



COVID-19 AND THE PLIGHT OF THE KASHMIRI FREEDOM LEADERS

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(Views expressed in the brief are those of the author, and do not represent those of ISSI)



On May 5, 2021, the iconic Kashmiri freedom leader, Mohammad Ashraf Sehrai, Chairman of the Tehreek-e-Hurriyat, died of COVID-19 while in custody of the occupying Indian forces in the Indian Illegally Occupied Jammu and Kashmir (IIOJK).¹ The 77-year old veteran freedom movement leader remarkably struggled for more than 50 years against the illegal occupation of Jammu and Kashmir by India. He was just 22 when first detained by the Indian forces in 1965. Upon release, Sehrai famously insulted and unveiled the sham democracy in India by arguing that “What kind of democracy cages free speech and people who speak the truth?”² Just days after his death, his two sons namely Rashid Sehrai and Mujahid Sehrai were illegally arrested under a black law known as Unlawful Activities (Prevention) Act (UAPA).³

Previously on August 5, 2019, the IIOJK witnessed a new round of bigotry and bicker orchestrated by the Indian Government. Previously it clearly violated the international law and the United Nations

¹ Rifat Fareed, “Ashraf Sehrai: Pro-Freedom Kashmir Leader Dies in Detention,” *Al Jazeera*, May 5, 2021, <https://www.aljazeera.com/news/2021/5/5/kashmirs-incarcerated-separatist-leaders-dies>.

² Iqbal Kirmani, “Mohammad Ashraf Sehrai, Kashmiri Separatist, Is Dead at 77,” *The New York Times*, May 10, 2021, <https://www.nytimes.com/2021/05/10/obituaries/mohammed-ashraf-sehrai-dead-covid.html>.

³ Umer Maqbool, “After Ashraf Sehrai’s Death in Preventive Custody, His Sons Arrested Under UAPA,” *The Wire*, May 17, 2021, <https://thewire.in/rights/kashmir-ashraf-sehrai-sons-uapa-arrest>.

Security Council Resolutions (UNSCR) 38 of January 17, 1948, and UNSCR 47 of April 21, 1948,⁴ regarding the disputed status of Jammu and Kashmir issue and revoked Articles 370 and 35A of the Indian Constitution. Hence, denying the valley of a special status guaranteed by the Indian Constitution. In a coordinated effort, immediately a strict lockdown was forcefully enforced by means of the Indian Army and other law enforcement agencies throughout the IIOJK. Meanwhile, members of the All Parties Hurriyat Conference (APHC – an alliance of 26 socio-political parties seeking independence from illegal Indian rule) and other political parties were detained in an extrajudicial manner. In aftermath of the revocation of Kashmir's special status and its subsequent annexation, from August 2019 till his death, despite poor health conditions and old age, the Indian occupying forces denied Sehrai of release on humanitarian grounds and access to medical facilities. Resultantly, the valiant freedom fighter sacrificed his life, but did not yield to illegal and immoral Indian demands.

Analysis and Afterthought

In hindsight, the departure of Mohammad Ashraf Sehrai left many questions unanswered. Most importantly, the complete media blackout in the IIOJK denied the world at-large of any knowledge of the worsening COVID-19 situation. However, the fate of Sehrai makes one thing clear that like most parts of India, the IIOJK is equally exposed to the dangers of COVID-19. And the illegal and extrajudicially detained prisoners are the most exposed in contracting such a highly contagious virus.

Also, Sehrai being a prominent leader, made it to the news. There is no credible information available on the current number of infections, active cases, and recovered patients in the IIOJK. Likewise, it is dangerously uncertain that whether India intends to vaccinate the inhabitants of IIOJK or to leave them at the mercy of COVID-19. Keeping in view India's lack of interest in vaccinating the people of IIOJK, it would not be ambitious to argue that the COVID-19 death toll may soar in the coming weeks and months. It would be in the larger interest of the people of IIOJK that India may collaborate and coordinate with Pakistan in providing basic medical supplies including face masks, sanitizers, and surgical gloves, to the people of IIOJK. Moreover, oxygen concentrators, oxygen cylinders, and vaccines could also be provided jointly under the supervision of the United Nations Military Observer Group in India and Pakistan (UNMOGIP).

⁴ "38 (1948). Resolution of 17 January 1948," *United Nations*, January 1948, [https://undocs.org/S/RES/38\(1948\)](https://undocs.org/S/RES/38(1948)); "47 (1948). Resolution of 21 April 1948," *United Nations*, April 1948, [https://undocs.org/S/RES/47\(1948\)](https://undocs.org/S/RES/47(1948)).

COVID-19: What would be the Fate of Kashmiri Prisoners of Conscience?

A female resident of IIOJK using pseudo name Sadia Munawar, penned down remarkable words that “all the happenings in Kashmir, about the people in jails, about the vast meadows, about mountains, about deaths and the fear.”⁵ The extrajudicial caging of the Kashmiri resistance clearly elucidates that despite momentous brutal attempts of suppression, the Indian Government could not silence the voice of Kashmiri prisoners of conscience. The President of Jammu and Kashmir People’s Conference (JKPC) Sajjad Gani Lone paid tribute to him by arguing that “Sehrai Sahib was a political leader not a terrorist” and “why did he have to die in incarceration and not at his home amongst his kin and loved ones. Have we become so weak that an old infirm dying person is a threat to the state.”⁶ Sehrai’s death, though, has denied Syed Ali Shah Geelani and the people of Jammu and Kashmir of a trustworthy comrade and an iconic believer of freedom; nonetheless, Sehrai has left a commendable legacy acting as a beacon of hope, especially for the Kashmiri youth. It is to be noted here that Sehrai’s son Junaid embraced martyrdom in June last year, while fighting against the illegal occupation of Jammu and Kashmir by India. Arguably, Sehrai and his gallant sons have reminded us of a famous saying attributed to the Scottish freedom fighter William Wallace that “they may take our lives, but they’ll never take our freedom.”⁷

Keeping in view the prevalent pattern of behaviour of the Indian Government in dealing with Kashmiri leaders, it could be assessed and estimated that it is likely to use COVID-19 as an opportunity in decimating the resistance. The jails in IIOJK overcrowded by the illegally detained Kashmiri resistance leaders and workers have no precautionary and preventive measures against COVID-19. A highly contagious virus such as COVID-19 is wreaking havoc at such establishments. It is quite unfortunate that in contemporary catastrophic times, when India is suffering thousands of COVID-19-related deaths on a daily basis and witnessing a record-breaking surge in infections,⁸ its Prime Minister Narendra Modi has little or no remorse for the people of IIOJK. Further, black laws such as Public Safety Act (PSA) (that was used to detain Sehrai and other voices of freedom), and

⁵ “‘Lockdown on Thoughts’: Kashmiris Slam India’s Free Speech Curbs,” *Al Jazeera*, March 29, 2021, <https://www.aljazeera.com/news/2021/3/29/lockdown-on-thoughts-kashmiris-slam-indias-free-speech-curbs>.

⁶ Peerzada Ashiq, “Jailed Tehreek-e-Hurriyat Chairman Sehrai Dies,” *The Hindu*, May 6, 2021, <https://www.thehindu.com/news/national/other-states/tehreek-e-hurriyat-chairman-sehrai-dies/article34488743.ece>.

⁷ “William Wallace Speech,” *Virginia Western Community College*, December 22, 2014, <https://www.virginiawestern.edu/eng111/WilliamWallaceSpeech-Braveheart.pdf>.

⁸ Joanna Slater, “India Sets Pandemic Record with More than 400,000 New Cases; Fauci Says Crisis Is ‘like a War,’” *Washington Post*, May 2, 2021, <https://www.washingtonpost.com/world/2021/05/01/india-coronavirus/>.

UAPA under which Sehrai's two sons were detained; are strains on Indian overhyped claims of a diverse democratic culture and liberal values.