



TRIALWATCH TO MONITOR PROCEEDINGS AGAINST KASHMIRI JOURNALIST AASIF SULTAN

Source: CPJ

This statement can be attributed to a spokesperson for the Clooney Foundation for Justice. For further inquiries, please contact media@cfj.org.

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The Clooney Foundation for Justice will monitor the trial of award-winning Kashmiri journalist Aasif Sultan who has been detained in Kashmir for over two and a half years and faces the death penalty if convicted. TrialWatch monitors criminal proceedings around the world, grades their fairness, and advocates for individuals who are unfairly detained.

Sultan is a journalist who wrote stories about human rights and political issues for the *Kashmir Narrator*. He has been imprisoned since his arrest in August 2018 and was only indicted 5 months later. He is now charged with supporting a terrorist group (the Hizbul Mujahideen) and conspiring to kill a police officer, and if convicted after trial, faces the death penalty. Press and human rights organizations believe the charges actually stem from Sultan's coverage of a Kashmiri militant killed by Indian security forces, whose killing set off anti-government demonstrations in Kashmir in July 2016. The indictment cites Sultan's social media posts and possession of letter pads of the Hizbul Mujahideen in his home as evidence of his involvement with the banned group. According to the Committee to Protect Journalists (CPJ), after CPJ called for Sultan's release in *The Washington Post*, the Jammu and Kashmir police responded on Twitter that Sultan was not being held for his work but for "hatching a criminal conspiracy, harbouring and supporting terrorists who martyred a police constable."

Sultan's trial is restarting after multiple delays by the State, including absences by key prosecution witnesses, and again after the 2019 revocation of Jammu and Kashmir's semi-autonomous status. He is one of a number of journalists in Kashmir who appear to have been detained, investigated, and/or prosecuted in connection with their journalistic activities under Indian counterterrorism and related laws. Detained for over two and a half years in Kashmir Central Jail, where COVID cases have been mounting since the summer of 2020, Sultan's next bail hearing is scheduled for February 26, 2021. International standards favor an accused's liberty pending trial and proscribe mandatory pretrial detention based on the charged offense. In particular, these standards require individualized consideration of whether a restriction on liberty is necessary, and, if so, mandate that the least restrictive option be imposed.

The Clooney Foundation for Justice calls on the authorities to ensure that Sultan's bail hearing is conducted in accordance with international human rights law and any proceedings against him respect his human rights, including his right to a fair trial and to freedom of expression.



*The Clooney Foundation for Justice's **TrialWatch** initiative monitors and grades the fairness of trials of vulnerable people around the world, including journalists, women and girls, minorities, LGBTQ+ persons and human rights defenders. Using this data, TrialWatch advocates for victims and is developing a Global Justice Ranking measuring national courts' compliance with international human rights standards.*