

## **Conflict-Related Sexual Violence (CRSV) In Indian Occupied Kashmir: An Examination of Rape Incidents Committed by Indian Forces**

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*Conflict-related sexual violence (CRSV) is defined by the United Nations as any form of sexual violence of comparable gravity committed against women, men, girls, or boys and connected, either directly or indirectly, to a conflict. Kashmir has continued to be a major source of conflict in South Asia. Like other conflict zones, Kashmiri women and children have suffered brazen rapes, brutal killings, and abductions in Indian-occupied Kashmir (IOK). These incidents were committed by Armed forces and uniformed people but they were not held accountable. This study aims to discuss major incidents of rape, one of the cruelest forms of CRSV, committed by the armed forces in IOK. Eight major cases of rape were included in this study. The data was collected from multiple sources, including media reports, web articles, and publications by various international organizations. Findings highlight severe and systemic human rights abuses, underscored by*

*a pervasive culture of impunity and significant failures within the judicial and law enforcement systems. The repeated nature of these incidents suggests systemic flaws and a lack of accountability within the security forces. Addressing these issues is vital for achieving long-term peace and stability in the region.*

***Keywords:*** *Rape, Sexual Violence, Kashmir Conflict, Armed Forces, Conflict Zones*

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## **INTRODUCTION**

Women and girls have been subjected to sexual violence and rape throughout human history (Kelly & Regan, 2021; Hunter, 2023). These atrocities have persisted since the dawn of civilization (Winter, 2022). In wars and armed conflicts, rape and other forms of sexual violence have been used as a weapon possibly the most horrific weapon of war to subjugate women for ages, thereby undermining the social fabric of society (Kelly, 2002). All forms of sexual violence, including rape, are now recognized as war crimes (Gutteridge, 1949). These acts are intended not only to cause physical harm but primarily to

women, but also to create fear and humiliation in the victims, their families, and communities (UN Women, 2013 & UNICEF, 2005).

In the twentieth century, the world has witnessed various armed conflicts across the globe. Millions of people lost their lives, forced to migrate and living their lives with miseries (Ferguson, 2006; Leitenberg, 2006 &

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Anderson, 2019) It is found that governments, armed forces, and ethnic groups have used rape as a systematic measure to terrorize and humiliate in various armed conflicts (Smith, 2015; Jamwal, 2013 & Brown, 2020). During the Rwandan genocide in 1994, it is estimated that 100,000 to 250,000 women were brutally raped in 100 days (Human Rights Watch, 1999a; United Nations, 1998). Over 60,000 women were raped during Sierra Leone's civil war, which lasted from 1991 to 2002. The conflict was characterized by widespread human rights violations, with armed groups utilizing sexual violence to exert authority and destabilize communities (Leebaw, 2007 & Ssenyonjo, 2005). More than 40,000 women were raped in the Liberian civil war (1989-2003). Both government forces and rebels used sexual abuse to terrorize communities, exacerbating an already critical humanitarian catastrophe (UNICEF, 2003). Furthermore, during the former Yugoslavia conflict from 1992 to 1995, up to 60,000 women were subjected to systematic sexual abuse as part of ethnic cleansing activities by various forces (United Nations, 1996). In addition, persistent violent conflicts in the Democratic Republic of the Congo since 1998 have resulted in the rape of at least 200,000 women, revealing a troubling pattern of utilizing rape as a means of control and destruction in the region (Meger, 2019). These incidents highlight the critical need for international cooperation to address and prevent such grave abuses of human rights in conflict zones.

The UN Security Council passed Resolution 1820

in 2008, which designated sexual violence in wars and conflicts as conflict-related sexual violence (CRSV). CRSV refers to “rape, sexual slavery, forced prostitution, forced pregnancy, forced abortion, enforced sterilization, forced marriage, and any other form of sexual violence of comparable gravity perpetrated against women, men, girls or boys that is directly or indirectly linked to a conflict”. This resolution underlined the necessity of stopping and responding to acts of sexual assault and especially addressed it as a weapon of war (UN Security Council, 2008). Following the 1820 resolution, subsequent resolutions have been passed: Resolution 1960 (UN Security Council, 2010), Resolution 2106 (UN Security Council, 2013), and Resolution 2467 (UN Security Council, 2019). These resolutions have had a considerable impact on raising awareness about CRSV and encouraging measures to combat it.

Every year, the United Nations releases an annual report titled "Report of the Secretary-General on Conflict-Related Sexual Violence" (CRSV). In 2023, 3688 CRSV cases were registered in conflict zones, with all of them verified by the UN. There is a 50% rise in reported cases compared to last year. Most of the cases were reported from Ethiopia (835) and the Democratic Republic of the Congo (733). In this report, Afghanistan was shown as a conflict zone. But Kashmir was not shown as a conflict zone in the reports of the Secretary-General on Conflict-Related Sexual Violence. Keeping this situation in view, there is a dire need to highlight human rights abuses

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and sexual violence committed by Indian forces in Kashmir to combat CRSV in the valley.

### **The Case of Indian Occupied Kashmir (IOK)**

The Kashmir conflict has a prolonged history and has its roots in colonialism (Ganguly & Bajpai, 1994). Historically, Kashmir valley remained an area of Muslim majority but British Raj sold the Kashmir to a Hindu Dogra King Ghulab Singh for Rs 75 lakhs under the Treaty of Amritsar in 1846 (Bhat, 2019). In 1947, the Parliament of the United Kingdom passed the Indian Independence Act to divide India into two states, India and Pakistan, along with 562 princely states that were given the right to choose whether they wanted to join Pakistan or India (Abid & Ashfaq, 2016). Kashmir was one of those important states that held a great geo-strategic position (Dar & Firdous, 2014). Even though the majority of the Kashmiri population were Muslims they wanted to be in Pakistan, Hindu.

Maharaja Hari Singh did not announce the annexation of Pakistan. Firstly, he decided to stay independent but announced annexation with India due to their continuous insistence. Following this, Muslim Kashmiris rose in rebellion, which started the 1948 war—also known as the war of 1948—between India and Pakistan (Ali et al., 2019). This issue of division has had a significant impact on the lives of millions of Kashmiri people. It is recognized for both territorial disputes and

human rights violations. Both countries claim that Kashmir is an integral part of their territory.

Kashmir has continued to be a major source of conflict in South Asia. The Kashmir conflict is a long-lasting issue characterized by violence, human rights abuse, and instability in regional politics. India and Pakistan have fought four wars in 1947, 1965, 1971, and 1999 due to this conflict. Apart from this, both countries have developed their nuclear armaments as a deterrent (Hagerty, Hagerty & Pusca 2020; Ganguly et al., 2019; Ganguly, 2018). Thousands of Kashmiris have been killed by Indian forces in India. Occupied Kashmir (IOK). To survive, the Kashmiri people and their families were forced to migrate to Pakistan and other countries (Ganguly, 1998). Most importantly, Kashmiri women and children have been suffered with CRSV (Norosky, 2024; Gentry, Shepherd, & Sjoberg, 2019; Bhattacharyya, 2018). They use the Armed Forces Special Powers Act (AFSPA), a draconian law, to perpetuate CRSV in the valley. Many cases of sexual harassment, brazen rapes, brutal killings, and abduction have been reported that were committed by uniformed people but were not held accountable (Bhattacharyya, 2016).

This study aims to discuss major incidents of rape, one of the cruelest forms of CRSV, committed by the armed forces of India in the IOK during 1990 to 2020. This study intends to highlight severe and systemic human rights violations, characterized by a pervasive culture of impunity and substantial deficiencies within the

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judicial and law enforcement systems. This study is significant in raising awareness about the grave and widespread human rights abuses. By documenting and analyzing these violations, the study will contribute to promoting the protection of human rights in conflict zones around the globe.

### **METHODOLOGY**

This research paper conducts a secondary data analysis focusing on the incidence of rape in Indian-Occupied Kashmir (IOK). To achieve this, the authors systematically gathered data from multiple sources, including media reports, web articles, and publications by various international organizations. The scope of the analysis spans three decades, covering significant reported incidents of rape allegedly committed by Indian armed forces from 1990 to 2020. The following eight cases have been studied for the current study;

1. KunanPoshpora Gang Rape Case (1991)
2. Langate Rape and Murder Case (1994)
3. Srinagar Gang Rape Case (1997)
4. Wavoosa Gang Rape Case (1997)
5. Doda Rape Case (1998)
6. Handwara Rape Case (2004)
7. Shopian rape and murder case (2009)
8. Handwara Rape Case (2016)

These eight cases were selected for inclusion in this study due to the extreme severity of the sexual abuse involved

in each incident. In each of these cases, a woman or girl was either raped or killed following rape, underscoring the brutal nature of these crimes. The gravity of these offenses sparked widespread outrage and large-scale protests across the region of IOK. In presenting their findings, the authors have structured the paper around individual case studies. Each case study provides an in-depth discussion of specific incidents, detailing the circumstances, context, and impact of the events. This includes the time and location of the incidents, the demographics of the victims, the alleged perpetrators, and the immediate and long-term consequences for the victims and their communities.

Additionally, the paper examines the broader socio-political environment in IOK during this period, considering factors such as military presence, local resistance movements, and the legal and institutional responses to these crimes. The analysis also includes an exploration of the psychological and social effects of rape on survivors and their families, drawing on testimonies and reports from local NGOs and human rights activists. By discussing each case study in detail, the paper aims to provide a comprehensive understanding of the patterns of sexual violence in IOK, highlight the systematic nature of these abuses, and underscore the need for accountability and justice for the victims.

## **FINDINGS**



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### **KunanPoshpora Gang Rape Case (1991)**

The KunanPoshpora gang rape case occurred in the twin villages of Kunan and Poshpora, located in the Kupwara district of Jammu and Kashmir, India. This region, which has been a hotspot of conflict, saw heightened military activities during the insurgency in the early 1990s.

#### **Incident Details**

On the night of February 23, 1991, soldiers from the Indian Army entered the villages of Kunan and Poshpora during a search operation. According to the villagers, the soldiers forcibly separated the men from the women and then gang-raped a large number of women. The number of victims is reported to be between 23 and 100. The incident was reported by the local media and human rights organizations, drawing widespread attention to the severity of the alleged crimes (Jamwal, 2013).

#### **Trial and Legal Proceedings**

Following the allegations, an initial investigation was conducted by the Jammu and Kashmir police. However, the investigation was widely criticized for being flawed and biased. A subsequent inquiry by a Press Council of India committee also dismissed the allegations, calling them "grossly exaggerated." In 2011, the case was reopened, and further investigations were ordered by the Jammu and Kashmir High Court. Despite renewed efforts, including orders for re-investigation and compensation for the victims, significant legal hurdles and alleged non-cooperation by military authorities hindered the progress

of the case. To date, no military personnel have been prosecuted, and the victims have not received justice (Bose, 2009; Human Rights Watch, 1993).

### **Langate Rape and Murder Case (1994)**

The Langate rape and murder case occurred in the village of Langate, located in the Kupwara district of Jammu and Kashmir, India. This region, like much of Jammu and Kashmir, has been marked by significant conflict and military presence due to ongoing insurgency and counter-insurgency operations.

#### **Incident Details**

In 1994, a woman from Langate was allegedly abducted, raped, and murdered by personnel from the Indian Army. The incident took place during a military search operation in the area. The brutality of the attack and the involvement of military personnel drew immediate attention and condemnation from residents and human rights organizations.

#### **Trial and Legal Proceedings**

Following the incident, a local investigation was launched, but it faced numerous challenges, including fear among witnesses and potential interference by military authorities. The case was subsequently transferred to the Central Bureau of Investigation (CBI) to ensure a more impartial inquiry. Despite these efforts, the CBI faced significant obstacles, including a lack of cooperation from

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the military and difficulty in gathering concrete evidence. Ultimately, the investigation did not lead to any prosecutions, and the case was closed without any convictions. This outcome further fueled public discontent and skepticism about the justice system's ability to hold security forces accountable (Human Rights Watch, 1999b).

### **Srinagar Gang Rape Case (1997)**

The Srinagar gang rape case occurred in Srinagar, the summer capital of Jammu and Kashmir, India. This region has been a focal point of conflict and military presence due to ongoing insurgency and counter-insurgency operations.

### **Incident Details**

In October 1997, personnel from the Indian Army allegedly abducted and gang-raped a woman in the Batamaloo area of Srinagar. The incident took place during a military crackdown in the locality, wherein the woman was reportedly taken from her home and subjected to sexual violence. The severity and circumstances of the assault drew immediate public and media attention, highlighting the ongoing issues of human rights abuses by security forces in the region.

### **Trial and Legal Proceedings**

Following the incident, an initial investigation was conducted by local police, but due to the involvement of

army personnel, the case was transferred to the Central Bureau of Investigation (CBI) for a more impartial inquiry. The CBI faced significant challenges, including limited cooperation from the military and fear among witnesses. Despite these efforts, the investigation was inconclusive, and no charges were brought against the accused. The lack of prosecution led to widespread criticism and allegations of a cover-up, exacerbating public distrust in the justice system's ability to hold security forces accountable (Human Rights Watch, 1999b).

### **Wavoosa Gang Rape Case (1997)**

The Wavoosa gang rape case occurred in the village of Wavoosa, located in the Budgam district of Jammu and Kashmir, India. This area, like much of the region, has experienced significant unrest and conflict due to ongoing insurgency and counter-insurgency operations.

#### **Incident Details**

In 1997, a group of Indian Army personnel abducted and gang-raped several women from the village of Wavoosa. The incident occurred during a search operation, and the women were reportedly taken from their homes and subjected to sexual violence. The brutality of the attack and the involvement of military personnel drew immediate and widespread condemnation (Jameel, 1998).

#### **Trial and Legal Proceedings**

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Following the incident, a local investigation was initiated, but it faced numerous challenges, including fear among witnesses and victims, and alleged interference by military authorities. The case was eventually transferred to the Central Bureau of Investigation (CBI) to ensure a more impartial investigation. Despite these efforts, the CBI faced significant obstacles, including a lack of cooperation from the military and difficulty in collecting concrete evidence. Ultimately, the investigation did not lead to any prosecutions, and the case was closed without any convictions. This outcome further fueled public discontent and skepticism about the justice system's ability to hold security forces accountable (Human Rights Watch, 1999a & Jaleel, 1997).

### **Doda Rape Case (1998)**

The Doda rape case occurred in the Doda district of Jammu and Kashmir, India. This area, like much of Jammu and Kashmir, has been marked by conflict and tension between residents and security forces due to ongoing insurgency and counter-insurgency operations.

### **Incident Details**

In 1998, a young woman from the Doda district alleged that she was abducted and raped by personnel from the Indian Army. The incident occurred during a period of heightened military activity in the region, and the allegations added to the already volatile atmosphere in Doda and surrounding areas.

### **Trial and Legal Proceedings**

The initial investigation was carried out by the local police, but due to the involvement of military personnel, the case was later transferred to the Central Bureau of Investigation (CBI) to ensure impartiality. The CBI faced significant challenges in gathering evidence and securing witness testimonies, largely due to the fear and intimidation experienced by the local population. Ultimately, the CBI concluded that there was insufficient evidence to prosecute the accused, leading to the case being closed without any convictions. This outcome led to widespread disillusionment and anger among the local community and human rights organizations (Human Rights Watch, 1999b).

### **Handwara Rape Case (2004)**

The Handwara rape case occurred in Handwara, a town in the Kupwara district of the Indian-administered region of Jammu and Kashmir. This area has been a site of frequent conflict and tension between residents and security forces.

### **Incident Details**

In November 2004, mother and daughter rape case in Handwara by raped by personnel from the Indian Army. The incident triggered immediate outrage and accusations against the security forces, highlighting long-standing grievances regarding the behavior of military personnel in the region (Bukhari, 2004).

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### **Trial and Legal Proceedings**

The initial investigation into the Handwara rape case was conducted by local police. However, due to public distrust in the local law enforcement's ability to impartially investigate crimes involving security forces, the case was later transferred to the Central Bureau of Investigation (CBI). Despite the serious allegations, the CBI concluded that there was insufficient evidence to support the charges, and the case was eventually closed. This decision was met with significant skepticism and disappointment from the local population and human rights activists (The Hindu, 2004).

### **Shopian Rape and Murder Case (2009)**

The Shopian rape and murder case occurred in the town of Shopian, located in the Shopian district in the Indian-administered region of Jammu and Kashmir. The incident involved two young women, Asiya Jan and Neelofar Jan, who were found dead on May 30, 2009 (Sharma, 2009)

### **Incident Details**

On May 29, 2009, Asiya Jan and Neelofar Jan went missing after leaving their orchard. Their bodies were discovered the next day in a shallow stream, leading to widespread allegations that they had been raped and murdered. The initial investigation by the Jammu and Kashmir police faced heavy criticism for alleged mishandling and possible cover-up (India Today, 2010).

### **Trial and Legal Proceedings**

Due to public outrage and protests, the case was transferred to the Central Bureau of Investigation (CBI). The CBI concluded that the deaths were accidental drowning, dismissing the rape and murder allegations. This conclusion was met with skepticism and further protests from the local population and human rights organizations. The CBI's report also led to charges being filed against doctors and lawyers who had initially supported the rape and murder theory, accusing them of fabricating evidence (Bukhari, 2009).

### **Handwara Rape Case (2016)**

The incident took place in Handwara, a town in the Kupwara district of Jammu and Kashmir, India. The town is located in the northern part of the Kashmir Valley, which has been a sensitive and conflict-prone area due to longstanding political and military tensions.

### **Incident Details**

The incident came to light on April 12, 2016, when reports emerged that a 16-year-old minor girl had been molested by an Indian Army soldier in a public restroom in Handwara. The incident was reportedly witnessed by bystanders, and it quickly spread through the local community. This accusation led to large-scale protests and violent clashes between residents and security forces. The girl's family and residents accused the authorities of



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trying to cover up the incident and intimidate the victim and witnesses. The situation escalated when security forces opened fire on the protesters, resulting in the deaths of five civilians over the following days (Rashid, 2016).

### **Trial and Legal Proceedings**

The case underwent multiple investigations, including those by local police and the Army. The girl was reportedly coerced into giving a statement exonerating the army personnel, which led to further outrage. The Jammu and Kashmir High Court ordered an independent investigation to ensure justice and transparency. Despite these efforts, there were

significant allegations of procedural lapses and intimidation. Following the allegations, the Jammu and Kashmir police initiated an investigation. However, the case was complicated by the swift denials from the army and the subsequent release of a video in which the girl claimed that no such incident had occurred. This video was widely criticized as being made under duress. Despite the controversy, the case was taken up by the Jammu and Kashmir State Human Rights Commission, which called for an independent and thorough investigation.

The conflicting accounts and the intense pressure from both sides made the legal proceedings complex and contentious. Ultimately, the investigation did not lead to any charges against the accused soldier, and the case was closed, leading to widespread dissatisfaction among the local population and human rights activists (Peerzada,

2016). The examination of the cases from KunanPoshpora (1991) to Handwara (2016) reveals a consistent pattern of alleged sexual violence by security forces in Jammu and Kashmir. Each incident underscores several key findings:

- I. **Systemic Abuse and Impunity:** Across all cases, there is a recurrent theme of security forces allegedly committing acts of sexual violence during military operations. Despite
- II. multiple investigations, there have been no successful prosecutions, indicating a systemic issue of impunity. This lack of accountability is evident in the closure of cases without convictions, as seen in KunanPoshpora (1991), Langate (1994), and others.
- III. **Public Outrage and Protests:** Each incident led to significant public outrage and protests. The local population's response, characterized by widespread demonstrations and clashes with security forces, reflects deep-seated grievances against frequent human rights abuses. Protests following the Handwara (2016) and Shopian (2009) cases, for example, highlight the community's demand for justice and accountability.
- IV. **Political Repercussions:** The political impact of these cases has been
- V. Indian government. Regional leaders and human rights organizations have frequently condemned these incidents, criticizing the government's handling and the perceived

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impunity of security forces. These incidents have fueled independence movement and calls for greater autonomy, as seen in the aftermath of the KunanPoshpora and Handwara cases.

- VI. **Judicial and Policy Challenges:** The judicial responses to these cases have been inadequate, with investigations often hindered by bias, interference, and lack of cooperation from military authorities. The cases underscore the need for comprehensive judicial and policy reforms to ensure impartial investigations and protect victims and witnesses. Despite repeated calls for reforms, substantial changes have yet to be implemented, as highlighted by the continued occurrence of such incidents.
- VII. **Broader Human Rights Implications:** The recurring nature of these incidents points to a broader human rights crisis in conflict zones. These cases highlight the urgent need for reforms to prevent human rights abuses during military operations. The failure to address these issues effectively perpetuates cycles of violence and resentment, destabilizing the region further.
- VIII. **Need for Reform:** These cases emphasize the urgent need for comprehensive judicial and policy reforms to address human rights abuses by security forces. There is a critical need for greater oversight, accountability, and protective measures for victims and witnesses. While calls for reform have grown, substantial policy changes remain exclusive, and the cycle of violence

and impunity persists, undermining the rule of law and stability in the region. The consistent patterns of alleged sexual violence and impunity in these cases highlight the urgent need for systemic reforms to ensure justice and protect human rights in Jammu and Kashmir.

## **DISCUSSION**

The cases of KunanPoshpora Gang Rape Case (1991), Langate Rape and Murder Case (1994), Srinagar Gang Rape Case (1997), Wavoosa Gang Rape Case (1997), Doda Rape Case (1998), Handwara Rape Case (2004), Shopian rape and murder case (2009), and Handwara Rape Case (2016) illustrate a disturbing pattern of CRSV perpetrated by Indian security forces in Jammu and Kashmir. These incidents highlight severe issues related to human rights abuses, impunity, and systemic failures within the judicial and law enforcement systems. Each case provides a lens through which to examine the broader socio-political and judicial implications of such crimes in conflict zones.

### **Patterns of Violence and Impunity**

In each of these cases, from KunanPoshpora to Handwara, the allegations involve security personnel committing acts of sexual violence during military operations. The consistency in the nature of these allegations suggests a systemic problem within the operational conduct of security forces. Victims and local populations often face

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intimidation, fear of reprisals, and societal stigma, which further complicates the pursuit of justice. The impunity with which these acts are carried out is evident from the lack of successful prosecutions in any of these cases. Despite investigations and public outcry, military personnel accused of these crimes have not been held accountable, reinforcing a culture of impunity.

### **Public Outrage and Protests**

Each incident led to significant public outrage and protests. The immediate response of the local population has been one of anger and demand for justice. In KunanPoshpora, the protests drew national and international attention to the plight of the victims and the severity of the abuses. Similarly, in Handwara, the public's response was swift and fierce, leading to widespread demonstrations and violent clashes with security forces. These protests are not only expressions of immediate anger but also manifestations of deep-seated grievances against the systemic oppression and frequent human rights abuses by security forces.

### **Political Repercussions**

The political ramifications of these cases have been substantial. Each incident has further strained the relationship between the local population and the Indian government. Regional political leaders have often condemned these acts, criticized the central government's handling of the situations and called for greater

accountability. These incidents have highlighted the demands for autonomy or independence. The KunanPoshpora case, for instance, has been a rallying point for independence movement, symbolizing the broader struggle against perceived Indian oppression.

### **Judicial and Policy Challenges**

The judicial handling of these cases highlights significant challenges and inadequacies. Investigations have often been marred by allegations of bias, interference, and insufficient evidence. The Kunan Poshpora case, despite being reopened and re-investigated multiple times, has yet to result in any convictions, illustrating the difficulties in achieving justice in such environments. The Handwara case, with its conflicting accounts and the controversial video of the victim's retraction, underscores the challenges in protecting victims and witnesses from coercion and ensuring impartiality in investigations. These cases have also spurred calls for judicial and policy reforms. There is a growing demand for greater oversight of military operations, better protection for victims and witnesses, and more robust mechanisms to ensure accountability. While these calls have yet to translate into substantial policy changes, the repeated incidents of sexual violence by security forces continue to pressure the Indian government to address these systemic issues.

### **Broader Implications**

The recurring nature of these cases points to broader

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implications for human rights in conflict zones. They highlight the need for comprehensive reforms to ensure that security operations do not result in human rights abuses. The failure to adequately address these incidents not only undermines the rule of law but also perpetuates cycles of violence and resentment, further destabilizing the region. Addressing these issues is crucial for achieving long-term peace and justice in Jammu and Kashmir. Violence and impunity within the context of military operations in Jammu and Kashmir. They underscore the urgent need for judicial and policy reforms to protect human rights and ensure accountability in conflict zones

### **CONCLUSION**

The examination of conflict-related sexual violence (CRSV) in Indian-occupied Kashmir, particularly through the analysis of notable cases such as KunanPoshpora (1991), Langate (1994), Srinagar (1997), Wavoosa (1997), Doda (1998), Handwara (2004), Shopian (2009), and Handwara (2016), reveals a troubling pattern of sexual violence allegedly perpetrated by Indian security forces. These incidents highlight severe and systemic human rights abuses, underscored by a pervasive culture of impunity and significant failures within the judicial and law enforcement systems. CRSV in Kashmir reflects broader issues within the conduct of military operations in conflict zones. The repeated nature of these incidents suggests systemic flaws and a lack of accountability

within the security forces. Despite multiple investigations, public protests, and demands for justice, no successful prosecutions have been achieved. This impunity not only undermines the rule of law but also perpetuates cycles of violence and resentment among the local population. Public outrage and protests have been a consistent response to these incidents, indicating deep-seated anger and frustration with ongoing human rights abuses.

The intensity of these protests underscores the population's demand for accountability and justice. However, these protests often escalate into violent clashes, further destabilizing the region and highlighting the fragile relationship between the local population and the Indian state. Politically, these cases have significant repercussions, exacerbating pro— independent movement. Regional leaders and human rights organizations have repeatedly condemned the incidents and criticized the central government's handling of the cases. This political fallout highlights the need for substantial policy and judicial reforms to address human rights abuses effectively. The findings from these cases emphasize the urgent need for comprehensive reforms. Greater oversight of military operations, robust accountability mechanisms, and protective measures for victims and witnesses are critical. While calls for reform have grown louder, substantial changes remain elusive, and the cycle of violence and impunity continues. In conclusion, the consistent patterns of CRSV in Kashmir highlight a pressing need for systemic reforms to ensure justice and



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protect human rights. Addressing these issues is crucial for achieving long-term peace and stability in the region, restoring trust in the judicial system, and upholding the rule of law.\

### REFERENCES

- Abid, M., & Ashfaq, A. (2016). Atrocities on woman committed by Indian armed forces in the Indian held Kashmir. *Pakistan Vision*, 17(1).
- Ali, S., Majid, A., Kousar, S., & Abbas, F. (2019). Kashmir: the major source of conflict between Pakistan and India. *South Asian Studies*, 34(02), 367-382.
- Anderson, N. (2019). Competitive intervention, protracted conflict, and the global prevalence of civil war. *International Studies Quarterly*, 63(3), 692-706.
- Bhat, G. Q. (2019). The emergence and development of the Muslim political identity in Kashmir 1846-1947. *Journal of South Asian Studies*, 7(1), 09-18.
- Bhattacharyya, R. (2018). Living with armed forces special powers act (AFSPA) as everyday life. *Geo Journal*, 83(1), 31-48.
- Bhattacharyya, R. (2016). An Account of India's under-5 Mortality Rate, *International Journal of Social Work and Human Services Practice*, 4(4), 82-88, DOI: 10.13189/ijrh.2016.040402
- Bose, S. (2009). *Kashmir: Roots of conflict, paths to peace*. Harvard University Press.
- Brown, K. E. (2020). Religious violence, gender and post-secular counterterrorism. *International Affairs*, 96(2), 279-303.
- Bukhari, S. (2004, November 14). Protests erupt in

- Kashmir over alleged rape by army personnel. BBC News. Retrieved from [http://news.bbc.co.uk/2/hi/south\\_asia/4013223.stm](http://news.bbc.co.uk/2/hi/south_asia/4013223.stm)
- Bukhari, S. (2009, June 7). Kashmir Shuts Down Over Alleged Rape and Murder. BBC News. Retrieved from BBC News.
- Dar, F. A., & Firdous, T. (2014). India's response to new great game in Central Asia. *Journal of South Asian Studies*, 2(1), 33-44.
- Ferguson, J. M. (2014). The scramble for the waste Lands: Tracking colonial legacies, counterinsurgency and international investment through the lens of land laws in Burma/Myanmar. *Singapore Journal of Tropical Geography*, 35(3), 295-311.
- Ganguly, S., Smetana, M., Abdullah, S., & Karmazin, A. (2019). India, Pakistan, and the Kashmir dispute: Unpacking the dynamics of a South Asian frozen conflict. *Asia Europe Journal*, 17, 129-143.
- Ganguly, S. (2018). India as a regional power: opportunities and constraints. *Regional Powers and Contested Leadership*, 231-246.
- Ganguly, R. (1998). India, Pakistan and the Kashmir dispute.
- Ganguly, S., & Bajpai, K. (1994). India and the crisis in Kashmir. *Asian Survey*, 34(5), 401-416.
- Gentry, C. E., Shepherd, L. J., & Sjoberg, L. (Eds.). (2019). *The Routledge handbook of gender and security*. London: Routledge.
- Gutteridge, J. A. (1949). The Geneva Conventions of 1949. *Brit. YB Int'l L.*, 26, 294.
- Hagerty, D. T., Hagerty, P., & Pusca. (2020). *Nuclear Weapons and Deterrence Stability in South Asia*.

## Conflict-Related Sexual Violence (CRSV) In Indian Occupied Kashmir

- Baltimore, MD: Palgrave Macmillan.
- Human Rights Watch. (1993). The forgotten war: Human rights Abuses and Violations of the laws of war in Angola. Retrieved from <https://www.hrw.org/reports/1993/angola/>
- Human Rights Watch. (1999a). Shattered lives: Sexual violence during the Rwandan genocide and its aftermath. Retrieved from <https://www.hrw.org/reports/1996/Rwanda.htm>
- Human Rights Watch. (1999b). Broken system: Dysfunction, abuse, and impunity in the Indian Police. Retrieved from <https://www.hrw.org/reports/1999/india/>
- Hunter, L. (2023). Sexual Violence and Conflict: A Global Perspective. London: Palgrave Macmillan.
- India Today. (2010, December 15). CBI Says shopian deaths accidental. Retrieved from India Today.
- Jaleel, M. (1997, September 15). Fury in Kashmir over alleged gang rape by soldiers. The Indian Express. Retrieved from <https://indianexpress.com/article/news-archive/fury-in-kashmir-over-alleged-gang-rape-by-soldiers/>
- Jameel, Y. (1998, January 20). Kashmir conflict and human rights abuses. Al Jazeera. Retrieved from <https://www.aljazeera.com/archive/kashmir-conflict-and-human-rights-abuses/>
- Jamwal, A. (2013, February 23). KunanPoshpora: Two decades of impunity. Kashmir Times. Retrieved from <http://www.kashmirtimes.com/newsdet.aspx?q=8291>
- Johnson, L., & Williams, K. (2018). The role of rape in ethnic conflict: A comparative analysis

- of cases from Africa and Asia. *International Journal of Human Rights*, 22(4), 521-542. doi:10.1080/13642987.2017.1415042
- Kelly, L., & Regan, L. (Eds.). (2021). *Historical Perspectives on Sexual Violence and Gender*. New York: Routledge.
- Kelly, L. (2002). War and rape: A preliminary analysis. In *Youth, Violence, and Conflict: Emerging Patterns and Interventions* (pp. 83-104).
- Meger, S. (2019). *Rape and humanitarianism in the Democratic Republic of the Congo*. Routledge.
- Leebaw, B. (2007). The politics of impartial activism: humanitarianism and human rights. *Perspectives on politics*, 5(2), 223-239.
- Leitenberg, M. (2006). *Deaths in Wars and Conflicts in the 20th Century*. Ithaca, NY: Cornell University, Peace Studies Program.
- BBC News. (2016, April 15). Kashmir unrest: Handwara protests over 'girl's molestation'. Retrieved from <https://www.bbc.com/news/world-asia-india-36050859>
- Norosky, J. (2024). Distinguishing between the “soldier” and the “brute”: engraving hierarchies of masculinity in conflict-related sexual violence discourse. *International Feminist Journal of Politics*, 1–22. <https://doi.org/10.1080/14616742.2024.2345097>
- Peerzada, A. (2016, April 12). Handwara incident: What happened and how it unfolded. Greater Kashmir. Retrieved from <https://www.greaterkashmir.com/news/kashmir/handwara-incident-what-happened-and-how-it-unfolded/>
- Rashid, T. (2016, April 17). Political fallout of Handwara

## Conflict-Related Sexual Violence (CRSV) In Indian Occupied Kashmir

- incident. Kashmir Observer. Retrieved from <https://kashmirobsvr.net/2016/04/17/political-fallout-of-handwara-incident/>
- Sharma, A. (2009, June 1). Bodies of two women found in Kashmir, Spark Protests. Reuters. Retrieved from Reuters.
- Smith, H. (2015). Sexual violence in conflict zones: From the ancient world to the contemporary period. *Journal of Conflict Studies*, 35(2), 87-112.
- Ssenyonjo, M. (2005). Accountability of non-state actors in Uganda for war crimes and human rights violations: Between amnesty and the International Criminal Court. *Journal of Conflict and Security Law*, 10(3), 405-434.
- The Hindu. (2004, November 15). Alleged Rape by army personnel sparks outrage in Kashmir. The Hindu. Retrieved from <https://www.thehindu.com/2004/11/15/stories/2004111506560100.htm>
- UN Security Council. (2019), S/RES/2467(2019): Strengthens justice and accountability and calls for a survivor-centered approach in the prevention and response to conflict-related sexual violence. Retrieved from [https://shestandsforpeace/sites/www.un.org.shestandsforpeace/files/unscr\\_2467\\_2019\\_on\\_wps\\_english.pdf](https://shestandsforpeace/sites/www.un.org.shestandsforpeace/files/unscr_2467_2019_on_wps_english.pdf)
- UN Women, (2013). Evaluation of gender mainstreaming in United Nations peacekeeping activities (MONUC/MONUSCO) in the Democratic Republic of the Congo. New York: UN WOMEN.
- UN Security Council. (2013). Resolution 2106 (2013). S/RES/2106. Retrieved from

- [https://www.un.org/shestandsforpeace/sites/www.un.org/shestandsforpeace/files/unscr\\_2106\\_2013\\_on\\_wps\\_english.pdf](https://www.un.org/shestandsforpeace/sites/www.un.org/shestandsforpeace/files/unscr_2106_2013_on_wps_english.pdf).
- UN Security Council. (2010). Resolution 1820 (2010). S/RES/1820. Requested the Secretary-General to establish monitoring, analysis, and reporting arrangements on conflict-related sexual violence. Retrieved from <https://www.un.org/shestandsforpeace/sites/www.un.org.sh>.
- UN Security Council. (2008). Resolution 1960 (2010). S/RES/1960. Retrieved from [https://www.un.org/shestandsforpeace/sites/www.un.org/shestandsforpeace/files/unscr\\_1960\\_2010\\_on\\_wps\\_english.pdf](https://www.un.org/shestandsforpeace/sites/www.un.org/shestandsforpeace/files/unscr_1960_2010_on_wps_english.pdf).
- UNICEF. (2003). The state of the world's children 2003: Child participation. Retrieved from [https://www.unicef.org/sowc03/contents/pdf/sowc03\\_eng.pdf](https://www.unicef.org/sowc03/contents/pdf/sowc03_eng.pdf)
- UNICEF. (2005). The impact of conflict on women and girls in west and central Africa and the UNICEF response.
- United Nations. (1998). Report of the Secretary-General on the situation in Rwanda Retrieved from <https://digitallibrary.un.org/record/198101?ln=en>
- United Nations. (1996). Report of the United Nations Commission of Experts established pursuant to Security Council Resolution 780 (1992), Annex V: The rape of women in Bosnia-Herzegovina. Retrieved from <https://www.ess.uwe.ac.uk/comexpert/ANX/V.htm>
- Winter, C. (2022). *Sexual Violence in Armed Conflict: A Historical and Contemporary Analysis*. Boston:

Conflict-Related Sexual Violence (CRSV) In Indian  
Occupied Kashmir

Beacon Press.