

# The Human Rights Violation of the People Of Gilgit-Baltistan

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## **History of Gilgit-Baltistan**

Gilgit Baltistan, the northernmost region of Pakistan, which is mountain-locked due to the mighty Karakoram, Hindukush, and Himalayan range, was a part of the Jammu and Kashmir province, which with the merger of India, legally became an integral part of the Indian Republic. G-B, originally a part of the erstwhile princely state of Jammu and Kashmir (J&K) and later part of Pakistan occupied Kashmir (PoJK), is legally an integral part of India. Earlier G-B was ruled directly by the British, who had taken it on a 60 year lease from Maharaja Hari Singh the last ruler of erstwhile princely states of Jammu & Kashmir in 1935. However the Gilgit again came under the direct rule of Maharaj Hari Singh after British returned the Gilgit Agency to the Maharaja of J&K, 15 days after India attained independence. After independence, both India and Pakistan went for territorial consolidation. The Maharaja of J&K decided not to accede to either India or Pakistan. But, the situation soon changed as Pakistan invaded the princely state in October 1947. When Maharaja Hari Singh acceded to India on October 26, 1947, the Gilgit Scouts rose in rebellion, led by their British commander Major William Alexander Brown. Pakistan captured a part of Kashmir through the invasion, including G-B. G-B, came under direct rule of the central government of Pakistan after the Karachi Agreement of 1949, and was termed as 'Northern Areas'. [1] After affiliation with Pakistan, the Gilgit Baltistan region, known as northern areas in Pakistan, remained under the direct control of the Federal, FATA, and under the Ministry of Kashmir Affairs and Northern Areas (KANA) for more than two decades. The territory of present-day Gilgit-Baltistan became a separate administrative unit in 1970 under the name "Northern Areas". It was formed by the amalgamation of the former Gilgit Agency, the Baltistan district and several small former princely states, the larger of which being Hunza and Nagar. [2] In 2009 under the Gilgit-Baltistan Empowerment and Self Governance Order signed by Pakistan President Asif Ali Zardari 'Northern Areas' was renamed 'Gilgit-Baltistan'. However, Pakistan, the Islamic Republic considers Gilgit Baltistan to be part of the Kashmir dispute as this region is part of Kashmir, and any constitutional advancement for the area, either that is to announce the status of the province or to give representation in the Senate or Parliament will directly affect the Kashmir cause. It will also weaken Pakistan's standpoint on the Kashmir dispute in the world, including that of the United Nations (UN). It was this reason that the Pakistan didn't give representation to Gilgit-Baltistan region in either the upper house (senate) or lower house (parliament). Out of 342 members of parliament and 102 members of the senate in the bicameral constitutional system of Pakistan, no one represents the Gilgit-Baltistan region. Even there was no representation of the people of northern areas in any administration of decision-making or at a high level. Due to ambiguous constitutional status, no decision was made regarding the establishment of a legislative assembly or any other local administration setup. The earlier decision towards the transformation of authority to the people of the region was the establishment of the advisory council, which has now gained the status of the legislative assembly of Gilgit Baltistan.

At present Gilgit-Baltistan is administratively divided into three divisions which in turn are divided into 10 districts, including Gilgit, Skardu, Diamer, Ghizer, Hunza, Nagar, Ghanche, Astore, Kharmang and Shigar. The main centres of political activity are the towns of Gilgit, Ghizer and Skardu. Skardu is also the headquarters of Pakistan Army's Northern Light Infantry regiment. In G-B, nearly 100 percent of population is Muslim. It is also the home of diverse languages, ethnicity, sectarian and tribal identities. There are eight major ethnic groups, namely Baltis, Shinas, Yashkuns, Moghals, Kashmiris, Pathans, Ladakhis and Turkis. They speak the dialects of Balti, Brushaski, Khawer, Wakhi, Turki, Tibeti, Pashto, Urdu and Persian. Four different sects of Islam are prevalent in G-B, Sunni, Shia, Ismail and Noorbakshi. Although Shias constitute a clear majority in the region, except in Diamer and Astore districts.[3] But Pakistan has been continuously trying to change the demography of Gilgit-Baltistan for decades. In 1970s, former Pakistan Prime Minister Zulfikar Ali Bhutto had abrogated the State Subject Rule to allow Sunni Muslims to settle down in the Shia-dominated Gilgit-Baltistan. This has worked in Pakistan's favour. Due to this the demography of G-B, which resulting the massive reduction of the Shia population from 80 to 39 per cent. In a recent study conducted by the Law and Society Alliance, a New Delhi-based think tank headed by N C Bipindra, the population of G-B is now approximately 1.5 million, with around 39 per cent Shia, 27 per cent Sunni, 18 per cent Ismaili and 16 per cent Nurbakhshi.[2]

Gilgit-Baltistan, has long been a contested region, marked by its strategic importance and the enduring conflict over Kashmir between India and Pakistan. Unfortunately, the region has become synonymous with systemic human rights violations, denial of political freedoms, and suppression of dissent. Under Pakistan's hegemony, the residents of Pakistan-Administered Azad Jammu and Kashmir and Gilgit-Baltistan have been subjected to a litany of political and constitutional restrictions, severely curtailing their ability to enjoy the basic rights essential in the 21st century.

## **POLITICAL STATUS AND REPRESENTATION**

As per Art 1 of UDHR "All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood." As per Article 3 "Everyone has the right to life, liberty and security of person." Article 4 provides that "No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms. Thus we can see that Pakistan is blatantly violating several articles of the Universal Declaration of Human Rights. In Gilgit-Baltistan, nationalist political leaders have been subjected to draconian laws, which bans political parties that do not endorse the Pakistan-Administered Azad Jammu and Kashmir's accession to Pakistan. To apply for a government job or to take part in the elections, one must declare loyalty to the cause of accession. It also provides that they are not allowed to move from one place to another without prior permission from the police. Thus the freedom of movement, a fundamental right, is compromised for these peaceful political leaders. Socially, the denizens of these regions deserve equitable access to education, healthcare, and other basic services. Political rights, including participation and representation, must be guaranteed to foster genuine democratic societies. Regrettably, instances of curtailed political freedoms and limited representation persist, underscoring the gap in meeting international standards. Also there was amendment in "Azad Jammu and Kashmir Interim Constitution, 1974" by the Act Of 2020 which stipulates that forming an association or union, or being a member of a political party, will be linked with the interest of the sovereignty and integrity of Pakistan. It provides that "No person or political party in Azad Jammu

and Kashmir shall be permitted to propagate against, or take part in activities prejudicial or detrimental to, the ideology of the State's accession to Pakistan.[4]

## **FREEDOM OF SPEECH EXPRESSION AND PRESS**

As per Art 19 of Universal Declaration of Human Rights “Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers. But Pakistani is not adhering to these principles. There have been strict restrictions on freedom of expression, association, and the press of Gilgit-Baltistan. The banning of books and newspapers, along with harassment of journalists and political activists, is a grave violation of human rights in Gilgit-Baltistan. Activists advocating for the rights of Gilgit-Baltistan’s residents have faced imprisonment. A notable case is that of Baba Jan, who was sentenced to life imprisonment by an anti-terrorism court for participating in protest against the killing of a disaster-affected man and his son by police in 2011.

## **SECTARIAN VIOLENCE**

On the other hand Shia Muslims in Gilgit-Baltistan face systemic discrimination and sectarian violence. Sectarian violence and strife are the form of communal violence, which is inspired by sectarianism, between different sects of one particular mode of an ideology or religion within a nation or community. Historically, the diverse communities of G-B have lived together in relative harmony. Ethnic and tribal identities and social ties developed over centuries were valued more than sectarian affiliations. G-B has Shia majority in its estimated 1.8 million populace. The rest of Pakistan, having Sunni majority, instigated sectarian violence in the region from the times of Zia-ul Haq, when he introduced the ‘Sunni Deobandi’ Islam in the region. There have been instances of targeted killings, forced demographic changes, and state-sponsored marginalization. The policy of Islamization, Afghan intervention and Islamic Revolution in Iran in late 1970s, have all had a cumulative effect on sectarian turmoil, which resulted the large scale violation of Human rights.

The first sectarian clash in Gilgit-Baltistan was in 1975, when a Shia *Muharrum* procession in Gilgit town was fired at from a Sunni mosque. Violence spread to many other areas when the Sunni cleric was taken into custody for inciting people. The next major clash took place in 1988, triggered by a dispute over the sighting of the moon to mark end of the month-long fasting of *Ramzan* and start of *Eid* festivities. Based on the declaration of the sighting of the moon by their religious leaders, the Shia community ended fasting and started celebrations while the Sunni community was still fasting. Due to this reason conflict between Shia and Sunni continued to till date. In these conflicts several hundreds were killed, villages were destroyed and even livestock were not spared while the administration watched the unfolding crisis like a mute spectator.[5]’

## **VIOLENCE AGAINST WOMEN**

Sexual Violence and Gender Discrimination is another stigma the people of Gilgit-Baltistan are facing since 1948. Women in POJK suffer from rampant gender-based violence, often at the hands of security personnel. Reports of abductions, forced marriages, and abuse by the Pakistani forces go unheard as victims are too afraid to seek justice. Mass Exodus and Forced Migration has become a routine because people fearing their lives has no other option but to flee in exile. According to Pakistan's National Police Bureau, 90 per cent women committed suicide in Gilgit-Baltistan in between 2019 and 2020. BBC in its special report on suicides in Gilgit-Baltistan claimed that on an average 20 women attempt suicide each year in Ghizer district of the region, making it the highest in Pakistan occupied Kashmir. Though reasons for such high rates of suicides include forceful marriages, mismatch in relationships and educational pressure, the realities are most often buried in the sands of Pakistan's habit of overlooking the details. Pakistan Army and ISI are major factors of mental agonies of women in Gilgit-Baltistan or the entire PoK region, which is fallaciously called Azad Kashmir by political elites of Pakistan.[6]

The human rights and political crisis in POJK have profound effects on its residents. Restricted access to justice, underdeveloped infrastructure, and poverty exacerbates the hardships faced by the population. The suppression of dissent and lack of accountability create a climate of fear, hindering socio-economic development and the realization of fundamental freedoms. The killings and counter-killings have become routine in the region and thousands of lives have been lost and unaccounted have suffered injuries in these sectarian clashes. The persisting culture of sectarian hatred has made the lives of those caught in the conflict miserable. There is a constant threat of being shot merely because of being born into a different sect in G-B. Properties worth millions have been destroyed in the seemingly unending violence. Chronic conflict has also led to the disruption of even the minimal available infrastructure.

Gilgit-Baltistan is neither formally integrated into Pakistan nor given autonomy, rendering its residents politically disenfranchised. The region's lack of representation in Pakistan's National Assembly further deepens the denial of basic political rights. The case of Baba Jan, a political activist from Gilgit-Baltistan, was jailed for organizing protests against the government's inadequate response to a natural disaster in 2010. His detention and alleged torture exemplify the suppression of dissent. In 2018, peaceful protests in Gilgit-Baltistan against land grabs by the military were met with violent crackdowns, leading to arrests and injuries. The people of Pakistan-occupied-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". China-led genocide is enabling fast depletion of flora and fauna with impending environmental catastrophe. Further, a permanent resource-use ban on locals is enabling Chinese companies to enjoy an advantage to exploit indigenous mineral wealth". Locals trying to protect natural resources in a peaceful manner are threatened with abductions, genocide and economic blockade as happened recently when pro-Taliban Pakistani citizens called for the massacre of Shias and Ismailies of Gilgit Baltistan travelling through their districts". Elections in POK are often marred by allegations of rigging and manipulation by the Pakistani state. Candidates are required to pledge allegiance to Pakistan, marginalizing pro-independence or pro-Kashmir

unity voices. During the 2021 AJK elections, opposition parties and activists accused Pakistan of manipulating results to favour the ruling party in Islamabad.

Amnesty International and HRW have repeatedly raised concerns about the arbitrary detention and suppression of activists and journalists in POJK. In 2019, Amnesty International highlighted the lack of press freedom in POJK, citing numerous cases where journalists were harassed or jailed. In 2021, the European Parliament discussed the human rights situation in POK, citing evidence of enforced disappearances, sectarian violence, and lack of political representation. The report highlighted human rights abuses in Pakistan-administered Kashmir and pointed out the systemic denial of fundamental rights in POJK, including the lack of independent judiciary and political freedoms.[6][7]

The human rights violations and denial of political rights in Pakistan-Occupied Jammu Kashmir underscore the urgent need for reform and accountability. Empowering the local population through genuine autonomy, political representation, and safeguarding their fundamental freedoms is essential. The international community must recognize the severity of the situation and advocate for the rights and dignity of the people of POJK.

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