



## COI QUERY

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<b>Question(s)</b>	<ol style="list-style-type: none"><li>1. <u><a href="#">Political situation</a></u></li><li>2. <u><a href="#">Human rights situation</a></u></li><li>3. <u><a href="#">Security situation</a></u></li></ol>
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The information provided in this response has been researched, evaluated and processed with utmost care within a limited time frame. All sources used are referenced. A quality review has been performed in line with the above mentioned methodology. This document does not claim to be exhaustive neither conclusive as to the merit of any particular claim to international protection. If a certain event, person or organisation is not mentioned in the report, this does not mean that the event has not taken place or that the person or organisation does not exist. Terminology used should not be regarded as indicative of a particular legal position.

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The target audience is caseworkers, COI researchers, policy makers, and decision making authorities. The answer was finalised on 13 August 2021. Any event taking place after this date is not included in this answer.

# COI QUERY RESPONSE - PAKISTAN

## Political developments, human rights and security situation in Pakistan-administered Kashmir between 1 July 2020-31 July 2021

The aim of this COI Query response is to provide the latest developments regarding the political, human rights, and security situations in the Pakistan-administered region of Kashmir. The reporting period is 1 July 2020 – 31 July 2021. For previous information on these topics, and for more detailed background information, it is possible to consult the [EASO COI Query Response on Situation in Pakistan-administered Kashmir](#), published on 6 October 2020.

### 1. Political situation

Pakistan-administered Kashmir comprises two administrative regions: Azad Jammu and Kashmir (AJK), and Gilgit-Baltistan (GB).<sup>1</sup> On 4 August 2020, Pakistan's Prime Minister Imran Khan released a new official political map of the country, which included the Indian-administered region of Jammu and Kashmir (J&K). The map identifies that region as 'Indian illegally occupied J&K', while also stating that the 'final status' of the 'disputed territory' will be 'decided in line with relevant UNSC [United Nations Security Council] resolutions'.<sup>2</sup> The Indian government reacted by describing the new map as 'an exercise in political absurdity, laying untenable claims' to Indian-administered J&K.<sup>3</sup> On 5 February 2021, Imran Khan went on to state that Pakistan would allow both the Indian- and Pakistan-administered regions of Kashmir to choose in a referendum whether they wish to join Pakistan or remain independent.<sup>4</sup>

Gilgit-Baltistan (GB) has a 'semi-provincial status', not being part of Azad Jammu and Kashmir (AJK), nor a Pakistani province, and several reports state that a significant part of the region's residents is seeking full provincial status for GB.<sup>5</sup> According to Freedom House, in September 2020, 'Pakistani politicians apparently agreed on a shift toward provincial status for GB, and the PTI [Pakistan Tehreek-e-Insaf party] campaigned on the pledge' while preparing for the November 2020 elections for GB's Assembly.<sup>6</sup> On 1 November 2020, Prime Minister Imran Khan also announced that GB would be given provisional provincial status.<sup>7</sup>

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<sup>1</sup> UNOCHR, Update of the Situation of Human Rights in Indian-Administered Kashmir and Pakistan-Administered Kashmir from May 2018 to April 2019, 8 July 2019, [url](#), p. 35

<sup>2</sup> SWP, Redrawing the Maps in Kashmir, November 2020, [url](#), p. 4; New Indian Express (The), Imran Khan unveils new map that shows Kashmir as part of Pakistan, 4 August 2020, [url](#); Express Tribune (The), PM unveils new political map of Pakistan, 4 August 2020, [url](#)

<sup>3</sup> ANI, Pakistan's new map an exercise in political absurdity, confirms obsession with territorial aggrandisement through terrorism: India, 4 August 2020, [url](#)

<sup>4</sup> AA, Pakistan pledges Kashmiris to join or stay independent, 5 February 2021, [url](#)

<sup>5</sup> Indian Express (The), Explained: Here's why Gilgit-Baltistan matters to India & Pakistan, 7 August 2021, [url](#); SWP, Redrawing the Maps in Kashmir, November 2020, [url](#), p. 4; AA, Pakistan's northern region seeks full provincial status, 21 August 2020, [url](#); UNOCHR, Update of the Situation of Human Rights in Indian-Administered Kashmir and Pakistan-Administered Kashmir from May 2018 to April 2019, 8 July 2019, [url](#), p. 35

<sup>6</sup> Freedom House, Freedom in the World 2021, 3 March 2021, [url](#)

<sup>7</sup> VOA, Pakistan Announces 'Provisional Provincial' Status for Part of Kashmir, 1 November 2020, [url](#); Pakistan Today, Imran announces provincial status for Gilgit-Baltistan, 1 November 2020, [url](#)

On 15 November 2020, elections to the GB Assembly were held, and the PTI claimed 22 of the available 33 seats.<sup>8</sup> On 16 November 2020, the Human Rights Commission of Pakistan (HRCP) reported that ‘independent election observers—including HRCP’s own team of observers’ had not been allowed to enter ‘polling stations in the city of Gilgit during the vote counting process’, while also quoting reports of several voters casting their vote ‘more than once [...] in Ghanche and Diamer districts’.<sup>9</sup> The Pakistan Muslim League (Nawaz) (PML-N), and the Pakistan Peoples Party (PPP) rejected the election results, and organised protests. On 18 November 2020, amid increasing tensions, the caretaker government of Gilgit-Baltistan ‘called in the army to maintain law and order in Gilgit and Chilas’.<sup>10</sup> In December 2020, Khalid Khurshid Khan of PTI was elected as Chief Minister of GB.<sup>11</sup> On 1 August 2021, it was announced that a draft bill for giving GB provincial status had been finalised and submitted to Prime Minister Imran Khan.<sup>12</sup>

In AJK, on 5 October 2020, the then Prime Minister of the region, Raja Farooq Haider was ‘booked’ for treason after an allegation of ‘conspiring against state institutions’.<sup>13</sup> On 7 October 2020, the charges were dropped, after it emerged that the complaint against Haider was made by a PTI worker with a criminal record.<sup>14</sup>

On 25 July 2021, PML-N – the party of Raja Farooq Haider – was defeated in the Legislative Assembly elections, which were won by PTI, after claiming 25 of the 45 seats available. Abdul Qayyum Niazi was chosen as the new Prime Minister of AJK.<sup>15</sup> On 26 July 2021, the HRCP highlighted the deaths of two PTI workers during the elections held the previous day. The same source underlined another incident, in which a PPP worker was reportedly killed, after ‘PTI workers allegedly fired on a PPP candidate’s vehicle in Kotli’.<sup>16</sup>

The president of AJK remains Sardar Masood Khan, who was elected in August 2016. The new AJK presidential elections are scheduled for 17 August 2021.<sup>17</sup>

## 2. Human rights situation

In its 2021 Freedom in the World report, Freedom House highlighted that ‘politics in both AJK and GB are dominated by local branches of the main Pakistani parties and some local parties [...] closely allied with the Pakistani establishment’. The same source reported that ‘small nationalist parties that are opposed to union with Pakistan are actively marginalized or barred outright from the political process’, while ‘activists accused of opposition to Pakistani rule have been subject to surveillance, harassment, and sometimes imprisonment’.<sup>18</sup> In November 2020, the caretaker government of GB

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<sup>8</sup> Dawn, GB elections: Official results reveal PTI as majority party with 22 seats in hand, 1 November 2020, [url](#); Crisis Group, Crisiswatch Pakistan, November 2020, [url](#)

<sup>9</sup> HRCP, HRCP dissatisfied with GB polls, 16 November 2020, [url](#)

<sup>10</sup> Crisis Group, Crisiswatch Pakistan, November 2020, [url](#)

<sup>11</sup> Freedom House, Freedom in the World 2021, 3 March 2021, [url](#); Times of India (The), PTI's Muhammad Khalid Khurshid Khan elected Pak-occupied Gilgit-Baltistan' CM amid protests against 'rigged' election, 1 December 2020, [url](#)

<sup>12</sup> Indian Express (The), Explained: Here's why Gilgit-Baltistan matters to India & Pakistan, 7 August 2021, [url](#); Tribune (The), Pakistan finalises law to award new status to Gilgit-Baltistan, 2 August 2021, [url](#)

<sup>13</sup> Daily Times, Nawaz, others booked for ‘conspiring’ against Pakistan, state institutions, 6 October 2020, [url](#)

<sup>14</sup> Dawn, Sedition case controversy takes new turn, 7 October 2020, [url](#); Daily Pakistan, Azad Kashmir PM booked in sedition case; Imran Khan unhappy, 5 October 2020, [url](#); Print (The), Pakistan books PoK ‘Prime Minister’ Raja Farooq Haider for sedition, 6 October 2020, [url](#)

<sup>15</sup> Dawn, PTI's Abdul Qayyum Niazi elected new prime minister of AJK, 4 August 2021, [url](#); Samaa, AJK Elections 2021: PTI wins 25 seats, PPP nine, 26 July 2021, [url](#); Dawn, AJK elections: Final results show clear majority of PTI with 25 assembly seats, 26 July 2021, [url](#)

<sup>16</sup> HRCP, HRCP concerned by AJK election violence, 26 July 2021, [url](#)

<sup>17</sup> News (The), AJK president elections to take place on August 17, 9 August 2021, [url](#); Pakistan, President of AJ&K, n.d., [url](#)

<sup>18</sup> Freedom House, Freedom in the World 2021, 3 March 2021, [url](#)

released 14 political activists who had ‘been jailed in 2011 for protests over government mishandling of a natural disaster’.<sup>19</sup>

In its 2021 report, Freedom House also described the ‘prominent and intrusive presence’ of federal intelligence agencies in AJK and GB. According to the source, ‘discussion of heterodox political or religious views consequently carries significant risks. The authorities have increased their monitoring of social media and sporadically punish expression of anti-Pakistan or separatist opinions’.<sup>20</sup> The same source also highlighted reports of ‘torture and deaths in custody at the hands of security forces [...], especially for independence supporters and other activists’<sup>21</sup>, while the ‘practice of enforced disappearances’ has also been noted, although this ‘is not as common in AJK’ compared to Pakistan’s provinces.<sup>22</sup> The South Asia Terrorism Portal (SATP) also stated in its 2021 Assessment that Pakistan’s ‘secret operations against its own people continued’ in areas including AJK and GB, without giving any more details regarding the two regions.<sup>23</sup>

Additionally, Freedom House highlighted that the Anti-Terrorism Act (ATA) has been ‘used to suppress dissent’, and ‘the Pakistani government has allowed civilians facing charges of terrorism or sectarian violence to be tried in military courts, which have fewer due process protections and can impose the death penalty’.<sup>24</sup>

Some incidents indicative of the human rights situation in Pakistan-administered Kashmir include:

- On 20 August 2020, the police in Kotli district, AJK, reportedly arrested a man ‘for having posted derogatory remarks about religious scholars and police officers’.<sup>25</sup>
- On 28 October 2020, residents of Rawalakot city, Poonch district, AJK, prevented members of the Federal Investigation Agency from ‘abducting a local youth’. It was claimed that the Agency personnel had tried to ‘arrest a suspect without following legal procedures’.<sup>26</sup>
- On 18 November 2020, ‘police arrested and publicly beat activists’ in Athmuqam city, Neeloum district, AJK, during protests against the ‘delayed responses and the inefficiency’ of the local firefighters.<sup>27</sup>
- On 12 December 2020, police injured some 12 protesters in Bagh district, who were demonstrating against an increase in the price of wheat flour.<sup>28</sup>

### 3. Security situation

Data on violent incidents provided below is based on EASO analysis of publicly available curated datasets from the Armed Conflict Location and Event Data Project (ACLED).<sup>29</sup> For the purpose of this COI Query Response, only the following types of events were included as violent incidents in the analysis of the security situation: battles; explosions/remote violence; violence against civilians.

#### **Azad Jammu and Kashmir (AJK)**

Between 1 July 2020 – 31 July 2021, ACLED recorded 74 violent incidents in AJK, of which: 71 were coded as battles, two were coded as explosions/remote violence, and one was coded as an episode

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<sup>19</sup> Freedom House, Freedom in the World 2021, 3 March 2021, [url](#)

<sup>20</sup> Freedom House, Freedom in the World 2021, 3 March 2021, [url](#)

<sup>21</sup> Freedom House, Freedom in the World 2021, 3 March 2021, [url](#)

<sup>22</sup> Freedom House, Freedom in the World 2021, 3 March 2021, [url](#)

<sup>23</sup> SATP, Pakistan: Assessment- 2021, n.d., [url](#)

<sup>24</sup> Freedom House, Freedom in the World 2021, 3 March 2021, [url](#)

<sup>25</sup> HRCP, State of Human Rights in 2020, 3 May 2021, [url](#), p. 156

<sup>26</sup> HRCP, State of Human Rights in 2020, 3 May 2021, [url](#), p. 154

<sup>27</sup> HRCP, State of Human Rights in 2020, 3 May 2021, [url](#), p. 157

<sup>28</sup> HRCP, State of Human Rights in 2020, 3 May 2021, [url](#), p. 157

<sup>29</sup> ACLED, About Acled, n.d., [url](#)



of violence against civilians.

By district, the events were recorded in: Haveli (19 events), Kotli (15), Bhimber (15), Neelum (9), Poonch (6), Hattian Bala (6), Muzaffarabad (2), Bagh (2), and Diamir (1).

It can also be pointed out that, out of the total 74 violent incidents, 71 (some 96 %) were recorded between 1 July-31 December 2020, and 3 were recorded between 1 January-31 July 2021.<sup>30</sup>

According to the Pak Institute for Peace Studies (PIPS), no terrorist attacks were recorded in AJK during the year 2020.<sup>31</sup> According to data recorded by SATP, there were no ‘terrorism related incidents’ in AJK in 2020, while one incident was recorded for 2021.<sup>32</sup>

Some of the indicative events reported include:

- On 1 July 2020, a boy was killed by firing by the Indian armed forces along the LoC in Talwari village, Hattian Bala district, AJK.<sup>33</sup>
- On 4 August 2020, one civilian was killed and another six were injured ‘by Indian shelling in the Tatta Pani sector’, Poonch district, AJK.<sup>34</sup>
- On 13 November 2020, Pakistani ‘civil and military officials’ stated that five civilians had been killed in several locations of AJK by ‘indiscriminate’ firing by the Indian army.<sup>35</sup>
- On 29 July 2021, a ‘teenage boy was killed and three girls were critically injured’ by a shell explosion in Kel town, Neelum district, AJK.<sup>36</sup>

### **Gilgit-Baltistan (GB)**

During the same reference period, ACLED recorded one violent incident in Gilgit-Baltistan, coded as battle.<sup>37</sup> The event took place on 28 July 2020, when two civilians were killed in cross-fire ‘during a Counter Terrorism Department’s (CTD) raid on a house’, where suspected criminals were located, in Chilas, Diamir district.<sup>38</sup> According to PIPS, no terrorist attacks were recorded in Gilgit-Baltistan during the year 2020.<sup>39</sup> According to data recorded by SATP, there was one ‘terrorism related incidents’ in GB during 2020, while no incidents were recorded for 2021.<sup>40</sup>

### **Line of Control (LoC)**

Pakistani authorities have published data regarding episodes of violations of the 2003 ceasefire agreement by India. While disaggregated data was not available for the reference period, the Pakistani Ministry of Foreign Affairs stated that, during 2020, Indian forces had ‘carried out 3 097 ceasefire violations’ along the Line of Control, killing 28 civilians and ‘seriously injuring’ another 257.<sup>41</sup> Similar but not identical figures were also published by the HCRP, who reported some ‘2 900 ceasefire violations [...] along the LoC in 2020. At least 33 civilians—including 16 men and 17 women—were killed, and 260 people—including 161 men and 99 women—wounded in different

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<sup>30</sup> ACLED, Curated Data Files, South Asia (Filters applied: Pakistan; Azad Jammu and Kashmir; Event types: battles, explosions/remote violence and violence against civilians; 1 July 2020-31 July 2021), [url](#)

<sup>31</sup> PIPS, Pakistan Security Report 2020, 15 June 2021, [url](#), p. 20

<sup>32</sup> SATP, Datasheet - Gilgit-Baltistan, updated 9 August 2021, [url](#); SATP, Datasheet - Azad Kashmir, updated 9 August 2021, [url](#)

<sup>33</sup> Express Tribune (The), One martyred along LoC after Indian forces open fire: ISPR, 1 July 2020, [url](#)

<sup>34</sup> AJ, Pakistan PM reiterates support for Kashmiri self-determination, 5 August 2020, [url](#)

<sup>35</sup> Dawn, 6 including soldier martyred in AJK, 10 killed on Indian side in major escalation along LoC, 13 November 2020, [url](#)

<sup>36</sup> Dawn, Dud shell explosion kills boy, injures three girls in Neelum Valley, 29 July 2021, [url](#)

<sup>37</sup> ACLED, Curated Data Files, South Asia (Filters applied: Pakistan; Gilgit-Baltistan; Event types: battles, explosions/remote violence and violence against civilians; 1 July 2020-31 July 2021), [url](#)

<sup>38</sup> Garda, Pakistan: Police raid suspected militant hideout near Chilas, 28 July 2020, [url](#); Express Tribune (The), Five cops among seven martyred in CTD raid in Chilas, 28 July 2020, [url](#)

<sup>39</sup> PIPS, Pakistan Security Report 2020, 15 June 2021, [url](#), p. 20

<sup>40</sup> SATP, Datasheet - Gilgit-Baltistan, updated 9 August 2021, [url](#); SATP, Datasheet - Azad Kashmir, updated 9 August 2021, [url](#)

<sup>41</sup> AJ, India, Pakistan agree to stop cross-border firing in Kashmir, 25 February 2021, [url](#); Pakistan Ministry of Foreign Affairs, 1 January 2021, [url](#)

parts of AJK. The Neelum valley was the worst hit district in terms of property damage'.<sup>42</sup>

Between 1 January-25 February 2021, some 175 violations of the ceasefire by Indian forces were reported by the Pakistani authorities, in which eight civilians were wounded.<sup>43</sup>

Referring to the general method of operation by the Indian side, Freedom House stated that, while some of the firing by the Indian army 'struck military targets, it was often directed at civilians, damaged their residences, and left them at risk of injuries from unexploded ordnance'. The same source quoted the Pakistani army, who stated that 'the Indian military used cluster munitions, which are particularly dangerous to civilians'.<sup>44</sup>

On 25 February 2021, it was announced that the armies of India and Pakistan had agreed to a 'strict ceasefire' along the Line of Control (LoC).<sup>45</sup> While precise data regarding ceasefire violations by India after the 25 February 2021 agreement is not available, local media reports suggest that the overall number of violations by both sides has decreased significantly.<sup>46</sup>

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<sup>42</sup> HRCP, State of Human Rights in 2020, 3 May 2021, [url](#), pp. 161-162

<sup>43</sup> AJ, India, Pakistan agree to stop cross-border firing in Kashmir, 25 February 2021, [url](#); Pakistan Ministry of Foreign Affairs, 1 January 2021, [url](#)

<sup>44</sup> Freedom House, Freedom in the World 2021, 3 March 2021, [url](#)

<sup>45</sup> AJ, India, Pakistan agree to stop cross-border firing in Kashmir, 25 February 2021, [url](#);

<sup>46</sup> New Indian Express (The), Just six instances of ceasefire violations along LoC, IB since India-Pak agreement in February, 3 August 2021, [url](#); Hindu (The), Since February pact, all quiet on Line of Control, 7 June 2021, [url](#)

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