



## **[Joint Statement] India's Kashmir book ban violates freedom of expression and academic freedom**

We, the undersigned organisations, strongly condemn India's ban on 25 scholarly and journalistic books on Kashmir, [formalised](#) through a notification issued by the Jammu and Kashmir Home Department on 5 August 2025. Citing alleged promotion of “false narratives” and “secessionist content,” the order invokes Section 98 of the Bharatiya Nyaya Sanhita (BNS, 2023) to declare all copies of these publications “forfeited to the government,” authorising their seizure from both public and private spaces across India.

This ban constitutes a serious violation of the rights to freedom of expression, academic freedom, and access to information. It is emblematic of the Indian government's intensifying crackdown on dissent in Kashmir. By criminalising academic and journalistic work, the state seeks to suppress public discourse, critical inquiry, and the preservation of historical memory.

### **Legal overreach**

The order (No. HOME-ISA/223/2025-11(7655892)) relies on Section 98 of the BNS (2023), which authorises the seizure of publications containing material punishable under several broadly worded and vaguely defined offences, including promoting enmity between groups (s.152), statements conducing to public mischief (s.196–197), and outraging religious feelings (s.295). These offences, largely retained from colonial-era provisions in the Indian Penal Code, have long been criticised by independent human rights experts, monitoring mechanisms, and civil society organisations for their vagueness and potential for abuse.

No excerpts, citations, or examples are provided to demonstrate a direct and imminent threat to public order or national security, as required under international law. Instead, the order relies on sweeping claims that the books “distort historical facts,” “glorify terrorism,” or “deeply impact the psyche of youth,” while repeatedly invoking terms such as “victimhood,” “alienation,” “grievance,” and “radicalisation” without any evidence or analysis of the incitement. Rather than identifying specific

harms, the order criminalises discomfort with dissenting narratives, particularly those that challenge the state's framing of history, violence, and resistance in Kashmir.

The ban fails the tests of legality, necessity, and proportionality under Article 19(3) of the International Covenant on Civil and Political Rights (ICCPR), to which India has binding obligations. Even if the state were to allege incitement, none of the banned books meets the stringent threshold under Article 20(2). The [Rabat Plan of Action](#) requires a context-specific, six-part test (including intent, content, and likelihood of violence), which the order does not conduct.

Suppressing academic work under vague national security pretexts is unlawful, signals a refusal to engage with legitimate scrutiny, restricts scholarly engagement, and deters critical inquiry—undermining India's democratic obligations.

### **Violation of academic freedom**

Among the 25 banned books are works by globally respected scholars, historians, and journalists—such as Hafsa Kanjwal, Ather Zia, Anuradha Bhasin, Haley Duschinski, Mona Bhan, Sumantra Bose, Victoria Schofield, and Arundhati Roy—published by reputable presses such as Cambridge University Press, Oxford University Press, Stanford University Press, [Verso Books](#), Penguin, and Zubaan. While the books vary in focus, several deal with themes such as enforced disappearances, feminist resistance, post-abrogation governance, and the historical and political context of Kashmir.

The ban constitutes a direct infringement on academic freedom, a right protected under the [UNESCO Recommendation concerning the Status of Higher-Education Teaching Personnel \(1997\)](#) and [Article 13 of the International Covenant on Economic, Social and Cultural Rights \(ICESCR\)](#). These instruments affirm that academic freedom includes the liberty to conduct research, publish findings, and disseminate knowledge, particularly when it challenges state narratives.

In the context of Kashmir, where independent scholarship has long been constrained by surveillance and securitisation, this ban poses an existential threat to what remains of intellectual autonomy. It particularly endangers feminist and human rights documentation, much of which is authored by Kashmiri women scholars whose work is grounded in survivor testimony and lived experience. By framing critical scholarship as 'disguised political commentary,' the state delegitimises academic work and treats historical analysis and lived testimony as subversive by default. This act of censorship not only silences scholars but also [criminalises](#) memory and erodes the historical record.

The order's authorisation of seizure from private spaces and personal collections, including home libraries, raises grave concerns about surveillance, academic autonomy, and the right to access knowledge. It constitutes not only prior restraint but also a chilling intrusion into educational and intellectual spaces. In the days following the notification, police conducted [raids](#) on bookstores in Srinagar and other districts, seizing copies of the banned titles from shelves and storerooms. Such enforcement actions deepen the climate of fear, targeting not just authors and publishers but also the spaces and intermediaries that enable public access to scholarship and literature.

### **Chilling effect on civic discourse**

These bans are part of a broader strategy of repression following the abrogation of [Article 370](#) of India's Constitution. The notification was issued on 5 August 2025—exactly six years after the abrogation of Article 370, which stripped Jammu and Kashmir of its special constitutional status. Since then, civil liberties have been steadily eroded: journalists and human rights defenders face arrests, intimidation, and prolonged detention under counter-terrorism laws such as the Unlawful Activities (Prevention) Act (UAPA), which has long been criticised for failing to meet international human rights standards. Prominent Kashmiri human rights defenders [Khurram Parvez](#) and [Irfan Mehraj](#) remain arbitrarily detained without trial under this law.

These measures function as tools to stifle Kashmiri and independent assessments or narratives about the situation, especially when they contravene the official narrative. While projecting an image of 'normalcy' in the region post-abrogation, the state continues militarisation, intrusive surveillance, and repression, backed by expansive security laws such as the UAPA, Armed Forces (Special Powers) Act (AFSPA), and the Jammu and Kashmir Public Safety Act.

The censorship of academic literature reinforces this pattern, sending a chilling message: even historical inquiry may be criminalised if it deviates from the state's narrative. Notably, several of the banned titles address themes such as enforced disappearances, impunity, and excessive use of force—issues documented in the Office of the UN High Commissioner for Human Rights (OHCHR) Kashmir reports of [2018](#) and [2019](#). India's failure to act on the recommendations of these reports, coupled with this sweeping ban, on-ground raids, and seizures, represents a further step away from accountability.

### **Call to Action**

We remind the Indian authorities that the protection of freedom of expression includes the freedom to seek, receive, and impart information of all kinds, including controversial or dissenting perspectives. This includes commentary on public affairs, discussion of human rights, journalism, and academic discourse. In Kashmir, the protection of this right is not simply an academic concern; it is a matter of historical record, human rights, and democratic accountability.

We call on the Government of India and the Jammu and Kashmir administration to immediately revoke the 5 August 2025 notification and rescind the ban on the 25 listed publications. Section 98 of the BNS must not be misused to arbitrarily suppress protected forms of expression, particularly scholarly, journalistic, and civil society work.

Authorities must guarantee robust protections for academic freedom and the right to information, uphold India's obligations under the ICCPR and ICESCR, and respect the rights of Kashmiris to document, critique, and narrate their histories.

We urge relevant UN Special Procedures—including Special Rapporteurs and Working Groups—to take urgent action and engage with the Government of India on this escalating pattern of censorship and repression.

1. Asian Forum for Human Rights and Development (FORUM-ASIA)
2. CIVICUS: World Alliance for Citizen Participation
3. Kashmir Law and Justice Project (KLJP)
4. World Organisation Against Torture (OMCT) within the framework of the Observatory for the Protection of Human Rights Defenders
5. Front Line Defenders (FLD)
6. International Federation for Human Rights (FIDH) within the framework of the Observatory for the Protection of Human Rights Defenders
7. [Kashmir Scholars Consultative and Action Network \(KSCAN\)](#)