US complicit in India's systematic use of torture in Kashmir

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US diplomatic cables obtained by WikiLeaks show that Washington has long had evidence of Indian authorities' systematic use of torture against opponents of Indian rule over Jammu and Kashmir, but has chosen not to speak out against New Delhi's gross human rights violations.

In a classified cable sent in April 2005, the then-US ambassador to New Delhi, David C. Mulford, reported to the US State Department on a "confidential briefing" embassy officials had received from the International Committee of the Red Cross (ICRC) "on widespread severe torture in Indian prisons in Kashmir between 2002 and 2004."

"The continued ill-treatment of detainees," reported Mulford, "despite longstanding ICRC-GOI (Government of India] dialogue, have led the ICRC to conclude" that New Delhi "condones torture."

In their briefing, the ICRC officials emphasized that those subjected to torture by Indian authorities were generally not anti-Indian insurgents—since Indian security forces have a standard practice of summarily executing suspected insurgents. Rather they were noncombatants, those accused of providing the insurgents support or suspected of having useful information: the "detainees were rarely militants (they are routinely killed), but persons connected to or believed to have information about the insurgency."

The ICRC officials said they had made more than 177 visits to detention centers and had interviewed 1,491 detainees. Of these, according to the US embassy's summation of the ICRC findings, 852, or well over half, had suffered abuse. 171 were beaten and 681 were "subjected to one or more of six forms of torture." 498 persons were subjected to electric shocks; 381 to suspension from a ceiling; 294 to crushing of leg muscles through use of a "roller"; 181 to 180-degree leg-splitting; 234 to various forms of water torture; and 302 to sexual abuse.

The "numbers add up to more than 681," says the cable "as many detainees were subjected to more than one form of IT (ill-treatment.) ICRC stressed that all the branches of the security forces used these forms of IT and torture."

Indian and international human rights organizations have presented numerous reports documenting Indian authorities' horrific human right abuses in the two-decades-old counterinsurgency war in Jammu and Kashmir, India's only Muslim-majority state.

Nevertheless, the evidence presented by the ICRC to the US diplomats was both damning—given the access the ICRC had had to Indian detention centers—and highly significant. As a rule, the ICRC does not make its findings known to anyone but the government having jurisdiction over the facilities it inspects. It argues that if it assumes a public advocacy role, its status as a neutral organization will be jeopardized and governments will deny access to prisoners, making it impossible for the ICRC to fulfill its humanitarian mission.

But in this case, ICRC officials had apparently become so frustrated and angered by the stance of the Indian government they chose to reveal their findings to US officials. The cable reports, "There is a regular and widespread use of IT and torture by the security forces during interrogation; -- This always takes place in the presence of officers; -- ICRC has raised these issues with the GOI for more than 10 years; -- *Because practice continues, ICRC is forced to conclude that GOI condones torture.*"

Horrific as were the ICRC's findings, its officials reported that conditions had improved from the mid-1990s, when security forces invaded villages in the middle of the night and arbitrarily and indefinitely detained many of their residents.

Still, the ICRC had never been allowed right to speak with prisoners at the most "notorious" detention center, the "Cargo Building" in Srinagar. And increasingly the Indian government was seeking to curb the ICRC's activities, even though, in keeping with its traditional mode of operation, it had not made any of its findings public. According to the April 2005 cable, the ICRC had told the US diplomats, "the MEA [Indian ministry of external affairs] also protested the ICRC's presence in Srinagar [the capital of Jammu and Kashmir], asking it to 'wind up' its operations, advising that its 'public activities must stop' (believed to be a reference to a seminar ICRC staff held at Kashmir University on IHL in 2004), and warning against 'unauthorized contacts with separatist elements'."

In another cable from 2007, the US's Indian embassy noted that a member of the Jammu and Kashmir legislature, Usman Abdul Majid, was the leader a pro-Indian government militia "notorious for its use of torture, extra-judicial killing, rape and extortion of Kashmiri civilians suspected of harbouring or

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facilitating terrorists."

But while US officials in India have been keeping the State Department informed of the conduct of the Indian security forces and allied militia in Kashmir and of the support this enjoys from the highest levels of the Indian government, neither they nor their superiors in Washington have publicly condemned the Indian authorities. On the contrary, under both George W. Bush and Barack Obama, India has been touted as the world's most populous democracy and a "natural ally" of the US in promoting "democratic values" around the world. When Obama visited India last month, in deference to his hosts, he studiously avoided any mention of Kashmir.

The US's silence on the Indian state's repression in Kashmir is yet another example of the cynicism and hypocrisy of US foreign policy under Republican and Democratic administrations alike. Washington routinely issues ringing condemnations of the human rights violations of foreign governments whose interests and policies are cutting across those of the US corporate elite—condemnations that are then amplified by a pliant media. But India is being assiduously courted by Washington and Wall Street, because it is viewed as a counterweight to a rising China. Hence the US silence on the repression in Kashmir.

Declaring that the US wants to assist India in becoming a "world power," the US, under George W. Bush, secured India special status in the world nuclear regulatory regime, giving it the right to purchase civilian nuclear technology and fuel, although New Delhi developed nuclear weapons in defiance of the Nuclear Non-Proliferation Treaty. And Obama, also touting the US's support for India's global aspirations, announced during his recent trip to India that Washington supports India becoming a permanent member of the UN Security Council.

The Indian elite's reaction to the WikiLeaks cables about Kashmir has been telling. A spokesman for the India's Congress Party-led coalition government brushed the ICRC findings aside, declaring "India is an open and democratic nation which adheres to the rule of law. If and when an aberration occurs, it is promptly and firmly dealt with under existing legal mechanisms in an effective and transparent manner."

The reality is India's security forces have and continue to enjoy impunity.

Not surprisingly, the Hindu supremacist Bharatiya Janata Party (BJP), which led India's government from 1998 to 2004 and presided over much of the repression in Kashmir, had nothing to say about the ICRC findings.

As for the Indian press, it gave the matter short shrift. In some of the major dailies, such as the *Hindu* and the *Indian Express*, there were perfunctory reports, but there were no editorials demanding that the government and security forces be held to account. The attitude of the press and the ruling class toward the Kashmir question is exemplified by the recent widespread calls for the writer Arundhati Roy to be charged with treason for suggesting that the people of Jammu and Kashmir should have the right to choose to leave the Indian Union.

In response to the WikiLeaks revelations, the head of the National Conference (NC)— which leads the current state government in Jammu and Kashmir in a coalition with the Congress Party and is also a partner of the Congress in India's national government—tried to shift the blame on his political rivals.

"We don't condone torture and will not turn a blind eye to reports of human rights violations," declared Jammu and Kashmir Chief Minister Omar Abdullah. "Not only the state government, but the Center too has a policy of zero tolerance to human rights abuses."

Refusing to comment directly on the WikiLeaks' exposure, Abdullah said, "I am not getting into it… It pertains to 2005 and you know who was in power that time." Abdullah was referring to the fact that the state was then ruled by the People's Democratic Party (PDP), also in a coalition with the Congress Party.

Abdullah's claims to uphold democratic rights are belied by the actions of his government. Under its direction, security forces killed more than a hundred unarmed demonstrators this summer in a bid to quell a popular mobilization in the Kashmir Valley provoked by the police killing of a youth. (See Kashmir seethes: Indian elite resorts to repression and political maneuvers)

In answer to Abdullah, PDP leader Mehbooba Mufti said, "Omar Abdullah should be the last person talking about human rights abuse. The PDP's tenure is for everybody to see and we don't need any certificate from anybody but the people." Turning the tables on the NC, she added: "We inherited from the National Conference (in 2002) a Kashmir in which human rights violations were at their peak."

Both Kashmir regional parties have served as junior partners of the Indian state and the principal parties of the Indian bourgeoisie, the Congress Party and the BJP, in the systematic violation of democratic and human rights in Kashmir, including the torture of political prisoners as documented in the diplomatic cables exposed by WikiLeaks.

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