

**Final Year Research Project for Degree L.L.B**

**PROTECTION OF CIVILIAN POPULATION UNDER  
INTERNATIONAL HUMANITARIAN LAW: VIOLATIONS IN  
INDIAN HELD KASHMIR**



**Supervisor: Sir Sami Ur Rahman**

This research project is submitted in partial fulfilment of the requirements for the degree L.L.B.

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# **FINAL APPROVAL**

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PROTECTION OF CIVILIAN POPULATION UNDER INTERNATIONAL  
HUMANITARIAN LAW: VIOLATIONS IN INDIAN HELD KASHMIR

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## **DECLARATION OF ETHICAL CONDUCT IN RESEARCH**

We, as students of Bahria University, hereby declares that firstly, we have abided by the research ethics while writing this research project.

Secondly, we have not committed any acts that may discredit or damage the credibility of our research. These include, but are not limited to, falsification, distortion of research findings, or plagiarism.

Thirdly, we have subjected this work to plagiarism check before submitting research project.

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Degree: L.L.B.

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## **Abstract**

The research topic is based on the violations of IHL in Indian held Kashmir and how since the past 70 years the Kashmiri civilians have been subjected to inhumane treatments and the basic violations of their fundamental rights. Kashmir has been fighting a battle since the independence from the British rule yet they were never the ones who were granted freedom. This battle is between the freedom fighters and the Indian Security/Armed Forces and the ones suffering the most are the civilians who are not taking part in the hostility.

This research is based on how they can be granted their due right and how India is liable for committing the violations of not just human rights laws but mainly humanitarian law. It has been identified that Kashmir is a conflicted zone and Kashmir and India are in an armed conflict. The conflict although is non-international in character.

The questions have made the researchers come to a point that if the issue is raised as a violation of humanitarian laws in UN General Assembly and Security Council, the issue of Kashmir can be resolved.

It has been reviewed that the demands of Kashmiris is legitimate and after conducting an interview of Kashmiri freedom fighter Syed Salahuddin, it has been established that the United Nations have accepted it as a legitimate issue and demand.

## **Dedication**

This thesis is a dedication to all the Kashmiris who have lost their lives fighting for one of the most fundamental rights that they possess, against the cruelties of Indian Government and its illegal occupation upon their land over the course of 70 years. This is for those who are suffering every day and have nothing left to lose.

## **Acknowledgement**

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### **List of Abbreviations**

|     |  |      |
|-----|--|------|
| 1.  | Geneva Conventions                               | GC   |
| 2.  | International Law                                | IL   |
| 3.  | International Humanitarian Law                   | IHL  |
| 4.  | Universal Declaration of Human Rights            | UDHR |
| 5.  | International Customary Law                      | ICL  |
| 6.  | International Committee for Red Cross            | ICRC |
| 7.  | United Nation                                    | UN   |
| 8.  | Indian held Kashmir                              | IHK  |
| 9.  | United Nations                                   | UN   |
| 10. | United Nations Security Council                  | UNSC |
| 11. | Commission of Security Council                   | CSC  |
| 12. | Additional Protocols                             | AP   |
| 13. | International Armed Conflict                     | IAC  |
| 14. | Non-International Armed Conflict                 | NIAC |
| 15. | Prisoner of War                                  | POW  |
| 16. | International Tribunal for the former Yugoslavia | ICTY |
| 17. | Human Rights Law                                 | HRL  |
| 18. | United Nation General Assembly                   | UNGA |
| 19. | Universal Declaration of Human Rights            | UDHR |