes | | SOPORE | No | |
| AB RASHID PANDIT | HABEEBULLAH | WADOORA BALA | 40 | 5000 | CIVILIAN | | 50 | 3 | WIFE JANA | 5000 | 3 | 6/4/1990 | DEGREE COLLEGE, SOPORE | 04/06/1990 | NIL | C.R.P.F. | Yes | | SOPORE | No | EX GRATIA (1LAKH); SRO-43(WIFE) |
| LATIEF AH. LONE | MOHD. SUBHAN LONE | WAGOOB | 30 | 500 | J.K.H.M. | | 25 | 3 | | 0 | 0 | 10/14/1994 | | | | Unidentified | No | | | No | |
| ABLI RATHER | GH MOHI-UD-DIN RATHER | WAGORA SHAMLARAN | 22 | 1500 | | | 32 | 1 | | 0 | 1 | 1/1/1993 | | | | NOT KNOWN | No | | | No | |
| AB. RASHID PARRA | HABIBULLAH PARRA | WANI MOHALLA SUMBAL | 35 | 3500 | Civilian | | 40 | 4 | MOTHER, SRO-43 | 5000 | 4 | 9/1/1991 | | 1 SEP 1991 | | Unidentified | Yes | | Sumbal | Yes | SRO-43, MOTHER GOT JOB; EX-GRATIA, 100000 |
| AB. RASHID PARRA | HABIBULLAH PARRA | WANI MOHALLA SUMBAL | 35 | 3500 | Civilian | | 40 | 4 | MOTHER, SRO-43 | 5000 | 4 | 9/1/1991 | | 1 SEP 1991 | | Unidentified | Yes | | Sumbal | Yes | SRO-43, MOTHER GOT JOB; EX-GRATIA, 100000 |
| MOHD AMIN MALIK | SAIDULLAH MALIK | WARD NO. 1, BANDIPURA | 30 | 1500 | CIVILIAN | | 30 | 2 | | 0 | 2 | 10/31/1991 | KULOOSA | 31/10/1991 | NIL | B.S.F. | Yes | | BANDIPURA | Yes | EX-GRATIA(GIVEN) SRO-43(UNDER PROCESS) |
| SHEIKH MOHD HAMZA | SANAULLAH SHEIKH | WATERGAM, RAFIABAD | 30 | 3000 | CIVILIAN | | 38 | 5 | GRAND FATHER | 1500 | 3 | 4/7/1992 | WATERGAM | 07/04/1992 | FAMILY MEMBERS | Army | Yes | 1/92 | SOPORE | Yes | EX GRATIA (1LAKH); SRO-43(UNDER PROCESS) |
| SANA-ULLAH GANAI | GH RASOL GANAI | WATTERGAM WAGOORA | 30 | 1500 | Al Jihad | | 36 | 5 | MOTHER CARPET WEAVER HERSELF | 1000 | 5 | 8/11/1993 | WATTERGAM WAGOORA | SAME DAY, AFTER NOON | NEIGHBOUR, MOHD. SULTAN | Unidentified | No | | | No | |
| ALI MOHD BHAT | MUNAWAR BHAT | WOVEN, BANDIPURA | 60 | | CIVILIAN | | 62 | 7 | | 0 | 0 | 10/1/1995 | RESIDENTIAL VILLAGE | 10/1995 | NIL | Unidentified | No | | | No | |
| MOHD RAJAB BHAT | GHULAM MOHD BHAT | WOVEN, BANDIPURA | 48 | 1000 | CIVILIAN | | 47 | 6 | BROTHER | 0 | 1 | 10/1/1995 | HOME | 10/1995 | NIL | NOT KNOWN | No | | | No | |
| MOHD SULTAN TANTRAY | ASSADULLAH TANTRAY | YARIPORA PATTAN | 30 | 1500 | CIVILIAN | | 35 | 5 | UNCLE | 1000 | 5 | 5/24/1994 | | 5/23/1994 | NIL | Unidentified | Yes | | PATTAN | No | SRO-43 & EX-GRATIA:100000 |
| HASSAN DAR | MASOOD DAR | ZALLAPORA | 50 | 1000 | CIVILIAN | | 25 | 0 | | 0 | 0 | 6/1/1996 | RESIDENTIAL VILLAGE | 1 MONTH BEFORE | NO | MILITANT | Yes | | SUMBAL | No | YES(UNDER PROCESS) |
| MOHD. ASHRAF ZARGAR | AB. MAJEED ZARGAR | ZARGAR MOHALLA KREERI | 37 | 3000 | Ikhwān-ul-Muslimeen | | 37 | 3 | FATHER, SHEPHERD & FARMER | 1500 | 3 | 5/22/2003 | NEW COLONY KREERI | SAME DAY | | Police | Yes | | Kreeri | No | |
| BASHIR AHMAD MIR | ABDULGANI MIR | ZITHAN, DANGIWACHA | 23 | | AL JEHAD | | 25 | 1 | GRAND FATHER | 0 | 1 | 1/1/1993 | ZITHAN, DANGIWACHA | 1993 | NIL | Army | Yes | | PANZLA | No | |
| NAZIR AHMAD MIR | GH MOHD MIR | ZUGYAR | 30 | 5000 | CIVILIAN | | 28 | 5 | | 0 | 0 | 6/1/1992 | RESIDENTIAL VILLAGE | 06/1992 | YES | Army | Yes | | SHEERI | No | NO |

“What do I want? One more meeting. If he’s alive, just show me...If he’s dead, tell me where his body is. When I go back to the police, or the army camp, the officers look at me leeringly, like I am available...like I have to remind them that I am there about my missing husband! It’s been 8 years.”

–Zara*, Srinagar, November 2010.

“I suppose I have this determination, fearlessness because of anger ... if he was a militant, then, fine, he would have killed and gotten killed...but he was a civilian. Unless I keep going to court, we create an environment where this just goes on.”

–Raja*, Kupwara, March 2011.

“Sometimes you see women in burquas begging in the streets of Srinagar. They aren’t overly religious... I know some half widows who do this ... they cover not out of religion, but out of social shame. They must beg to feed their children.”

–Gul*, Srinagar, November 2010.

* pseudonyms



Half Widow, Half Wife? documents the experiences and struggles of women like Gul, Zara, and Raja, those labeled ‘half widows’ in Indian-administered Kashmir: women whose husbands have ‘disappeared’ but not yet been declared deceased. There are at least 1,500 ‘half widows’ in Kashmir.

The Kashmir conflict as a whole and the recent waves in the summers of 2008, 2009, and 2010, have significant ramifications across the South Asian sub-continent. This report draws on the experiences of half widows to capture an often unseen and pernicious face of insecurity in Kashmir.

As wives of men disappeared, half widows face various economic, social, and emotional insecurities. These various insecurities are compounded rather than addressed by the legal and administrative remedies currently available to half widows. This report illustrates how the vulnerable population of half widows stands as a constant reminder—for not only their children and communities but for Kashmiris in general—of unresolved investigations, unattended needs, and continued suffering.

The deserving population of half widows presents an opportunity for promoting trust and security in the Valley. Based on its findings, this report makes recommendations to law and policy makers as well as to local, national, and international actors for concrete actions to ameliorate the lives of half widows. For efforts that improve the quality of life of Kashmiris and remove everyday vulnerabilities enhance momentum towards resolution and an inclusive peace.

A report by



Association of Parents of Disappeared Persons
The Bund Amira Kadal, Srinagar-190001, Jammu and Kashmir