

Date: 25th Oct. 2011

Mr. Iftikhat Choudhry

Chief Justice of Pakistan,

Constitution Avenue, Islamabad

IN THE COURT OF Supreme Court of Pakistan, Islamabad.

Cr. case No. _____ of 1997

FIR NO. 127/97- DATED Aug 14th 1997

u/s 124 A & 188 of PPC.

P.S. GILGIT

Abdul Hamid Khan, Chairman Balawaristan National Front (BNF), Head Office, Col. Hassan Market, Gilgit, Balawaristan. Permanent Address: Village Bahrkohlti, Tehsil Yasen, District Ghazer, Gilgit. Present Address: Avenue d' Auderghem 57/18, Brussels 1040 Belgium. Email: balawaristan@gmail.com , Tel: 003222311750

.....**ACUSSED.**

VERSUS

- 1. President of Pakistan**

- 2. Prime Minister of Pakistan, Chairman of Gilgit Baltistan Legislative Assembly**

- 3. Ministry of Kashmir Affairs and Gilgit Baltistan (Balawaristan) Affairs (KAGBA)**

- 4. Ministry of Law Division**

- 5. Pakistani imposed Chief Secretary for Balawaristan**

- 6. Pakistani imposed Inspector General of Police for Balawaristan (Pakistan Occupied Gilgit Baltistan)**

- 7. Pakistani imposed Army Chief (Field Commander Gilgit Baltistan) for Balawaristan**

- 8. Pakistani imposed Intelligence Agency (ISI), Head Stationed in Gilgit, Near Helipad,**

Underground Banker, Sonikote, Gilgit, Balawaristan

TYRANTSCOMPLAINANTS.

PERSONAL STATEMENT

I, Abdul Hamid Khan, do hereby solemnly affirm and state on oath as. That I was attending my case along with my friends in the Session Court Gilgit since 14th Aug 1997, but I was compelled to flee my Fatherland by ISI in May 1999 and since then I am in exile.

That I am deponent of this affidavit and accused nominated in the above noted matter, as such am fully conversant with all facts relating to the above case. That First of all, I would like to ask pardon in advance, because I have to reveal some bitter facts, ground realities, which may be beyond the given limitation or the decorum of your court, unlike other cases, which you hear unchallenged. Being a representative of the slaves of a disputed land, I have no right to say or utter anything against the unilaterally imposed Pakistani cruel bosses and their orders. These bosses, whether from time to time are deputed in Balawaristan (Pakistan Occupied Gilgit Baltistan) to crush us or force us to live like animals within our own territory (Pakistani occupied Gilgit Baltistan). This is unjust and uncalled for and against the norms of a civilized world. But being an accused and citizen of Balawaristan (Pakistan Occupied Gilgit Baltistan) Ref: (I) Gilgit Baltistan Empowerment order 2009, PART.I-PREMININARY 2. (B) "CITIZEN" unless otherwise expressed in this order "Citizen" means a person who has a domicile of Gilgit Baltistan.

(II). 1973 Constitution of Pakistan, 6th Edition 2007, Page 451: 106. Constitution of Provincial Assemblies 1. Balochistan, 2. NWFP (KP), Punjab and 4. Sind.
The name of Gilgit Baltistan has not been mentioned in the provinces

Constitution of Pakistan published 2007 Page 969, Chapter 3, 246. Tribal Areas, the name of Gilgit Baltistan has not been mentioned in the Tribal Areas. Page 979 Article: 257. Provisions relating to the state of Jammu & Kashmir. When the people of the state of Jammu & Kashmir decide to accede to Pakistan, the relation between Pakistan and the State shall be determined in accordance with the wishes of the people of that State.

The name of Gilgit Baltistan has not been mentioned in the tribal areas. (Government of Pakistan has not mentioned the name of Gilgit Baltistan with J&K with malign intention).

Indian Constitution Article 370 Temporary provision with respect to the state of Jammu & Kashmir, The Constitution of Jammu & Kashmir Part II, 3. Relationship of the State with the Union of India:- The State of Jammu & Kashmir is and shall be an integral part of the Union of India. 4. Territory of the State shall comprise all the territories which in fifteenth day of August 1947 were under the sovereignty or suzerainty of the Rule of the State”.

As per Indian constitution Gilgit Baltistan is part of India, where 6 seats have been reserved for Gilgit Baltistan and Pakistani administered Jammu & Kashmir in Lok Saba and 25 seats have been reserved in J&K State Assembly.

I would like to cite the accusation leveled against me and dozens of my fellow members by the above mentioned TYRANTS/cruel rulers illegally in the view to keep the 2 million people of Balawaristan under the draconian laws such as FCR or verbal or written laws of the above mentioned tyrants since 16th Nov 1947 without any recognized law.

In UNCIP (United Nations Commission for India and Pakistan) and UNSC (United Nations Security Council) Resolutions of 13th Aug. 1948 and 5th Jan 1949, the name of Northern Areas, Sparsely Populated Mountainous Region, Gilgit, Skardu etc. has been used in UN documents.

The above mentioned names for the current name Gilgit Baltistan can be read out on

the following pages in the SECURITY COUNCIL OFFICIAL RECORDS 4th YEAR 1950 SPECIAL SUPPLEMENT No.7 Page, 3, 24, 29, 36, 37, 39, 43, 45, 47, 53, 64, 55, 56, 98, 99, 104, 105, 106, (from page 117-120 and pages 122-124), 168, 177 and 179

That it is a fact on record that military (Gilgit Scouts) elders of Balawaristan (Pakistan Occupied Gilgit Baltistan) fought a titanic war against the then Dogras and had flushed out the Dogra regime of Jammu & Kashmir on 1st Nov 1947. The simpleton nature military elders of Balawaristan in good faith requested the newly born Pakistan to send/depute an expert to discharge subsidiary bureaucratic duties till the newly born democratic government of Gilgit lays tracks on the path of its democracy and governance. Pakistan sent Sardar Alam a 3rd Class magistrate from NWFP (Now it's called Khyber Pukhtoonkhwa) on 16th Nov 1947 to lend his services till the establishment of a stable government in the area. But, unfortunately, this exotic person played the dirty game of sectarian "divide and rule policy" to justify and prolong his presence and thus he paved the way for Pakistan to occupy the area treacherously and mischievously. Pakistan nationals entered this area one by one and occupied the whole area of more than 44000 Sq. Miles illegally by violating UNCIP resolutions. After the treacherous occupation and de-facto control, Pakistan ceded 2500 Sq. Miles area to China in 1963 for its own benefits and its brave soldiers lost about 14000 Sq. Miles area including Siachin Glacier to India, when chain of command was given in to the hands of Pakistani officers. Pakistan also made a fraudulent agreement with the 2 Kashmiri person (Sardar Ibrahim and Choudhary Ghulam Abbas) of its occupied Jammu & Kashmir (PoK) in Karachi on 28th April 1949, to take over the control of this region. Neither the people of Balawaristan (Pakistan Occupied Gilgit Baltistan) were informed nor the military leadership of Gilgit Scouts were asked. Thus Pakistan involved in a crime of fraud to prolong its occupation, which does not provide legality & neither it consent of the will of the people of Balawaristan (Pakistan Occupied Gilgit Baltistan) sought. On the other hand the case of this area was taken to UN by India and Pakistan both. It is irony and tyranny, that Pakistan snatched all the rights available to the people of Balawaristan (Pakistan Occupied Gilgit Baltistan) even those which were given during the non-Muslim Dogra and British regime.

During the whole period, Pakistan has been introducing new names and designations to the successors of Sardar Alam, but did not bother to protect its system legally by the popular will of the people of Gilgit Baltistan or by its constitution. Thus, it is due to Pakistan, that the whole system of Balawaristan (Pakistan Occupied Gilgit Baltistan), whether it is administration or Judiciary is ILLEGAL, unconstitutional and immoral and also violation of UNCIP and UNSC resolutions.

In one hand Pakistan has a de-facto control over the area and the Pakistani laws are

made applicable to punish and terrorise the people of Gilgit Baltistan and on the other hand the same people are denied for their Basic Human Rights for instance one cannot file a constitution petition under article 199 of the Constitution of Islamic Republic of Pakistan, by mere saying the High court of a province that the people of Gilgit Baltistan are not covered under the constitution, since the territory has not been mention in the Constitution of Pakistan. The petition if filed by any aggrieved person of Gilgit Baltistan directly (without any Pakistani national or its organization), its rejected by Pakistani High Courts and Supreme Court of Pakistan by declaring it un-constitutional or out of its jurisdiction.

The verdict given by Supreme Courts of Pakistan headed by Justice Ajmal Mian on 12 May 1999 (Petition No 11 and 17 of 1994) to give the right of the representation and Judiciary like High Court to the people of Gilgit Baltistan has never been implemented by the occupation regime of Pakistan so far.

Now, I would like to give some legal and UNCIP references to make you understand the case or charges of sedition against me and other people of Balawaristan (Pakistan Occupied Gilgit Baltistan), who are not citizens of Pakistan.

BRIEF HISTORY

Before the separation of sub-continent, the British empire decided to hand over the charge of the tiny states including Yasen (Yasin), Pooyal (Punyal), Goopechh (Gupis), Ishhqamen (Ishkomen), Gilgit, Nagir, Hunza, Astore and Chilas to the Maharaja of Kashmir. On 1st August 1947 Brigadier Ghansara Singh took the charge of Gilgit and all the political districts as governor of Maharaja of Jammu & Kashmir. Chilas was under suzerainty of Yasen (Yasin, now a Tehsil of district Ghazer, Gilgit) even after 1947. On 22

nd April 1914 Mestooch (Mestuch) was given to Chitral by British Empire which was legal and integral part of Yasen, Goopechh and Ishhqamen were also separated from Yasen, after the murder of British spy Col. George Hayward by Mir Wali, the ruler of Yasen. While Rundu, Kharmang, Skardu and other semi- independent kingdoms of Ladakh, Astore and Chhitrar (Chitral, which has been merged in to NWFP illegally and un-democratically) were under the direct control of Maharaja of Jammu & Kashmir.

Ninety days after taking over the charge of Gilgit Agency and political districts

(Baltistan was a tehsil of Ladakh at that time) by the governor of Maharaja, Gilgit Scouts revolted and arrested Governor Ghansara Singh, thus the Maharaja of Jammu & Kashmir lost his golden sparrow and roof of the world on 1st November, 1947. Baltistan a tehsil of Ladakh fell to Gilgit Scouts on Aug. 14th 1948. □ Raja Shah Raees Khan and the then Cap. Mirza Hassan Khan became President and Commander-in-Chief of the newly born State, The Republic of Gilgit. Unfortunately, the liberation war was on and the local military commanders including Mirza Hassan Khan were busy in the war, therefore some simpleton military low ranking persons who asked the neighbour Muslim state Pakistan to send an expert for subsidiary duties in administration. On 16 Nov.1947, immediately after liberation of Gilgit the then Frontier Province of Kashmir, a third class magistrate (Naib Tehsildar) Sardar Mohammad Alam was sent by the government of Pakistan from N.W.F.P. (now Khyber Pukhtonkhowa) province to discharge his duties as a temporary helper to the newly born state Gilgit. Mr. Alam paved the way for himself from the very beginning by making sectarian differences among the locals on one side and on the other side the government of India and Pakistan took the case of the whole Jammu & Kashmir (J & K) including Gilgit Baltistan, to United Nations Organization.

LEGAL STATUS

I have the honour to explain and quote the legal (written) material i.e. documentary evidence, which elucidate the legal status of the people of Jammu & Kashmir state and also clears the position of Balawaristan (Occupied Gilgit Baltistan) the disputed part of Jammu & Kashmir.

DIVISION OF SUB CONTINENT PRINCIPAL. The British government treated differently with the whole Jammu & Kashmir state including Balawaristan {Occupied Gilgit Baltistan (OGB)}, as she did with India and Pakistan. Otherwise they would have handed over the whole state of Jammu and Kashmir to Pakistan or India. The order of the Prime Minister of The His Highness Maharaja Mr.R.C.Kak on 17th July, 1947, before the partition of United India, vide No. B 480/47

[P.B.is](#)
as under.

“His Highness the Maharaja Bahadur has been pleased to command that: The administration of the entire Gilgit Baltistan i.e. former Gilgit Wazarat north of the Indus and all political districts is taken over on 1st August 1947.

1. The above together with Bonji will form the Gilgit frontier province.
2. Brigadier Ghansara Singh is appointed governor.
3. The budget for the Gilgit Frontier province will be sanctioned, when full details are known and have been sanctioned.”

UNCIP (Resolutions)

The stand of India & Pakistan in United Nation Commission for India and Pakistan (UNCIP) is reproduced, so the postulates of both the countries could be re-examined by their respective people in that context, in which Pakistan agreed to withdraw all its forces and armed personnel's, tribesmen and citizens from the state of Jammu & Kashmir including Balawaristan (Pakistan Occupied Gilgit Baltistan) within a period of 7 weeks. But later on, UNCIP accepted the request of Pakistan to extend the period of withdrawal to the period of three months (12 weeks), while, India agreed for withdrawal of bulk of its forces subject to the complete withdrawal of all Pakistani forces and civilians (Pathans of Frontier Province of Pakistan) and other Pakistani citizens, who were not citizens of Jammu & Kashmir State including Balawaristan (Occupied Gilgit Baltistan). The proofs have been extracted from the official records of The United Nations Security Council published in 1950, which is also available on the website www.balawaristan.net . The extract of UNCIP record explains on page No.111-112 iii (A), is as under: -

THE GOVERNMENT OF PAKISTAN AGREES

1. “To withdraw its troops from the territory of the state of Jammu and Kashmir in

seven weeks” As follows: a. During the first three weeks twenty infantry battalion, plus the corresponding proportion of artillery and supporting units. b. During the following fortnight the remainder of the Pakistan troops, with the exception of eight infantry battalions. c. By the end of seven weeks, all Pakistan troops, including their ammunition, stores and material, will have left the territory of the state.

2. That having secured the withdrawal of the tribesmen from the territory of the state of Jammu and Kashmir, it shall secure the withdrawal of Pakistani nationals still in the territory of the state and not normally residents therein, who have entered the state for the purpose of fighting.” 122 (B.2)

THE GOVERNMENT OF INDIA AGREES

1.”To withdraw the bulk of its forces from the state of Jammu and Kashmir in stages submitted by the Commission shall have notified the Government of India. The withdrawal will begin as soon as the commission will have notified the Government of India the tribesmen and Pakistan national, not normally resident in Jammu & Kashmir territory who have entered the state for the purpose of fighting, have withdrawn and that the Pakistani troops are being withdrawn from the state of Jammu & Kashmir. 22(part ii A.3) “

UNCIP TRUCE TERMS 28 APRIL 1949

“Pending a final solution, the territory evacuated by the Pakistan troops will be administered by The “Local Authority” under the surveillance of the commission.”

Pakistan agreed to withdraw all its forces and armed personals, tribesmen and citizens from the state of Jammu & Kashmir including Balawaristan (O.G.B.) within a period of 7 weeks. But later on UNCIP accepted the request of Pakistan to extend the period of withdrawal within the period of three months (12 weeks), while, India agreed for withdrawal of bulk of its forces subject to the complete withdrawal of all Pakistani forces and civilians (Pathans of Frontier Province of Pakistan) and other Pakistani citizens, who were not the citizens of Jammu & Kashmir State including Balawaristan (Occupied Gilgit Baltistan).

GENERAL PROVISION OF UNCIP

A. The territory evacuated by the Pakistan troops will be administered by the local authority under the surveillance of the commission.

B. Immediately upon the acceptance of these terms, the commission would enter in to consultation with the Government of India regarding the disposal of the Indian and state armed forces and with the local authorities regarding the disposal of the armed forces in the territory to be evacuated by Pakistani troops, with a view to initiating implementations of point 4 (A) and (B) of the commission's resolution of 5th January, 1949.

C. If before expiration of the seven weeks contemplated in point II.A decisions are reached in the consultations for the initial implementation referred to in III.B above the schedule of withdrawal of the Pakistan Army as provided for II.A above may be extended to three months, in order to facilitate the implementation of decision relating to point 4 (b) of the commission's resolution of 5th January, 1949.

D. It will be made publicly known throughout the state of Jammu & Kashmir that peace, law and order will be safeguarded and that all human and political rights will be guaranteed.

II. WITHDRAWAL OF TROOPS

A. The Government of Pakistan agrees:

1. To withdraw its troops from the territory of the State of Jammu and Kashmir in seven weeks as follows:

(a) During the first three weeks twenty infantry battalions, plus the corresponding proportion of artillery and supporting units.

(b) During the following fortnight the remainder of the Pakistan troops, with the exception of eight infantry battalions.

(c) By the end of the seventh week, all Pakistan troops, including their ammunition, stores and material, will have left the territory of the State.

2. That, having secured the withdrawal of the tribesmen from the territory of the State of Jammu and Kashmir, it shall secure the withdrawal of Pakistan nationals still in the territory of the State and not normally resident therein, who have entered the State for the purpose of fighting.

B. The Government of India agrees:

1. To withdraw the bulk of its forces from the State of Jammu and Kashmir in stages submitted by the Commission for the agreement of the Government of India. The withdrawal will begin as soon as the Commission shall have notified the Government of India that the tribesmen and Pakistan nationals, not normally resident in Jammu and Kashmir territory who have entered the State for the purpose of fighting, have withdrawn, and that the Pakistan troops are being withdrawn from the State of Jammu and Kashmir.

2. That the schedule of the withdrawal of Indian forces will be made public by the Commission with the schedule of the withdrawal of Pakistan forces immediately after the acceptance of these terms by both Governments.

C. The operations mentioned in the above paragraphs A and B will be carried out under the surveillance of the Commission through its Military Adviser.

II. GENERAL PROVISIONS

A. The territory evacuated by the Pakistan troops will be administered by the local authorities under the surveillance of the Commission.

B. Immediately upon the acceptance of these terms, the Commission would enter into consultations with the Government of India regarding the disposal of the Indian and State armed forces, and with the local authorities regarding the disposal of the armed forces in the territory to be evacuated by Pakistan troops, with a view to initiating implementation of point 4 (a) and (b) of the Commission's resolution of 5 January 1949.

C. If, before expiration of the seven weeks contemplated in point II. A., decisions are reached in the consultations for the initial implementation referred to in III. B. above, the schedule of withdrawal of the Pakistan Army, as provided for in II. A. above, may be extended to three months, in order to facilitate the implementation of decisions relating to point 4 (b) of the Commission's resolution of 5 January 1949.

D. All prisoners of war will be released within one month.

E. All land mines will be immediately lifted by the side which sowed them.

F. It will be made publicly known throughout the State of Jammu and Kashmir that peace, law and order will be safeguarded and that all human and political rights will be guaranteed.

G. These terms are without prejudice to the territorial integrity and the sovereignty of the State of Jammu and Kashmir.

H. These terms do not prejudice the functions and powers of the Plebiscite Administrator.

I. These terms will become effective and will be published by the Commission immediately upon their acceptance by both Governments.”

Instead of facilitating the withdrawal of its troops and pave the way to establish LOCAL AUTHORITY, on April 28, 1949 on the same day, when UN Truce Terms were accepted, Pakistan concocted a fake agreement through its then minister without portfolio Mushtaq Ahmed Gurmani, and the so-called Azad Kashmir president Sardar Ibrahim Khan and Muslim Conference's Ghulam Abbas by keeping the people of Gilgit-Baltistan in the dark .” In article 8 of that fraud pact stats that "All the matters of Gilgit and Ladakh under the Political agent"

□ This itself indicates the fraud and un-representative nature that Ladakh was not under its control.

We reserve the right to register cases against both the parties including government of Pakistan under the charges of forgery.

This is the ONLY area of the 21st century, where 2 million indigenous people have no Representation, no Judiciary, no democracy, no human rights, no basic rights, no freedom of expression and no freedom of movement and no access to their resources.

RELIGIOUS FREEDOM

The intensity of oppression can be understood from the fact that government declared Schools and Public buildings as Jail when jails were insufficient to accommodate the detainees. Syllabus issue has been created by the occupying regime to divide and rule, otherwise there is no need to teach separate Islamic syllabus in the Schools.

It's our stand, either no Islamiyat in the government Schools (Islamiyat can be taught in homes or mosques) or common Islamiyat like before 1970s should be re-introduced. But its official policy of the occupation regime to keep its divide and rule policy by creating sectarian gap among the indigenous people and blame the external forces.

A prominent Shia Leader of Gilgit Baltistan Syed Agha Zia-Ud-Din was killed on 8th Jan 2005 by ISI trained terrorist in Gilgit, because of his opposition to the occupation regime's biased policies. Shia Central mosque Gilgit was bombed by Pakistani forces.

A Shia School teacher Bilal Hussain Qazalbash was kidnapped by ISI on 10 Sep 2005 from Gilgit. A case was registered against ISI in Lahore High Court Bench by the family with clenching evidence, but Military regime and it's ISI denied of his kidnapping. After many months, Qazalbash was handed over to Rawalpindi Police with truck load of Arms by ISI involving him in fake arms smuggling. One can imagine, how a hostage or detainee can smuggle arms in Pakistan ISI world. His only crime was his Shia Faith, who did not take part in ISI sponsored terrorism.

Wajahat Hassan Khan, a prominent Political Leader of Gilgit Baltistan was kidnapped by ISI from Dubai on 1st November 2010 from PIA flight and brought back to Islamabad, Pakistan on 13th November 2010, by PIA flight 212. On Airport he was again kidnapped by the four to five ISI people in plain clothes in a white corolla car under the supervision of Lt. Colonel Shoaib of 63 FF, who now serves in counter intelligence department of the ISI Islamabad.

He was released by ISI on 2nd December 2010 after severe torture and threat to his family members, without producing him in any court, which has been the practice of ISI in Pakistan like a legal procedure.

The religious discrimination against the Shia sect is openly exercised and carried out even in the military forces where Shia Muslims are not allowed to perform their religious duties in cantonment areas.

In Gujranwala cantonment of Pakistan during Eid festival on 20th October 2006, more than 15 soldiers (from Gilgit Baltistan) who had been used as mercenaries by General Musharraf on Kargil Heights in 1999 war, were dismissed and sent behind bars by Lt. Colonel Fateh Mohammad, Commanding Officer of 14 NLI, because of their prayers (Shia prayers do not match with the Pakistan Army's prayers).

Saifur Rehman an elected member of the so-called NALA from Gilgit City was killed by ISI agent, when he tried to create bridge between Shia and Sooni, so the peace and brotherhood can be re-established, which was existed before 1971 Gilgit Jail breaking incident.

HISTORY/ CULTURE

History has witnessed that people of this region have inherited culture that coexisted for Millenniums not centuries as it has been the transit to India and central Asia through silk road instead of this, the local indigenous culture was intact till Pakistanis stepped in. While region being part of State Jammu and Kashmir and its administration and cross cultural interaction has further enriched this old civilization of the regions where different languages, faiths and tribes. In very difficult time the indigenous culture managed to maintain its tolerant and plural essence, but since Pakistan took over the administration, the rituals, traditions, and civilization continue to decay as political, social and religious freedom has almost been denied to the people. The indigenous culture, languages and history have been distorted by the communal and sectarian approach, largely advanced under Pakistan control to promote their own agenda by terming it as Islamic identity. This is not done with their love for Islam, but this is their evil design to rule over this land by dividing the people in to sectarianism forever.

NATURAL RESOURCES

As Balawaristan (Pakistan occupied Gilgit Baltistan) is culturally rich as it is rich in resources especially in terms of its natural resources. It has many resources from Gold, ruby, Emerald, Uranium and other precious mines including molybdenum, Iron ore and besides Tourism, forest and trade. Water is another major source. Pakistan's major source of water is River Indus, which flows through Balawaristan by destroying its fertile land and forest. But Pakistan pays 6 billion Rupees as Royalty of river Indus to its own province NWFP instead of Balawaristan, because of biased Pakistani law. This area has rich in natural resources estimated more than 2500021 Billion Rupees. Here are mines of Uranium 238, Ruby, Emerald, Topaz, Quartz, Iron, Marble, Sulphur, Alum and Oil besides Silver and a huge quantity of the highest quality of Gold mines are found in this disputed region. According to a joint report of the Australian Agency for International development (AUAID) and Pakistan Mineral Development Corporation (PMDC) in 1995, there are 1480 gold mines in this area, out of which 123 are many times pure than the world famous mines of South Africa. The quality of South African gold mines is 20 to 31 parts per million (ppm), while 123 gold mines of Balawaristan have 112 to 238 ppm.

Only 70 mines in Balawaristan were estimated of worth 500 trillion dollars. The remaining 1410 gold mines are still to be estimated. If these 70 gold mines are distributed among the 2 million people of Balawaristan the share of each person would be 1.25 billion rupees per year for 100 years. These mines are plundered by the occupation regime of Pakistan by giving more than 2000 leases to foreign companies like Pakistani and Chinese etc. It's a fact that there is no legal leasing authority in Gilgit Baltistan, because there is no legal government. The government of Pakistan has no legal authority to run the business of this disputed land. This is the reason that Pakistan has no legal right to lease the natural resources to its own and other foreign nationals, which are flagrant violation of UNCIP resolutions and the constitution of Pakistan itself.

Amjad Hussain Adv. Member of GB Council revealed recently that Pakistan wants to impose more Tax without giving them representation, though it already levies Rupees 50 billion indirect Tax from Gilgit Baltistan.

Pakistan ceded our precious land of 2500 Sq. Mile of Shamshaal Hunza to China in 1963 to construct KKH for its own interest without asking the will of the people, who are the real owners. Though Pakistan has no right to give our land to any other country according UNCIP.

Unfortunately local authority does not exist, as a result of direct control of Islamabad, major resources are plundered without any royalty, compensation or fair share in the resources.

Pakistani occupying regime even do not spare the lives of the rare endangered animals, like snow leopard, Ibex, wild sheep, Eagles, vultures and other animals. Pakistani occupying regime have been killing these animals and birds by using gunship helicopters and other means.

On the other hand, Pakistan is planning to build 6 mega Dams for its own benefit on this disputed land before the settlement of J & K issue as a result of large area along with its rich culture and history of this part of the world will be totally destroyed. The capacity of only Bhasha Damar Dam is 7.31 Million Hecter, which will not only effect its history, natural beauty but environment, life and resources, as a result more than 80,000 indigenous people will be dislodged. The environmental disaster of the future is beyond imagination.

The following were killed by Pakistani forces in Chilas, when they protested against the forceful occupation their land for Bhasha Damar Dam on 18th Feb 2009.

1. Fara Malook, s/o Mehran Shah, Chilas district Damar

2. Sabir Rahem, Chilas, district Damar

The following were injured

1. Jhan Sher, Chilas, district Damar

2. Naseeb Khan, Chilas, district Diamar

3. Muhammad Ghafar, Thak, Chilas, district Diamar

4. Fidaullah, Chilas, district Diamar

Before making any dam, the right of the ownership of the local people should be accepted before international community. The owners have the right to sell/lease it on their conditions or not to sell/lease. Pakistani themselves do not allow a Dam (Kalabagh Dam) on their own land, because of its huge destruction, but do not bother of the destruction of the people of Diamar and its negative consequences on the whole Balawaristan, because this region has no representation.

JOB OPPORTUNITY

This area is rich in natural resources estimated more than 2500021 Billion Rupees

of worth (Minerals including Gold, Ruby, Uranium, molybdenum) and other precious and semi-precious minerals, Water Resources, Tourism, Forest, Karakorum Highway (KKH), Tax, Custom on China Hunza border, Wild Life and Air Routes etc). Although Area is devoid of economic development as majority of the male population has to migrate to Pakistani cities in search of their livelihood, the resources are not in the hands of the indigenous people because of the Pakistani occupation. But whatever, jobs are available in the Area in government sector, people face severe discrimination based on religious and ethnic basis, with the evil intention of Divide and Rule.

As nationalists are largely victim of this political discrimination, Pakistan has systematic practice in the government jobs, Police, Para Military forces, Judiciary and

other sectors that is apparently operating to mitigate the people's economic hardship. But in real practice including banks policy shows prejudice and discrimination are strictly practiced against the nationalist political activists, who are critical to the policies of Pakistan. This anti nationalist policy does not exist only in government services or banks but in education and other private institutions as well. Though apparently they use pretext of merit but that merit remains confined to the discretionary powers of the Pakistani and their puppet appointment authority. Nobody can get job in government as well as in NGOs unless ISI issues no objection certificate. Such Military order from DC Skardu can be read from the website www.balawaristan.net .

Even such discriminatory powers are largely practiced in NLI and other semi-Military organizations against the people of Gilgit Baltistan.

REPRESENTATION

Politically Area remains largely unrepresented since 16th Nov. 1947 till today after a passage of 63 years, instead of 12 weeks, which were fixed by UNCIP on 28th April 1949 for Pakistan to withdraw all its troops and civilians. We do not find anybody that could be called the representative body elected for legislation and administration. This region has no representation in Pakistan or India nor in Jammu and Kashmir neither it has its own Representation. The current so-called huge propagated □ illegal provincial status is really a Local Bodies even with less powers to such bodies in Pakistan.

Constitutionally Balawaristan is not a part of Pakistan. As quoted above It's a constitutional part of India, because the Ruler (Maharaja Hari Singh) has annexed Jammu and Kashmir with India on 26th Oct 1947 after Pakistani invasion against his state and violated its Stand Still Agreement. Just like Pakistan India also does not fulfill its obligation for the representation of Balawaristan in its Parliament. Though 25 seats have been reserved in Indian side of J&K Assembly and 6 seats in Indian Parliament for Balawaristan and PoK. But Political parties have never been invited to fulfill these seats during elections so far. In Pakistan there are reserve seats for Indian side of J&K migrant, but no seat has been given to the people of Balawaristan. Even the people of Balawaristan are not given the right of vote, (neither Gilgit Baltistan Legislative Assembly fulfills the legal status of Provincial Assembly, nor it has its own constitution.

It has been given Status like a province as far as the benefits of members and so-called Chief Minister and Ministers etc. are concern, but have no legal/constitutionals powers like a genuine Provincial Assembly).

The so-called GBLA has less powers than any local body of a Pakistani city, which (Local Bodies in Pakistan) can allot land to any of its citizen but GBLA has no power to legislate, it has been sending its resolutions to Ministry of Kashmir and GB Affairs, which have never been accepted so far. This is the reason that any Pakistani office who deputed to run the affairs of Gilgit Baltistan becomes king and mostly of our land has been allotted to Pakistani national and other important land has been turned in to Military camps., but the indigenous people including this GBLA has no power to ask this illegal activities of the occupation regime. Representation means a full-fledged provincial Assembly, National Assembly and Senate, but the 2 million indigenous people of Gilgit Baltistan have been completely deprived of. See beyond line of control, where Ladakh Hill Council is like a local body, has the powers to allot the land of Ladakh to its own citizens.

The local bodies (Gilgit Baltistan Legislative Assembly) are not considered a representative body in the democratic world, because the people of Gilgit Baltistan have no legal/constitutional Provincial Assembly neither they have the right to vote for Pakistani or Indian Parliament nor they have their own parliament. It's clear that the people of this land have no right to VOTE and no representation.

JUDICIARY

Fauzia Saleem Abbas, a local lady and ex-Counselor of Northern Areas Council had filed a writ petition, (Petition No 11 and 17 of 1994 through Al Jihad Trust of Pakistan) was filed in the Supreme Court of Pakistan against the denial of basic Human Rights to the people of occupied Balawaristan (Gilgit Baltistan) in 1994.

Attorney General of Pakistan Ch. Muhammad Farooq in S. Court due to international pressure, in order to save the face of Pakistan, activated this file after 5 years of pending. The Supreme Court of Pakistan accepted that Pakistan had deprived the people of occupied Balawaristan, of their basic rights since 1947. Pakistan government was instructed/directed by Supreme Court of Pakistan to make arrangements through amendment in the constitution to grant basic human rights and the right to govern, to the people of this region.

Verdict was issued as : “The Chief Court Northern Areas (Gilgit Baltistan) shall exercise all powers and perform all functions which were being performed by the Court of Judicial Commissioner being the highest court of judicature in the Northern Areas (Gilgit Baltistan).”

I appreciate the Supreme Court of Pakistan for its bold decision/confession regarding denial of all rights but at the same time, its regretted, that the apex/highest court of Pakistan and it's judges might have not thoroughly gone through the records of the UNCIP resolutions. According to UNCIP, Pakistan government cannot make any amendments in its constitution regarding Gilgit Baltistan and its occupied Jammu & Kashmir, because its disputed land.

Judiciary is another sector that doesn't exist as full and independent judiciary in Gilgit Baltistan. There are two Kangaroo Courts, called as Chief Court and Appellant court, whose members (Judges) are appointed by the Pakistani minister for Kashmir and Gilgit Baltistan Affairs on contract basis. The highest post of Judiciary is also prohibited to the indigenous people like Military, Police, Administration and other institutions.

These judges appointment is not made on the merit basis rather solely on the political and religious considerations. Now-a-days members/Judges loyalty is not with Law or Justice, but is under the direction from the minister and Pakistani bureaucrats who are holding administrative, Financial and Judicial powers in the Area. ISI is another institution which dictates the so-called members/Judges on different cases of their interest.

Islamabad obduracy is determined to continue its illegal occupation by exercising

extra-sovereign and extra-constitutional powers to suppress the local indigenous people by all means. Its irony that the 2 million indigenous people of this disputed land have no right to seek the Justice anywhere, because it does not fall under the constitutionally Jurisdiction of Pakistan and its courts, as discussed earlier. While India cannot exercise its constitutional powers, because it's out of its control. This ambiguity has caused grave consequences to the 2 million indigenous people in terms of Justice& Basic Human Rights.

The 2 million indigenous people of this land have no access to Justice in the absence of a constitutional protection, High Court and Supreme Court and real representation.

The following are the victims of such arbitrary type court, which has no legal and constitutional powers like a High Court or Supreme Court, which is nothing but extra judicial killing.

1 -Shkoor khan resident of Minor of Gilgit executed

2-Brather resident of Tangir of Diamar district awaiting execution

3-Shabeer Hussain resident of Astore, who is absconding to save his life.

The following are awaiting execution

1-Ehsanullah resident of Bargo

2-Juma Khan resident of Majini Mahla

3-Naveed Husain resident of Bargo

4-Shah Mir Hussain resident of Majini Mahla

5-Attiq Hussain resident of Majini Mahla

The following have been given life imprisonment.

1-Imran resident of Astore

2-Sakhi Ahmed khan resident of Hunza

3-Hussain ullah Baig resident of Jalalabad juram

4-Sheertullah resident of Yasen

5-Miro resident of Danyore, Gilgit.

WORLD RECORD SEDITION CHARGES (124 A)

In spite of the fact that the 2 million people of Gilgit Baltistan are not citizens of Pakistan legally and constitutionally according to Pakistan as well as UNCIP resolution, more than 100 people are facing sedition charges since 14th Aug. 1997. The loyalty or traitor is a relative legal term, which has direct link with the right of citizenship and

constitution of a country. In spite of issuing Pakistani passports and Identity Cards, the people of Gilgit Baltistan have no citizenship rights in Pakistan. The Pakistani ID and Passport are merely used for our identity and travel purpose and no guarantee for rights whatsoever. The constitution of Pakistan, Supreme Court of Pakistan and Lahore High Court verdicts and UNCIP resolutions of 13 Aug. 1948, 5

th

Jan 1949 and 28

th

April Truce Terms all are the solid proofs that Gilgit Baltistan is not part of Pakistan. Government of Pakistan has again admitted in its so-called Empowerment Package 2009 that the people of Gilgit Baltistan are the citizens of Gilgit Baltistan, which can be read below as:

PART.I-PRELIMINARY

2. (b) “Citizen: unless otherwise expressed in this order “Citizen” means a person who has domicile of Gilgit Baltistan”

If the people of Gilgit Baltistan are citizens of Gilgit Baltistan, then why they are not given their own constitution and why all of their affairs are being controlled from Islamabad and why Pakistani sedition charges Section 124A are being imposed upon them, who demand for freedom and who demand for political and economic rights without interference of Pakistan.

The following indigenous people of this disputed land are being mentally, physically and financially tortured and punished by the Courts in District, Ghazer, Gilgit and Skardu Baltistan, on the instigation of Pakistani occupying regime and its notorious intelligent agency since 14th August 1997, because of their demand of freedom. The accused regularly appear in these courts travelling from distances 60-100 KM away from their homes, which is like capital punishment without announcing any punishment.

The list of following personals who are facing the death penalty/Life Imprisonment in the sedition charges is reproduced chronologically.

1. Iftikhar Hussain, Gilgit, On 14-08-1997 when Balawaristan National Front (BNF) and Karakorum National Movement (KNM) were observed BLACK JUBILEE against Pakistan's illegal occupation at the occasion of Pakistan Golden Jubilee The following leaders and workers were arrested, tortured severely and sent them in prison. BNF detainees including

2. Abdul Hamid Khan Present Chairman of BNF

3. Nawaz Khan Naji, the then chairman of BNF

4. Aurang Zeb M.Sc., S/ O Amir Hamza, Village Juglote, Gilgit

5. Saood Ahmad Jan, S/O Qemat Jan, Vill. Damas, Dist. Ghezer

6. Manzoor Hussain S/O Abbas Ali Shah, Mahala Nagarel, Gilgit

7. Mubbashir Hussain Changezi, Mahala Nagarel, Gilgit

8. Shujaat Ali, Gen. Sec. BNF

9. Sabir Hussain, S/O Mohammad Ali Khan, Nagarel, Gilgit

10. Qaiser Hussain Changezi, Mahala Nagarel, Gilgit

11. Mohammad Rahim Mayoon, Mahala Nagarel, Gilgit

12. Iftikhar Hussain S / O Murtuza Khan, Mahala Nagarel, Gilgit

13. Mohammad Rafiq S /O Ayub, Village Chakarkote, Gilgit

14. Muzaffar Hussain S/ O Hussain Shigri, Gilgit

15. Ali Madad Bai, President Yasen, Dist. Ghezer

16. Mohammad Nadim, Yasen, Dist. Ghezer

17. Zarawar Khan, President Selgaan, Yasen Dist. Ghezer

18. Hussain Nadir, Village Hooyehlti, Yasen, Dist. Ghezer

19. Daulat Shah S/O Shah Mirza, Vill. Hooyehlti, Yasen, Dist. Ghezer

20. Mohammad Wazir, Yasen, Dist. Ghezer

21. Abdul Raof, Yasen, Dist. Ghezer

22. Mirbaz Khan S / O Niyat Murat, Vill. Hooyehlti, Yasen, Dist. Ghezer

23. Yousuf Ali, Vill. Shorot, Gilgit

24. Mohammad Hashim S / O Hakim Vill. Damas, Pooyal, Ghezer

25. Ali Haider Taj President, PPP Shaheed Bhutto Group

26. Dr. Muzaffar Ali Reley, The then President Karakoram National Movement (KNM).

Besides 124 A false explosive act was also framed against KNM.

27. Mohammad Javaid, Gen. Sec

28. Rahmat-ullah Baig S / O Daulat Baig, Vill. Rahimabad, Gilgit

29. Abdul Rezaq S / O Mohammad Mussa, Vill. Khomar, Gilgit

30. Sabir Hussain, Vill. Oshikhanddas, Gilgit

31. Engineer Juma Gul, Ex-Chairman KNM

32. Muzaffar Ali M.A. S / O Murad, Mahala Khomar, Gilgit

33. Saif-ur-Rahman, Member N.As. L. Council and Gen. Sec. PML of Balawaristan was arrested and charged sedition section, when he (Rahman) asked a non-local (Pakistani

imposed) employee, of his discriminatory behavior against the locals. Kargil prisoners 1999 The following political activist of KNM were arrested, tortured and sent to Jail, when they protested against Pakistan's miss-adventure against Kargil by using Northern Light Infantry (NLI) and the territory of Balawaristan.

34. Jalal-ud-Din Hoonza, Gilgit

35. Ijlal Hussain, Gilgit

36. Qaimat Karim, Hoonza, Ggilgit 93. Jani, Hoonza, Gilgit

37. Zaid Khan, Gilgit

38. Javaid Iqbal, Gilgit the names of two other are un-available.

On 14-08-2000. The following were arrested, tortured and sent behind the bars when BNF and KNM were observed BLACK DAY against Pakistan's 52 years occupation.

39. Nawaz Khan Naji, Leader of BNF

40. Dr. Ali Haider Taj Leader of BNF

41. Syed Manzoor Hussain, President Youth, Gilgit

42. Mohammad Shafa, Gilgit

43. Nusrat Ali, Hospital Road, Gilgit

44. Nafees, Gilgit

45. Engineer Inayat, Mahala Kashorot, Gilgit

46. Ali Madad Bai, President Yasen, Dist. Ghezer

47. .Haq Khan, President Pooyal, Dist. Ghezer

48. Sher Zad, President Dist. Ghezer 106. Mohammad Nadim, Hoondoor, Yasen

49. Mirbaz Khan, Vill.Hooyehlti, Yasen, Dist. Ghezer 108. Rahat Shah, Vill. Bahrkohlti, Yasen

50. Mohammad Akram, Vill. Hooyehlti, Yasen, Dist. Ghezer On 14-08-2000 KNM workers were arrested on BLACK DAY.

51. Ijlal Hussain, Hoonza, Gilgit

52. Hadi Hussain, Gilgit

53. Qazi Anwar, Gilgit

54. Sabir Hussain, Oshikhanddas, Gilgit

55. Nafees, Gilgit

56. Shah Zaman, Gilgit

FROM SKARDU BALTISTAN.

57. Syed Haider Shah Rezvi, Ex- President BSF, was arrested and sent to prison after his speech against the illegal occupation of Pakistan and illegal detention of political activists on 14th Aug. 2000.

58. Basharat Shafi, a minor BNSO worker was arrested, tortured and sent him behind bars on 14th Aug. 2003, claiming that he has torched Pakistani flag in Hoondoor Village, Tehsil Yaseen, Province Brooshaal, Balawaristan. He was tortured by ISI from 1st Nov to 6th Nov 2003, by taking him in to its cell from Gilgit Jail.

59. Manzoor Hussain Parwana, Chief Editor, Kargil International and Chairman GBUM (Gilgit Baltistan United Movement) were sent behind prison many times.

60. Agha Shezad Editor Kargil International Chairman GBUM (Gilgit Baltistan United Movement) were sent in prison.

The natural flood and Pakistani human atrocities inflicted upon the people of Balawaristan (Pakistan occupied Gilgit Baltistan), had asked for help and justice, but in return they are punished by Pakistani occupation regime.

Police has registered FIR of sedition against the flood affected people of Hunza, who had protested peacefully against the apathy of the occupying regime of Pakistan. FIR No 5962915/2010 on 22nd May 2010 at 1800 Hrs. The infamous and illegal Sedition and other charges of Pakistani section 124A, 123 A, 506, 500, 147 and 341 were imposed against

1. Baba Jan a famous nationalist and head of Hunza Youth Movement

2. Wajahat s/o Darwesh from Ganish Hunza,

3. Ghulam Tahir s/o Sarwar from Aliabad,

4. Noor Ali s/o Imam Dad.

5. Izhar s/o Ali Mada from Village Ganish,

6. Khadim Hussain s/o Hasni from Ganish,

7. Ibrahim s/o Sherdil from Ganish,

8. Rahim s/o Bek from Altit,

9. Jan Alam s/o Mashroof from Aliabad,

10. Gul Nawaz from Altit,

11. Abdul Karim Member district Council Nagir Khas and

12. Karim Khan s/o Taighon Shah.

FREEDOM OF EXPRESSION

One of the characteristics that set human beings apart from other animal is not just our capacity to think and recognize but also to speak and express ourselves in media and public. Without freedom of expression, there is no justice, no right and no freedom, what UN has enshrines us in its Universal Declaration of Human Right ARTICLE 19. □

The people of Gilgit Baltistan who are under colonial rule of Pakistan, because of the violation of UNCIP resolutions even cannot dream of the freedom of expression in general and nationalist parties in particular.

The fundamentalist religious groups, pro-Pakistani parties and terrorist groups have been given the freedom of expression and movement and show of power by guns. But more than 100 people activists and leaders including me are facing sedition charges, when they tried to express their views in the public peacefully. Many people had been sent behind bars when they only tried to express themselves. Many have been tortured, kidnapped and thousands were killed by declaring them as Shia or Sooni to divide and rule design, so the indigenous people of this land are not united for their right.

I would like to quote on example, how I (Abdul Hamid Khan) was deprived from my right of freedom of expression by the government of Pakistan and its ISI. I along with my other friends of BNF and KNM were arrested and severely tortured by the occupation regime in Gilgit, when we announced to protest 50 years of occupation and announced to handover letter to the UN observers stationed in Gilgit on 14th Aug 1997. Since then I was appearing in the Session Court Gilgit in sedition charges, but I was forced □ to flee my Fatherland (Gilgit Baltistan) in May 1999, after ISI was given orders to eliminate me, at the occasion when my letter of 4th

Oct. 1998 to UNSC was known to the Ministry of Foreign Affairs of Pakistan. Though I did not take any weapon against any one, I did not kill or even injure anyone, but I wanted to express myself against the Pakistani sponsored terrorism and its occupation. My letter has been published in my book title” The Last Colony of 21

st

Century” and this letter can be read on our website

www.balawaristan.net

by visiting Books and Documents and then from the said book.

This book titled “The last Colony of 21st Century”, was banned and many other books and booklets have been confiscated, which tried to expose the Pakistani occupation regime.

Whereas media was never allowed to function and flourish as authorities were widely been discouraging any attempt to launch any indigenous free media in Gilgit Baltistan. Numerous instances of victimization and banning of the weekly and monthly magazines have been reported by Pakistan based media and complaints were lodged in the UN human rights commission in Geneva. Kargil International, Editor in Chief, Manzoor Parwana, and Editor Shehzad were arrested and the magazine- Kargil, was banned. Editor of Kargil Manzoor Parwana and Shehzad Agha were also charged under the sedition cases when they reported the stories about the Kargil war. KARGIL INTERNATIONAL- which was printing stories of those killed from Balawaristan (Pakistan Occupied Gilgit Baltistan) in Kargil War 1999 and was banned, which was vocal about the way government of Pakistan portrayed local soldiers of Northern Light Infantry (NLI) as Mujahideen (Terrorists) and the issue of using local soldiers as mercenaries was linked with the status of the region.

The Pakistan army used the youth (NLI) of Gilgit Baltistan as cannon fodder during the 1999 war with India. Pakistan Army refused to acknowledge the contribution of the Northern Light Infantry (NLI) in its misadventure which was condemned by Nawaz Sharif then PM. About 3000 NLI soldiers laid down their lives for a militarily futile venture, 200 were buried with military honours by the Indian army in graves at heights ranging from 15,000 to 17,000 feet of Kargil, because the Pakistan army headed by General Musharraf had accepted only Pakistani nationals dead bodies but refused to take the dead bodies of NLI soldiers back. These bodies are still waiting to take them back to bury in their home grave yard in Gilgit Baltistan.

Media persons working for print and electronic media are continuously harassed by law enforcement agencies when they express their dissent against the policies in Gilgit Baltistan. During the last year the house of Gilgit Press Club’s president Khurshid Ahmad was bombed thrice to intimidate him when he asserted that the local journalists would not print the controversial material of different militant organisations. In October

2005, the bureau chief of Karakorum Publishing Network Manzar Shigri was detained by Pakistani rangers when he insisted to take a snap of an injured person outside DHQ hospital Gilgit. The local newspapers are denied their right of advertisements, whenever they criticized government policies. Fake cases are registered by the government employees to harass the journalists in different courts, so they do not dare to expose the corruptions and injustices.

Two people (Saifullah from Gonar Farm of Chilas, and Fara Mulk of Chilas) were killed and 14 seriously injured in a cold blooded way by the Pakistani occupying regime on 18th Feb. 2010 when thousands of indigenous people protested peacefully against their eviction from their lands for Bhasha dam.

More than 100 innocent people of this land are facing sedition charges and 120 are facing terrorism charges, upon expressing their political views in public by exposing the atrocities of the Pakistani occupation regime and its forces in Hunza, Gilgit Baltistan, a disputed territory.

Manzoor Hussain Parwana, Chairman GBUM (Gilgit Baltistan United Movement) was arrested after his speech in the convention of BNSO (Balawaristan National Students Organization) on 28th July 2011 and his crime was a “Demand to Open Kargil Skardu Road”, which is also a topic of dialogue between India and Pakistan to facilitate the people across the Line of Control (LoC).

On 20th August 2011 Sher Ullah Baig, age 50, from Ayeenabad, Gojal, Hunza, Gilgit and his 22 year old son Sher Afzal were killed when they were peacefully protesting for help.

The arrest of 120 political activists who were demanding food, shelter and clothing for the flood victims of Attabad, Hunza is yet another symbol of state led terrorism. Dozens of youth including Baba Jan have been seriously tortured by ISI and other Pakistani agencies jointly and kept them behind bars and many others were released after severe torture and 20 are still languishing in the Jail, while the killer and those who abated them are free to harass the youth of Hunza, Gilgit. The youth of Hunza are facing threat of torture and terror, with the design to provide full impunity for the killers, Babar a DSP, Constable, Mehdi Shah the so-called Chief Minister (who is really a cheap Minister, because he is unconstitutional), Minister of Gilgit Baltistan and Kashmir Affairs, Manzoor Watoo and Syed Yousaf Raza Gillani, Prime Minister of Pakistan, who is Chairman of Gilgit Baltistan Council.

SUPREME COURT OF PAKISTAN

Headed by Justice Ajmal Mian on 12 May 1999 in Petition No 11 and 17 of 1994.

“It may be observed that the geographical location of the Northern Areas (i.e. Balawaristan) is very sensitive, because it is bordering India, China, Tibet and USSR, and as the above areas in the past have also been treated differently, this court cannot decide what type of government should be provided to ensure the compliance with the above mandate of the constitution, nor we can direct the people of Northern Areas should be given representation in the Parliament as, at this stage, it may be in the larger interest of the country because of the fact that a plebiscite under the auspices of the United Nations is to be held. In regard to the right to access to justice through an independent judiciary, it may be observed that the Northern Areas (Balawaristan) has a Chief Court, which can be equated with a High Court, provided it is manned by the persons of the stature who are fit to be elevated as judges to any High Court in Pakistan.”

A statement was submitted in Lahore High Court, by Mr. Shahzad Iqbal Deputy Secretary Kashmir Affairs and Northern Areas (Balawaristan) Affairs Division of Pakistan on behalf of Government of Pakistan, against writ petition No.862, 1990. The Petition was filed by Mr.Qurban Ali, Adv. Shahbaz Khan and Fida Mohammad Nashaad versus State of Pakistan and government of Pakistan.

A paragraph of the said statement of Shahzad Iqbal is as under : -

a. “In terms of article 1 (2) of the constitution of Islamic Republic of Pakistan, Northern Areas (Balawaristan) does not form part of Pakistan. This area is linked with the main Kashmir issue which is under consideration in the UN for the last 50 years.

Second paragraph of his statement : -

b. Grant of constitutional status tantamount to unilateral annexation of Northern

Areas (Balawaristan) with Pakistan, which will be against Pakistan stand on Kashmir issue in international fora.

c. Till a decision of this dispute (meaning the whole J & K dispute) government (Pakistan) is administering Northern Areas (Balawaristan) in accordance with the provision of United Nations Commission for India and Pakistan (UNCIP).

Mr. Shahzad continues his statement and says :

d. While administering Northern Areas (Balawaristan) in accordance with the provision of UNCIP resolution in exercise of its powers as provincial government for the area had been extending federal laws to these areas through special powers as are considered necessary and expedient in public interest.”

(Petition No 11 and 17 of 1994 THROUGH Al Jihad Trust of Pakistan) in the Supreme Court of Pakistan against the denial of basic Human Rights to the people of occupied Balawaristan (Gilgit Baltistan) in 1994. In reply against this petition:

Attorney General of Pakistan Ch. Muhammad Farooq against petition No 11 and 17 of 1994 in S. Court of Pakistan stated:

“The Chief Court Northern Areas shall exercise all powers and perform all functions which were being performed by the Court of Judicial Commissioner, being the highest court of judicature in the Northern Areas.”

The above said verdict of Supreme Court of Pakistan and statements of government of Pakistan through its Attorney General in Supreme Court of Pakistan clearly shows, that neither there is any High Court nor the 2 million indigenous people of Gilgit Baltistan have the right to appeal in Supreme Court of Pakistan, because of its disputed nature in UNCIP. Due to such flaws in the justice system, the judges of the lower courts with the extra judicial powers can hang anyone without giving him/her the right of appeal. In such circumstance one can imagine how justice system works under the corrupt politicians of

Pakistan and permanent Military Rule (like a war zone), who deal this land without any constitution and law. The words of the President of Pakistan, Prime Minister of Pakistan, Minister of Kashmir Affairs and Gilgit Baltistan Affairs Division Islamabad, Pakistani Minister of Law or Secretary of Law, Secretary of Finance or Secretary of Establishment becomes law for this un-constitutional 72000 Sq. Kms disputed area, whose people are still waiting for justice since the occupation of Pakistan on 16 Nov. 1947.

Gilgit Baltistan Bar Council has been protesting for years against illegal and immoral appointment of Pakistani nationals for the courts of this land, but colonial power does not bother. Once lower Courts Judges have also protested for months against discrimination in terms of salaries and other benefits with compare to Pakistani nationals.

According to the constitution and law of Pakistan and UNCIP resolutions, Gilgit Baltistan does not fall under the jurisdiction of Pakistani courts. Pakistani imposed Court which is presided by any Pakistani Session Court Judge or retired High Court Judge, now has exactly same powers that of Judicial commissioner of past , hence only designation & form has changed. The same powers of Judicial Commissioner are given new name to the old system as Chief Court or Appellant Court, consisting of 3 or more than 3 persons in place of one Judicial Commissioner. These people have the powers without law to award death sentence or life imprisonment to the local indigenous people of Gilgit Baltistan without giving them the right to appeal in High Court or Supreme Court of Pakistan or elsewhere.

The following were given death sentence without giving them the access to High Court and Supreme Court. This is the region, where there is no High Court and Supreme Court.

1-Shkoor khan resident of Minor of Gilgit executed

2-Brather resident of Tangir of Diamar district waiting for execution

3-Shabeer Hussain resident of Astore, who is absconding.

The following are waiting for execution

1-Ehsanullah resident of Bargarot

2-Juma Khan resident of Majini Mahla, Gilgit

3-Naveed Hussain resident of Bargarot.

4-Shah Mir Hussain resident of Majini Mahla, Gilgit

5-Attiq Hussain resident of Majini Mahla , Gilgit

The following have been given life imprisonment.

1-Imran resident of Astore

2-Sakhi Ahmed Khan resident of Hunza

3-Hussain Ullah Baig resident of Jalalabad, Gilgit

4-Shertullah resident of Yasin

5-Miro resident of Danyore, Gilgit.

Many People have been given death sentence and many are waiting for their turn to be hanged in Gilgit and others are languishing in Jails since the verdict against them came from lower courts, it is considered extra judicial murder.

DEMOCRACY

The Area remains void of genuine political representation since the establishment of Pakistan's control on 16th Nov 1947. No credible political institution could be evolved in last 63 years except some dummy Northern Areas Council (NAs C) had been created in 1970s when people with serious grievances began to surface in the political form as a result of continued denial the right to represent through election. However, its name had been changed in to NALC (Northern Areas Legislative Council) in spite of introduction that so called NALC, political domain is completely controlled and run by the Pakistan minister, KANA, who heads this NALC and assume all superior, administrative, Judicial and Financial powers that turned this political body like a hollow stem of a tree. Again General Musharraf changed its name NALC to NALA (Northern Areas Legislative Assembly). NALA proved like the same old wine in a new bottle, because the same Minister of KANA Division Islamabad exercises all powers and can dissolve this elected body when he wishes so, as it was the same practice since 1971. NALA has no power for legislation, it can only submit its RESOLUTION to the Minister based in Islamabad, who is not representative of this land, it's his discretionary power, whether he accepts NALA's resolution or not. But the name of this elected body is LEGISLATIVE in the papers only, which is another fraud.

Attorney General of Pakistan Ch. Muhammad Farooq in S. Court in Petition No 11 and 17 of 1994 in para No 7. Stated “This court cannot determine the question whether the Northern Areas (it’s now called Gilgit Baltistan) is part of Pakistan, particularly keeping in view that a plebiscite is to be held under the United Nations inter alia Resolution of 13.8.1948 in the Jammu & Kashmir State including the Northern Areas (Gilgit Baltistan) for determining to which country, i.e. Pakistan or India, they wanted to accede.

“17. FUNCTION OF THE COUNCIL-SUBJECT TO

THE RESPONSIBILITIES OF THE Government of Pakistan under the UNCIP Resolutions, and the orders and directions as may be issued by it, and subject to financial limitations as it may impose from time to time, the following shall be the powers and functions of the Council, namely

a) To make the laws with respect to the municipal functions as may be specified by the government of Pakistan.

g). to perform and exercise all powers and functions which may be exercised and performed by a Local Council in Pakistan.”

There is no Democracy, more than 100 local politicians including me (Abdul Hamid Khan Chairman BNF) are facing sedition charges (in Gilgit, Gahkoch and Skardu Session Courts since 1997 till today), the charges of seditions are the highest than the whole world. Those who were facing sedition charges in Gakoch since 1997 were acquitted after 14 years of financial, physical and mental torture, but who will compensate them hence no justice. All these people who are facing sedition charges did not take any weapon against illegal occupation of Pakistan. Their only fault was to express their political views in public, which was their right as per UNCIP resolutions as well as Universal Declaration of Human Rights, which Pakistan has ratified on papers but not in practice. Only religious and pro-Pakistani political parties in Balawaristan (Pakistan Occupied Gilgit Baltistan) are given free hand for propagation and show of strength. It was the past practice that Religious parties are encouraged in almost all the recruitments and benefits in daily public affairs, with the intention to create more and more sectarian gap among the indigenous people. Pakistani imposed Minister of KANA division Islamabad has the sole power to dismiss the so-called legislative body any time, while his executive, financial and Judiciary orders cannot be challenged in any court.

Its irony, there is no mention of this type of so-called government or even the name of Northern Areas or Gilgit Baltistan in the constitution of Pakistan.

The political discrimination manifests in economic, religious, fundamental rights and social sectors. Widespread human rights abuses are taking place, but there is no such organization, institute, free media that could prevent or even report these human rights abuses.

This is Pakistani brand democracy where the indigenous people are strictly discouraged and prohibited to participate in the elections for Local Bodies (Gilgit Baltistan Legislative Assembly) unless they do not affiliate with any Pakistani party.

STATE SUBJECT RULE

The occupying regime of Pakistan has been violating State Subject Rule (which was introduced by the Hindu ruler of Jammu & Kashmir in 1927 to protect the economy, history and culture of the indigenous people) , as a result Pakistan has almost changed the demography of this disputed part by settling its own Pakistani   nationals besides Afghan, Chinese and other foreign nationals by violating UNCIP resolutions. This rule is intact in both parts of J&K, but it has been practically violated in Gilgit Baltistan with the intention to change the demography. These settlers are largely extremists from the NWFP (Khyber Pokhtoonkhowa), who smuggle Arms and drugs in the disguise of business under the protection of Pakistani agencies and forces.

HUMAN RIGHTS

Human rights abuses are widespread and common in Gilgit Baltistan for many decades but unfortunately the absence of indigenous free media, independent judiciary, misrepresentation and distortion of facts have helped the Islamabad to hide its illicit practices normally carried out in the disguise of security. Large population faces severe human rights abuses that encompass political, religious, ethnic and economic biases. This disputed area faces serious and widespread discrimination in the form of economic, social Justice and political spheres.

There is no Human Rights Organization in this part of the world. Human Right Commission of Pakistan has prepared a report only last year, but that was also partially true. The activists of HRCP are Pakistani national, who prefer the interest of their country and do not present the actual demand and inspiration of the indigenous people of Gilgit Baltistan.

This is the only part of the world, where Human Rights are 100 percent violated, because the local indigenous people have no right to appeal in any court against any Human rights Violations. More than 100 political activists and leaders of this land including me are facing sedition charges of Pakistani section 124 A, because we dared to protest against Pakistani occupation in peaceful public gathering. In real term, Pakistan has no right to impose its rules and regulation over this disputed part, because of the UNCIP resolutions.

ICG's bleak report on Northern Areas (Pakistan Occupied Gilgit Baltistan)

The International Crisis Group (ICG) has issued a bleak report on Gilgit and Baltistan, highlighting what it called the "embittered" feelings of the area's inhabitants because of

Islamabad's "unwillingness" to devolve power to its elected representatives.

HRCP (Pakistan) Report Sept 2006: The people of Northern Areas (NAs) are seeking an end to the long ambiguity over their constitutional status, access to basic rights and an end to unrest, sectarian violence and sense of uncertainty currently prevailing in the region, said a report of Human Rights Commission of Pakistan on Northern Areas.

Manzoor Hussain Parwana, Chairman GBUM (Gilgit Baltistan United Movement) was arrested after his speech in the convention of BNSO (Balawaristan National Students Organization) on 28th July 2011 and his crime was a “Demand to Open Kargil Skardu Road”, which is also on the agenda of dialogue between India and Pakistan to facilitate the people across the Line of Control (LoC).

On 20th August 2011 Sher Ullah Baig age 50, from Ayeenabad, Gojal, Hunza, Gilgit and his 22 year old son Sher Afzal were killed when they were peacefully protesting for help on the arrival of the puppet Chief Minister Mehdi Shah.

The arrest of 120 political activists who were demanding food, shelter and clothing for the flood victims of Attabad, Hunza is yet another symbol of state led terrorism. About 120 □ people including Baba Jan have been seriously tortured by ISI and other Pakistani Military Intelligence agencies terming them as terrorists, those among the victims are □ Engineer Amanullah Khan, Chairman Gilgit Baltistan Democratic Alliance (GBDA) while the youth of Hunza are facing threat of torture and terror, with the design to provide full impunity to the culprits. Those who are protecting and abating the killers DSP Babar and □ Mehdi Shah, are □ Manzoor Wattoo and Gilani PM of Pakistan.

It’s an obligation of Pakistan to abide by all the declarations of Human Rights without any prejudice, but see how Pakistan violates all the articles of Universal Declaration of Human Rights in Gilgit Baltistan.

The Universal Declaration of Human Rights

Article 1

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.

“The human beings born in Gilgit Baltistan are not considered as equal to the Pakistani national in jobs, economics sector, Military, Judiciary and all sphere of lives. Gilgiti and Balti are considered to be sub-ordinate in all the Military and civil departments

and in political representation, because this is under occupation of Pakistan as last colony of 21st century”.

Article 2

Everyone is entitled to all the rights and freedoms set forth in this declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status

The race, languages, culture, politics, nationality, opinion and property rights are totally violated by Pakistani occupying regime. Pakistani national who are mostly fundamentalists have been settled here to change the unique culture, language, history and demography, which is totally in violation of this charter as well as UNCIP resolutions.

Article 3

Everyone has the right to life, liberty and security of person.

The life, liberty and security of 2 million indigenous people of this region are on high risk, because of Pakistani Forces, its Intelligence Agencies and terrorists.

Article 5

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

People of this disputed region are kidnapped, Tortured, killed, insulted and threaten

by ISI (Pakistani national) and Police headed by Pakistani and sub-ordinate Judiciary (Pakistani national) and Administration (Pakistani national), without giving them the right of justice in any high court or supreme court, because this is undeclared colony of Pakistan.

Article 6

Everyone has the right to recognition everywhere as a person before the law.

Pakistani nationals and personnel of occupying forces are considered superior than the Local indigenous people. Local Police cannot ask Pakistani national, if they commit murder of a local, because Pakistan Army, its ISI, Judiciary and Administration always protect Pakistani national, who are considered above the colonial law. This is the land, where people are not covered by any constitution and law, because it's an occupied territory and due to the apathy of UN.

Article 8

Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.

This region does not come under Pakistani constitution and Indian constitution is out of its range. That is why this is lawless land and whatever Pakistani masters utter, that becomes law, which does not grant any fundamental rights to this region. Due to its disputed nature, Competent National Tribunal question does not arise here.

Article 9

No one shall be subjected to arbitrary arrest, detention or exile.

Arbitrary arrest, torture, detention and exile is the daily routine of the occupying regime of Pakistan, because in the absence of a Higher and independent Judiciary and representation.

Human Rights organization and independent media is out of question. Hundreds and hundreds local people were put behind bars for their religious and political differences and many political leaders including Mr. Wajahat Hassan, Ex member of NA Council and Col. Nadir Hassan were arrested and sent forcibly exile to Pakistan from their home at Gilgit on 1st Nov. 2009, when they tried to hold public gathering during election campaign. Indigenous people are given death sentence without giving them justice in any High Court or Supreme Court. ISI had been given orders by the then so-called democratic government of Pakistan in 1999 to eliminate me, when I revealed ISI intrigue to invade Gilgit Baltistan and then Jammu and Kashmir by using its Afghan Talibaan in my letter to UNSC members. Gen. Musharraf and other Pakistani generals and political and religious leaders should be booked as "war criminals for the genocide" carried out by them in this region. More than 3000 youth (NLI soldiers) of this disputed region have been killed, 1000 have become disabled and wounded, while 40 were still missing due to Pakistan Army's misadventure in 1999 under General Musharraf command by using NLI soldiers as mercenaries. A Thousand indigenous people have been killed since 1971 by Pakistani sponsored sectarian violence, but even a single culprit has not been punished so far, because it's a part of the occupation regime of divide and rule.

Article 10

Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charges against him.

No court dares to hear any case against Pakistani forces and its intelligence agencies even in Balochistan and other constitutional parts of Pakistan. No question of fear and public hearing, because in the absence of High Court and Supreme Court, no one is

entitled to write against any human rights violation in this colony.

Article 12

No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, or to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks .

ISI interferes in everybody's private matter and correspondence. Private letters from Post Offices to Emails and telephones are monitored by Pakistani intelligence agencies as well as by Chinese in this disputed region. The local indigenous people who raise any objection against Pakistani occupying regime, are detained, kidnapped, tortured and all available media is used to tarnish their reputation by terming them as agent, traitors or enemy etc. The houses of three GBDA (Gilgit Baltistan Democratic Alliance) leaders Mr. Ehsan Ali advocate, □ president of Gilgit Baltistan Bar Council, Mr. Sultan Madad and Advocate Wazir Shafi) were broken daylight by ISI agents in Gilgit, to bar them from participating in UNHRC session in Geneva in March 2010. My reputation has been tarnished by terming me as agent of RAW of India, Mossad of Israel and Khad of Afghanistan etc without any proof. In Gilgit city and Hunza it's the routine of the occupation regime forces and its intelligence agencies to climb down and breakdown the doors and windows and even gates and walls of private houses to harass, terrorise and torture the indigenous youth. Even the women, elder people and children and □ relatives are threaten and disgraced before the youth, so they are not dare to speak against the occupation and brutality of Pakistani regime.

Article 13

Everyone has the right to freedom of movement and residence within the borders of each state.

Many areas in Astore and Baltistan have been declared out of bound for the local indigenous people, because of the ISI terrorist training camps and other illegal activities and un-lawful installation like WMDs (Nuclear bombs beneath the mountain on Skardu Airport) etc and ISI hideouts and underground Torture Cells alongside Sonikote, Gilgit

Helipad. Local indigenous people's movements are monitored by Pakistani intelligence agencies, who have no right for freedom of movement. But Pathans and Punjabis who are Pakistani national and not legal citizen of Gilgit Baltistan have the full right of this region and beyond its borders without any check. Because many local Police have been dismissed and punished when they dare to check some specious people who later known as Pakistani national and ISI agents.

Article 15

1. Everyone has the right to a nationality.

2. No one shall be arbitrary deprived of his nationality nor denied the right to change his nationality.

Being a citizen of a disputed region, the people of Gilgit Baltistan do not have any legal nationality. Though we have ID cards and Pakistani passports, but these are useful for identity purpose not for any legal and constitutional rights. Constitutionally this is part of India, but India does not give it nationality right, because of its occupation by Pakistan and Pakistan does not give it nationality right, because it does not come under the ambit of the constitution of Pakistan. The reason of this ambiguity is UNCIP resolutions. The responsibility of this deprivation and ambiguity is the UN and UNSC, because UN has failed to ask to Pakistan to implement its resolution.

Article 19

Everyone has the right to freedom of opinion and expression, this right includes freedom to hold opinion without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

The people of Gilgit Baltistan even cannot dream the freedom of expression. The fundamentalist religious groups, pro-Pakistani parties and terrorist groups have been given the freedom of expression and movement. It has already been mentioned that more

than 100 people are facing sedition charges when they tried to express their views in the public peacefully. Many people had been sent behind bars when they tried to express themselves. Many have been tortured, kidnapped and thousand were killed by declaring them as Sooni or Shia.

Article 20

- 1. Everyone has the right to freedom of peaceful assembly and association.**
- 2. No one may be compelled to belong to an association.**

Pro-Pakistani and religious parties have the right for assembly. Even in the last so-called elections, many of GBDA (Gilgit Baltistan democratic Alliance) workers and leaders were detained, torture, threaten and exiled, when they announced for Assembly on 31st October 2009. People are compelled by threatening and economical bar to join Pakistani parties and groups.

Article 21

1. Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.

2. Everyone has the right to equal access to public service in his country.

3. The will of the people shall be the basis of the authority of government, this shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

Article 23

1. Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.

2. Everyone, without any discrimination, has the right to equal pay for equal work.

The people of Gilgit Baltistan don't have any kind of their government and no question of representation, because of its colonization in the hands of Pakistan. The so-called elections held on 12 November 2009 were not held by an impartial body, because it was aimed for Pakistanis by Pakistanis.

Here the will of the people has no value, but the will of Pakistani forces and its ISI is considered as super most.

Everyone in Gilgit Baltistan has to show his loyalty with Pakistan, if he/she wants employment. No one is entitled to get any job, unless he/she is given clearance certificate by ISI. Even the people are not given loans from the banks on property mortgage, if ISI does not allow. The locals are given sub-ordinate and low grade employment after the production of loyalty certificates.

The pay scale of NLI (Northern Light Infantry) is low than their counterpart in Pakistan Army. There is no criteria for the promotion of the soldiers of Gilgit Baltistan and Chitral, who are always disfavored against Punjabis and Pathans, the Pakistani nationals. In civil services like Judiciary, Administration, Police, Education and other departments Pakistani nationals are always preferred than the local indigenous people and their pay scale and promotion is always high, because this is the Last Colony of 21st Century.

Article 26

Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedom. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of United Nations for the maintenance of peace.

In religious, educational institutions and other departments hate and discrimination is the key in Pakistan and some other Muslim countries. Other than the officially recognized races (like Punjabis, Pathans, Mohajirs), ethnic and religious groups are totally discriminated, cornered and even killed with the help of intelligence agencies or judiciary or privately, if he/she does not follow the official lines.

Article 29

1. Everyone has duties to the community in which alone the free and full development of his personality is possible.

This also cannot be achieved, because the fate of each one depends upon the good or bad remarks of ISI. The community of this disputed land totally depends upon the civil and Military occupying regime of Pakistan. There is no criteria for the personality development, but an obedient servant, to be ready for each command of ISI. If ISI assigns any one to commit crime within the boundaries or outside the borders, one should not dare to deny, otherwise not only his personality will be tarnished but his life along with his family may be in danger.

International Covenant on Economic, Social and Cultural Rights

Adopted and opened for signature, ratification by General Assembly resolution 2200 A (XXI) of 16th December 1966. Entry in to force on 3rd January 1976 in accordance with Article 27.

Considering that, in accordance with the principles proclaimed in the charter of the United Nations, recognition of the inherent dignity and of the equal and inalienable rights

of all members of the human family is the foundation of freedom, justice and peace in the world, Recognizing that, in accordance with Universal Declaration of Human Rights, the ideal of free human beings enjoying freedom from fear and want can only be achieved if conditions are created whereby everyone may enjoy his economic, social and cultural rights, as well as his civil and political rights.

International Covenant on Civil and Political Rights

Adopted and opened for signature, ratification by General Assembly resolution 2200 A (XXI) of 16th December 1966.

Entry in to force on 23rd March 1976 in accordance with Article 49

Preamble

Considering that, in accordance with the principles proclaimed in the charter of the United Nations, recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world, Recognizing that, in accordance with Universal Declaration of Human Rights, the ideal of free human beings enjoying freedom from fear and want can only be achieved if conditions are created whereby everyone may enjoy his economic, social and cultural rights, as well as his civil and political rights, as well as economical, Social and Cultural Rights,

Considering the obligation of the States under the charter of the United Nations to promote universal respect for, and observance of, human rights and freedom.

The people of Gilgit Baltistan have no economical, social, cultural, civil and Political rights at all.

PACKAGE

A brief outline about legislation in Gilgit Baltistan to bring into light of this Court and the World, how deeply Pakistani occupation regime controls administration, Judiciary and resources, which has undermined the very soul of Universal Declaration of Human Rights, which protect socio-economic and culture values of the indigenous people.

As per the so-called Empowerment Package 2009 – order of President of Pakistan (which has not been protected by any law or constitution), Gilgit Baltistan (GB) shall have a council which will be chaired by the prime minister of Pakistan, the governor selected by the president of Pakistan, six members nominated by the prime minister of Pakistan from amongst the federal ministers and members of Parliament of Pakistan, the chief minister of GB, and six members to be elected by the assembly (these 6 persons and advisors have also been appointed by Zardari, President of Pakistan on money basis) in accordance with the system of pick and Choose. And let us not forget the federal minister for Kashmir affairs and Gilgit Baltistan is supposed to act as an ex-officio member of the council. Who has the scissor in his pocket to cut the resolution of Gilgit Baltistan Legislative Assembly (GBLA) any time.

All the powers rest with the government of Pakistan firmly even than before. This is also contempt of court and serious violation of Supreme Court verdict of 12th May 1999, which had given orders to its government to give representation and Justice to the people of this disputed region.

JUSTICE is the main subject for any country or any nation, or population, whether its disputed or not, but in this package the indigenous people are continuously deprived of the Justice as before by imposing Head of this Administrative Court from Pakistan like other institution.

Read the tricky so-called “Empowerment and Self-Governance order 2009 PART.XI-THE JUDICATURE 60. (6) A person shall not be appointed as the Chief Judge or Judge of the Supreme Appellate Court of Gilgit Baltistan unless he- (a) has been a judge of Supreme Court of Pakistan or is qualified to be judge of the Supreme Court of Pakistan (b) has for a period of, or for periods aggregating, not less than five years been a judge of a chief Court, or (c) for a period of or for periods aggregating, not less than fifteen years has been an advocate of a High Court.”

POINT (a) does not allow any indigenous person to be appointed for this post, because he/she does not qualify to be a judge for Pakistan Supreme Court, because he/she is not citizen of Pakistan. (b) Again does not allow any indigenous person to be

judge for this post because he/she is appointed on contract basis by Pakistan occupation regime for 3 years not for 5 years. (c) Again debar the indigenous person to be a judge, because there is no High Court. The most important and gender biased order bars women for Judiciary, Administration and Police, except few low level sub-ordinate post in the Police. This is the main reason behind the high rate of women suicide in Gilgit Baltistan, which is not taken in to consideration by the occupation regime.

On the other hand, there is also a Legislative Assembly of 33 locally elected representatives from the region itself. Out of the 33 available seats, 24 (selected by Pakistani regime in rigged elections who support occupation of Pakistan) will be for those directly elected from the different areas of Gilgit Baltistan, six consist of reserved seats for women (selected by Pakistani), and three for technocrats (selected by Pakistanis). Surprisingly, this Gilgit Baltistan Assembly has the power to legislate on protection of wild animals, prevention of cruelty to animals, money lending and money lenders, botanical, zoological and anthropological surveys, betting and gambling(which is totally strange to local indigenous people), and amongst other irrelevant things. In the elections of 2009, the indigenous nationalist parties who do oppose Pakistani occupation were not allowed to participate in the elections, by threatening the candidates, voters and 3 candidates from Gilgit were arrested just a week before the elections. Candidates were not allowed to address public gathering and many were arrested and many were sent exile by forces when they decided to address the public gathering. This so-called package and elections were aimed & engineered by Pakistanis for Self-Empower themselves not for the people of this disputed region.

This selected Assembly (it does not fulfill any legal meaning of assembly, it's like a Local Bodies of any city) has the right to present resolution to the Pakistanis who control the non-elected Council. The irony is this Legislative Assembly is to present resolution on animals and have no right to legislate for the interest of the human beings of this disputed region. This is joke of Pakistan played with the people of Gilgit Baltistan and this is making fun of word Democracy.

There are other restrictions on the assembly itself under Article 44 of the order, whereby they cannot discuss about foreign affairs, Defence, Internal security and Financial plans of the area. Such fraudulent instruments are creating destruction to the social economical and ethnical rights of the indigenous people.

Read the Assembly Legislative List 9. Local Government, that is to say, the constitution and powers of municipal corporations, improvement trusts, district councils settlement authorities and other local authorities for the purpose of local self-government or village administration.

The above quoted lines are enough to open the eyes of those who propagate

Pakistani tricks by terming it as empowerment or self-rule.

The presence of Pakistani forces is posing a grave threat to the life, dignity, fundamental economic, social, political and the very existence of the indigenous people. It may be called a failure or apathy from the part of the UN that, in spite of the UNSC guarantees, the territorial integrity and sovereignty of this land is being violated. UNCIP resolution is being violated by engulfing Shandoor, Baboosar, Kohistan, Chitral and ceding parts of Hunza to China. Now in the shape of Bhasha Dam, Bunji Dam and 5 other mega dams, destroying and inundating huge rare monuments, and displacement of the indigenous people, which obviously changes the demography as well as geography of this disputed colony under Pakistan. Three people were killed and many were injured by Pakistani occupying regime in Chilas, when they protested against the forceful occupation of their lands for Bhasha Damar dam. It is irony that the socio-economic, cultural, democratic and fundamental rights and right to freedom for the 2 million people, as guaranteed by UN, according to the Universal Declaration of Human Rights, which is openly dishonoured.

The government of Pakistan and its emissaries always misguide the international community and deny each and every crime of its regime and intelligent agencies.

Without indigenous control over local language, culture, resources, Social values cannot be protected as given by Universal Declaration of Human Rights.

So, I appeal to the honourable Court to ascertain the above mentioned facts and give punishments to the above mentioned tyrants for their heinous crime against the indigenous people of Gilgit Baltistan. Supreme Court of Pakistan should also direct the government of Pakistan and the occupation regime of Gilgit Baltistan to pave the way for LOCAL AUTHORITY by withdrawing its troops and civilians, which has been given in the UNCIP resolutions of 13th Aug 1948 and 28th April 1949 Truce Terms, which have not been complied by Pakistan so far by one pretext or the other. This is the only reason, which has prolonged the issue of J&K including Gilgit Baltistan, because India had to follow Pakistan's first step.

Whatever stated above is true and correct to the best of my personal knowledge, belief and records.

DEPONENT/ACCUSED

Abdul Hamid Khan

Present Address:

Avenue d' Auderghem 57/18,

Brussels 1040 Belgium.

Website: www.balawaristan.net ☐☐

Email: balawaristan@gmail.com , Tel: 003222311750