



## **Human Right Violation: The Impetus for Causing Discontentment among the Natives of Pakistan-Occupied Gilgit-Baltistan Region**

**Nargis Khatoon\***

**Research Scholar, Department of Sociology and Social Anthropology, Central University of Himachal Pradesh, Dharamshala, Himachal Pradesh, India**

### **Abstract**

*Gilgit-Baltistan, (originally or legally the Northern-most territory of India and now, under the illegal occupation of Pakistan) is currently, governed as an administrative unit of Pakistan through the “Gilgit-Baltistan Empowerment and Self- Governance Order, 2009”. The Order maintains its status as part of the disputed territory of the state of Jammu and Kashmir. The Self-Governance Order, 2009 is not able to meet the political rights of the people of Gilgit-Baltistan according to the natives of the area is Human Right Violence, which further is causing discontentment among them. Concurrently, the sense of deprivation among the people in general and the sense of alienation and frustration among the youth of Gilgit-Baltistan, in particular, continue to increase. Moreover, the overbearing manners of the bureaucracy and its control over the administrative and political affairs of the region is a major cause of discontent among the people of Gilgit-Baltistan. The objective of the research paper is to discuss the ambiguous administrative setup in Gilgit-Baltistan and to highlight the causes of Human Right Violence that leads to discontentment among the youth of Gilgit-Baltistan. Both primary sources of information like newspapers, documentaries and official documents and secondary sources of information like books are used for the research study.*

**Key Words:** Gilgit-Baltistan, Political, governance, Pakistan, India, Pakistan Occupied Jammu and Kashmir

**Corresponding Author’s email id.** nargiskhatoon063@gmail.com

## Introduction

*“Gilgit-Baltistan has been treated as the disputed territory of India when it comes to providing the political rights to the people of the area. Although, when it comes to claiming for China-Pakistan Economic Corridor (CPEC) project, the glaciers, the mountains, the lands and the Karakoram Highways, the area is unambiguously treated as an important part of the Government of Pakistan” (Human Rights Commission Report Pakistan)*

The area of Gilgit-Baltistan was annexed by Pakistan in 1947-48, when the erstwhile princely State of Jammu and Kashmir acceded to India. (Bansal, 2013) According to the Instrument of Accession the entire area of Jammu and Kashmir which includes the area of Gilgit-Baltistan, belongs to India. The Gilgit-Baltistan area of Jammu and Kashmir occupied by Pakistan covers 85,793 sq km. The people of the region are largely peaceful, however, Pakistan's tactic has been to infiltrate into Gilgit-Baltistan, the people of Punjab and Sindh and create a disturbance in the peaceful demography of Gilgit-Baltistan. (Iyer, 2016) According to the report of the Human Right Commission Pakistan, the police handling the prosecution department in Gilgit-Baltistan torture the individuals in the area. Moreover, the prosecuting cases in court are ignorant of the law resulting in many criminals getting acquitted. The report concluded that the policing system in Pakistan is 'Archaic' and 'Colonial'. The people in the region are unable to claim their civil rights. (Iyer, 2016)

In this way, law and order agencies deployed in the region of Gilgit-Baltistan are little or not aware of the proper functioning of law and have not been educated on the subject. The Police officers do not even follow the basic principle of 'no torture' while conducting an investigation. (Iyer, 2016)

The people of the region are entirely deprived of any say in their governance. (Bansal, 2013) *“The unique culture and distinctive languages of the region have been under continuous threat from the rising influx of outsiders, facilitated in many cases with the connivance of the Pakistani authorities. Constitutionally an Indian territory, the region has become an arena for frequent protests by the impoverished population, which has occasionally turned violent.”* (Bansal, 2013)

The youth of Gilgit-Baltistan, despite welcoming the Gilgit-Baltistan Empowerment and Self- Governance Order, 2009 counts shortcomings of the same. The natives sharply criticize the role and functions of the Gilgit-Baltistan Council, which they feel is unaccountable and that a majority of seats are federal government appointments. (Ali and Akhunzada, 2015) The natives also argued that *“the government is not transparent and that it*

*only served the self-interest of certain political and ethnic groups.”* (Ali and Akhunzada, 2015). They also have a great concern over the lack of facilities and poor quality in government-run schools and colleges. Moreover, the education sector is politicized, teachers are not appointed on merit and are not well trained. (Ali and Akhunzada, 2015) *“The education sector does not appear to be the top priority of the government and is underfunded”*, (Ali and Akhunzada, 2015)

The people of Gilgit-Baltistan have a strong belief that the region can be economically self-sufficient. According to them, there are sufficient natural resources, but Gilgit-Baltistan lacks technology, trained human capital, political will, and accountability. Therefore, the exclusion of the natives of Gilgit-Baltistan from the political process has created uncertainty about their future. (Ali and Akhunzada, 2015)

Additionally, the people of Gilgit-Baltistan are becoming the worst victims of the ambiguous status, which is holding the political and economic development of the area back. (Ali and Akhunzada, 2015)

Subsequently, there is huge resentment in the minds of the residents of the region against the Government of Pakistan. As the China-Pakistan Economic Corridor (CPEC)

which is to pass through the region of Gilgit-Baltistan has been protested against widely in the region. (Iyer, 2016) *“The illegally occupying Chinese and Pakistani forces have moved made people out of their homes without compensation and made a large section of the population homeless”*. (Iyer, 2016)

The Human Rights Commission reported that *“the crimes in the Gilgit-Baltistan region are extensive”*. The report of the Human Rights Commission Pakistan itself mentions many incidents of human right violence in Gilgit-Baltistan. One such incident is about an electrician who was reportedly *“picked up by the security forces in 2013 and died in custody. In January 2016, his brother was reportedly summoned to the security force’s office and informed that the victim had died of renal failure. The family claimed that the victim’s body was covered in bruises”*. (Iyer, 2016)

Further, the human rights violation in Gilgit-Baltistan was multiplied with the 21<sup>st</sup> amendment and the Army Act, 2015 incorporated into Pakistan Constitution. The Act facilitated the formation of Army courts in the Gilgit-Baltistan region. (Iyer, 2016) *“The setting up of military courts, according to Pakistan was for the speedy trial of terrorists. However, numerous civilians*

*have been prosecuted under the military courts without a proper judicial process and without any valid charges against them”.* (Iyer, 2016)

This ambiguous and brutal political scenario is igniting the feelings of the people of Gilgit-Baltistan and is been creating huge discontentment among them leading to massive protests against the atrocities of the Pakistani government.

### **Rising Discontentment among the Natives of Gilgit-Baltistan**

*“Ye jo dehshadgardi hain, uske peechhe vardi hain” (Administration/uniform is behind the violation)* (Times Now News, 2020)

Political activists from Gilgit-Baltistan and Pakistan-occupied Jammu and Kashmir reported the worsening human rights situation in the region during the 43<sup>rd</sup> session of the United Nations Human Rights Council in Geneva on the 6<sup>th</sup> of March, 2016. (Worsening Human Rights in PoK, Gilgit-Baltistan Raised at UN, 2016) During the session, the President of Gilgit-Baltistan Studies Shri Senge H Sering reported that *“The people of Pakistan occupied region of Gilgit-Baltistan continue to face torture, sedition and terrorism charges and life-imprisonment for opposing*

*onslaught on their resources and cultural identity. Locals are losing battle against worst demographic engineering due to the China-Pakistan Economic Corridor that encourages illegal settlements of Pakistanis and Chinese”.* (Worsening Human Rights in PoK, Gilgit-Baltistan Raised at UN, 2016) He further reported that *“the people of Gilgit-Baltistan who are constitutional citizens of India as part of the Union Territory of Ladakh are under constant threat of terrorism perpetrated by the Pakistani military”.* (Worsening Human Rights in the PoK, Gilgit-Baltistan Raised at UN, 2016)

Another report mentioned in this research paper is Usanas Foundation Report 2021. The Usanas Foundation is a Non-Profit and Non-Government Organization based in India. On 25<sup>th</sup> February, 2021, Usanas Foundation organized a webinar on ‘A Dialogue with Pakistan’s Oppressed Ethnic Communities’. The webinar aimed to provide a forum and platform for experts with first-hand experience of the brutality of the Pakistani government towards the people of Pakistan-Occupied Jammu and Kashmir, Sindh and Gilgit-Baltistan. During the session, the speaker of the webinar Mr. Arif Aajakia, ex-mayor of Jamshed Town, Karachi and a Human Rights and Social

media activist highlighted that *“the concept of human rights simply does not exist in Pakistan because the country is ruled by a brutal army that does not believe in human rights, civil liberties and rights for common people.”* (Concept of human rights does not exist in Pakistan, 2021) Another speaker Mr. Jamil Maqsood, a member of the United Kashmir People’s Party also highlighted the enormous human right violation since 1947 in the region of Pakistan-occupied Gilgit-Baltistan and Jammu and Kashmir. (Concept of human rights does not exist in Pakistan, 2021) *“The living condition in POJK and Gilgit-Baltistan is like residing in hell for intellectual and conscience citizens and that unlike India administered Jammu and Kashmir, POJK and Gilgit-Baltistan are behind an iron curtain where no information reached outside world”.* (Concept of human rights does not exist in Pakistan, 2021)

A Baloch journalist and Columnist named Mr. Balouch Bilal also highlighted in the webinar that *“from the day the Pakistani Army occupied independent Balochistan, the army has been conducting forced disappearances in the region as well as abusing the human rights of the people residing in the region”.*(Concept of human rights does not exist in Pakistan, 2021) He further added, *“ India as a democratic*

*country, must come forward to help not only Baluchistan, but all other oppressed voices in Pakistan”.* (Concept of human rights does not exist in Pakistan, 2021)

### **Conclusion**

Therefore, the pressing problems of the youth of Gilgit-Baltistan arises from its ambiguous and undefined status in Pakistan governance structure. The lack of basic facilities and proper administration in Gilgit-Baltistan is the reason for causing discontentment among the natives of the area. Subsequently, a careful analysis of the human right violation in the region of Gilgit-Baltistan is concluded with a deep-rooted alienation and frustration of the population resulting in agitations and discontentment among the natives against the Government of Pakistan. But, unfortunately, the rising voices of the people of Pakistan-occupied regions have been remaining unheard of to the entire world. Pakistan’s lack of effective federal system of government and absence of any democratic and constitutional mechanism to resolve the problems of the people are the actual cause of violation in the area of Gilgit-Baltistan. Hence, *the area has been under a virtual Martial Law, with the rights of the people concealed and their needs spurned.*

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**Cite as:** Khatoon, N., (2022), Human Right Violation: The Impetus for Causing Discontentment among the Natives of Pakistan Occupied Gilgit-Baltistan Region, *International Journal of Society and Education*,1(1), pg.16-21