**Merits of marketing a status for Gilgit Baltistan and Kashmir Case**

[Dr Syed Nazir Gilani](https://dailytimes.com.pk/writer/dr-syed-nazir-gilani/%22%20%5Co%20%22More%20Articles%20by%20Dr%20Syed%20Nazir%20Gilani)

November 9, 2020

Government of Pakistan formally entered into a formal agreement with the Government of Azad Kashmir and one other political party (Muslim Conference) on 28 April 1949 called Karachi Agreement. “All affairs of the Gilgit and Ladakh areas under the control of the Political Agent at Gilgit” came under the eight responsibilities of Government of Pakistan. The other important disciplines of work that were rendered into the supervision of the Government of Pakistan were “Defence (complete control over A.K. Forces)”, “Negotiations with UNCIP”, “Foreign Policy of A.K Government”, “Publicity in Pakistan and Foreign countries”, “Coordination of arrangements for relief and rehabilitation of refugees”, “Coordination of publicity and all arrangements in connection with the plebiscite”, and “All activities within Pakistan itself with regard to Kashmir such as procurement of food”.

If the three parties to the agreement had been truthful to their duties, truthful to the welfare of the people and development in the habitat of Gilgit and Baltistan, as a common auditable mission, the story would have been very different today. It does not carry us creditably any far, if after 71 years, we hear that the area has remained neglected and that they do not want to be part of the State of Jammu and Kashmir. The grievances of these people are genuine and it is equally true that all parties to the agreement have failed them. Government of Pakistan, Government of Azad Kashmir and Muslim Conference (now all political parties) struck their respective quid pro quos all these years and have accrued a criminal liability for neglecting these people.

We find that all of a sudden forces of all manner have started marketing the development and human rights of people living in Gilgit-Baltistan. Government of Pakistan has taken over, all affairs connected with GB under its control and there should have been a regular appraisal of progress during the last 71 years. All three parties have failed in their duty under the agreement. A demand to grant a provincial status to GB, is causing people to connect this as a camouflage to engineer a change in despair, as India has done on 5 August 2019. We have always been very careful not to equate Pakistan with India. So would not doubt the intent, unless Pakistan waves a proof.

The various disciplines of responsibility in Pakistan, should ensure that they do not end up marketing an idea which would be regarded by many people in GB and the people of the State as a ‘copy paste’ of Indian action of 5 August 2019

The various disciplines of responsibility in Pakistan, should ensure that they do not end up marketing an idea which would be regarded by many people in GB and the people of the State as a ‘copy paste’ of Indian action of 5 August 2019. We may offer any number of justifications in regard to any disturbance in GB status, it would at the end of the day legitimise the Indian action in Jammu and Kashmir. It would be at variance to Pakistan’s position maintained at the UN and to the responsibilities accepted in the Karachi Agreement of 1949.

Gilgit Baltistan is part of the disputed State of Jammu and Kashmir. There could be three possible options to settle a genuine political or any other hidden interest. These are a “provisional provincial status on its own”, a “provisional 5th province of Pakistan” or dignifying GB as a “Local Authority” as envisaged in UNCIP Resolutions.We should not forget that the run away from Self Determination and from UN Resolutions which began in July 2006 proved an Albatross Curse and it washed away Prime Minister Vajpayee and President Musharraf. Other smaller characters were also hit by Kashmir curse. If Indian action of 5 August 2019 and the marketing of GB for a ‘status’ by Pakistan, had any blessing from Trump, he too has been forced out. Kashmir curse has hit all those who have attempted to trade the Kashmir cause and betray the sufferings.

Out of the three possibilities, absorbing GB, although provisionally in the territories of Pakistan, would give birth to the idea that it is a copy paste of the Indian action. However, if it is raised to the status of a “Local Authority” as envisaged in UNCIP Resolutions, it would attract the interest of 193 countries and reboot the Kashmir cause. Government of Azad Kashmir has been complaining of lack of powers. It would be highly desirable if Government of Pakistan could allow AJK to assume itself as a “Local Authority” as envisaged in UNCIP Resolutions. Pakistan would have an arrangement with the two “Local Authorities” and it could be the first proportionate and pointed reply to Indian actions. Government of Pakistan could help the two “Local Authorities” to revive their armies and inform the UN Security Council, about their right to fight the Indian occupation in Kashmir.

The two local authorities could very easily work out a common political platform for advancing the cause of the people of the State. UNMOGIP and Government of Pakistan could have their respective roles. Armies of the two local authorities could sign a MOU with the Armies of Pakistan. United Nations and India have recognised the Azad Forces and Government of Pakistan in January 1957 has proposed the sending of UN Forces into Kashmir. The proposal was supported by Australia, Cuba, United Kingdom and United States of America in February 1957.

It is now in public knowledge that future status or a ‘provisional provincial status’ of GB was discussed by political parties of Pakistan and Prime Minister of Azad Kashmir in their meeting with the army chief. Civil and military engagement on GB, a part of the disputed State of Jammu and Kashmir, has its own demerits. As a start it would be burning our fingers and causing a serious stir of suspicion, in the people of the State, in particular the strong constituency of Pakistan on either side of cease fire line and in the Diaspora, would feel wronged.

Many of us who advocate the jurisprudence of the case, in particular, the jurisprudence of UN Resolutions on Kashmir and the positive duty of the Security Council in Kashmir, would be exposed to a serious rebuke. Who so ever has marketed a status for Gilgit Baltistan does not have a reliable understanding of Kashmir case.

*The author is President of London based Jammu and Kashmir Council for Human Rights – NGO in Special Consultative Status with the United Nations*