

24/5/04

Global IDP
DATABASE

**PROFILE OF INTERNAL DISPLACEMENT :
PAKISTAN**

Compilation of the information available in the Global IDP
Database of the Norwegian Refugee Council

(as of 14 January, 2004)

Also available at <http://www.idpproject.org>

Users of this document are welcome to credit the Global IDP Database for the collection of information.

The opinions expressed here are those of the sources and are not necessarily shared by the Global IDP
Project or NRC

Norwegian Refugee Council/Global IDP Project
Chemin Moïse Duboule, 59
1209 Geneva - Switzerland
Tel: + 41 22 799 07 00
Fax: + 41 22 799 07 01
E-mail : idsurvey@nrc.ch

CONTENTS

<u>CONTENTS</u>	<u>1</u>
<u>PROFILE SUMMARY</u>	<u>2</u>
PAKISTANI-CONTROLLED KASHMIR: PEACE TALKS REPRESENT OPPORTUNITY FOR RETURN OF INTERNALLY DISPLACED PEOPLE	2
<u>LIST OF SOURCES USED</u>	<u>7</u>

PROFILE SUMMARY

Pakistani-controlled Kashmir: peace talks represent opportunity for return of internally displaced people

For more than thirty years, repeated military stand-offs and intensive shelling between Indian and Pakistani military forces have temporarily displaced thousands of people living along the Pakistani side of the Line of Control that has divided Kashmir since 1972. The number of internally displaced increased dramatically when the conflict between India and Pakistan intensified in 2002. Figures differ widely, but ICRC estimates that shelling across the Line of Control displaced 30,000 people that year. The majority of the internally displaced find shelter individually but thousands also reside in camps where they only receive limited assistance from the government and humanitarian organisations. Security and climatic factors complicate humanitarian access, but ICRC and Islamic Relief assist internally displaced people in several camps across Pakistani-controlled Kashmir. While Pakistani authorities have generally ensured that the internally displaced receive short-term life-saving assistance, longer term humanitarian assistance has been sporadic. Continued episodes of shelling and loss of income generating opportunities due to landmines have since obstructed any substantial return movement to the worst affected areas. A ceasefire in November 2003 and plans for talks in February 2004 on the status of the disputed territory of Kashmir may create opportunities for a durable return for those displaced by this long-standing conflict.

Background of displacement

The part of Kashmir which Pakistan controls is divided into the Northern Areas with a population of 1.5 million under direct Pakistani administration and the southern Azad Kashmir with a population of 2.8 million (Knudsen 2002, p34). The latter is often also referred to as Azad Jammu and Kashmir (AJK), and enjoys a certain level of autonomy, although it is still technically under Pakistani government control.

The territorial dispute with India over Kashmir is the root cause of displacement in Pakistani-controlled Kashmir. Pakistan did not recognise Kashmir's accession to India in 1947, and this has been the cause for two wars in 1947-48 and 1965, and a period of intensified fighting in 1971. In 1972, the Line of Control (LOC) was demarcated as an official ceasefire line. Since then, the two countries have mobilized for war on four occasions (1986-87, 1990, 1999 and 2002). Each time war has been avoided after international diplomatic efforts.

Despite repeated ceasefires, in recent years there have been regular exchanges of artillery fire across the LOC which have been the main cause of displacement inside Azad Kashmir. This is in contrast to displacement on the Indian side of the LOC which is related to a more complex conflict pattern, involving internal insurgents as well as infiltration of militants from the Pakistani side. In addition to those internally displaced by the conflict, an unknown number of Kashmiris have since 1947 also fled from the Indian side of the LOC into areas controlled by Pakistan. By end-2002 it was reported that about 17,000 refugees were living in 17 camps in Azad and Jammu Kashmir (USCR 2003, "Pakistan"). A ceasefire which came into effect in November 2003, has eased tensions on both sides of the LOC, although there have been sporadic incidents of violence in Indian-controlled Kashmir since the implementation of the agreement.

Analysis of displacement in Kashmir is complicated both by the fact that the international border and the status of Kashmir have not been finally determined. In addition, independent observers are granted only restricted access to the area. Outside observers, however, commonly consider the LOC as a *de facto* international border and divide those displaced by the conflict into the following four categories:

- People are considered refugees after crossing the LOC into the Pakistani-controlled side, Pakistan itself or seeking asylum abroad
- People are considered refugees after crossing the LOC into the Indian-controlled side, other regions of India or seeking asylum abroad
- People fleeing their homes inside the Indian-controlled areas are regarded as internally displaced within Indian administered Kashmir or other regions of India (see India Country Profile)
- People fleeing their homes on the Pakistani-controlled side of the LOC are regarded as internally displaced inside Pakistani-controlled Kashmir or inside Pakistan itself (i.e. the focus of this country profile).

Displacement since 1999

In 1999 hundreds of people, both soldiers and civilians, died and over 40,000 people were displaced in Pakistani-controlled Kashmir in fighting during what became known as the Kargil crisis. This occurred when India responded both with artillery and aerial attacks after a large number of Pakistani-backed insurgents had intruded several miles inside the Kargil area on the Indian side of the LOC (BBC 15 June 1999; ICG 4 December 2003). Following diplomatic efforts by the United States to quell the fighting, the majority of the displaced returned home by late 1999. However, by 2002, several thousand people had still not been able to return, as sporadic shelling continued together with a constant high level of violence and killings on both sides of the LOC (US DOS February 2001; Knudsen 2002 p35; AI 12 July 2001).

The terrorist attack on the Indian Parliament in December 2001 sparked off an intense artillery campaign by the Indian army across the LOC which created massive displacement in Pakistani-controlled Kashmir. In response to rebel attacks on the staff quarters of an Indian army camp on 14 May 2002, the Indian army further intensified shelling across the LOC. This time civilian villages were deliberately targeted (BBC 27 May 2002; ICG 11 July 2002; CWI May 2002). During 2003 shelling continued to displace an unknown number of people. A report in January 2002 stated that opportunities for even temporary return were constrained because homes close to the LOC had been mined in anticipation of Indian ground attacks (CWI January 2002).

Internal displacement in Azad Kashmir

Azad Kashmir is divided into seven districts, five of which are affected by shelling, in particular the Neelum Valley. Azad Kashmir is "overseen" by the Pakistan Ministry of Kashmiri Affairs, but has its own state council and a state president. Access to most parts of Azad Kashmir is problematic and information about the extent of internal displacement is therefore incomplete. A special authorisation from the federal authorities in Islamabad is routinely granted to humanitarian organisations, but access is not allowed beyond 16 kilometres from the LOC. Information-gathering is also complicated by the fact that the authorities do not register internally displaced people, not even those living in camps.

It is known, however, that the number of internally displaced people increased sharply during 2002. An estimated 28,000 people were displaced in Azad Kashmir by an increase in shelling by the Indian army following the attack on the Indian parliament in December 2001 (BBC 4 January 2002; CWI January 2002). By mid-2002 an assessment conducted by Islamic Relief revealed that the number of displaced had increased to 5,700 households, or about 45,000 people (IR 12 June 2002). The number of people remaining internally displaced is unknown, but there were regular episodes of shelling during 2003 until a ceasefire agreement was concluded in November of that year.

In general, internally displaced with sufficient resources of their own have rented accommodation in towns. One observer estimated that about a quarter of the internally displaced moved to major towns like Muzaffarabad or left Kashmir to settle in other Pakistani towns (IR 2002, "Refugees"). While there are few reports of the condition of the internally displaced in Azad Kashmir, the International Rescue Committee (IRC) reported acute food shortages in the Utmakan sector of Azad Kashmir during 2002 (IRC 2003).

In addition to those displaced since 2002, local authorities say approximately 2,000 persons have been displaced for at least five years. They are living in three IDP camps, two of them situated in the Neelum Valley. Although exposure to shelling has decreased with the current ceasefire, landmines are one of the main obstacles to their return. Many camp inhabitants have found seasonal employment and manage to earn their livelihood. The camp population also receives assistance from the local population as well as from humanitarian organisations such as ICRC. In fall 2003, ICRC also went for the first time to assess the conditions of a previously unvisited camp in the Bagh district in Azad Kashmir (Exchange of information with ICRC 2003).

In 2002, Islamic Relief prepared an assessment of affected areas inside Azad Kashmir as well as an emergency preparedness plan which concluded that district authorities with support from Islamic Relief had a certain capacity to respond to increased displacement (e.g tents, medicines and health personnel). However, a larger emergency would have to be complemented by additional emergency assistance, especially tents and food aid (IR 12 June 2002).

Internal displacement in Northern Areas

The Northern Areas are divided into five administrative districts, of which Skardu and Ghanche are particularly affected by internal displacement. Hardest hit is the Gultari sector of the Skardu district, which is situated opposite the Kargil region in Indian-controlled Kashmir. There is no formal problem of access to areas affected by displacement, but many remote places are unreachable most of the year due to heavy snowfalls and harsh climatic conditions. The capital of the region, Skardu, is situated at 2,300 metres and most of the villages close to the LOC are situated 3,000-4,000 metres above sea level.

After the heating of the conflict in May 2002, artillery shelling displaced an estimated 20,000 persons in the Northern Areas. The majority of the displaced were from the Gultari sector, where an estimated 12,000 persons were displaced between May 2002 and June 2003 (Exchange of information with ICRC 2003). Due to continuous security problems and climatic factors, independent observers have not been able to assess their current situation. According to local authorities, the displaced are living among the resident population. The Global IDP Project has not found any other information about their living conditions or return movements. Although the recent ceasefire has improved the security situation, organised return is not expected to take place immediately as the displaced lack food reserves for the winter and, as in Azad Kashmir, the presence of landmines threatens their livelihood.

During the hostilities in 2002, several thousand also fled to the town of Skardu or to camps in the Skardu and Ghanche districts. In the town of Skardu, some 380 families are living in houses on land plots allotted to them by the government. The hostilities in May 2002 forced almost 300 families to flee from the Gultari and Hamzigond sub-divisions. They first settled a few kilometres away from the LOC, but moved to the city of Skardu in October 2002 due to harsh climatic conditions. Around 80 families have been displaced since 1996. They fled the Kharmang sub-division of the Skardu district in 1996 and finally settled in Skardu in 1998.

The displaced families reportedly still face many problems and their standard of living is much lower than that of the local population. Water and sanitation facilities reportedly need improvement. Their main problem is unemployment as Skardu, a small town of 50,000 inhabitants, offers few income generating opportunities. The majority of the displaced are farmers who need support in order to cope with an urban environment. In the Skardu district, around 120 families reportedly have lived in camps since April 2003 when they were displaced from the Hamzigond sector. They are presently settled in a camp in Murkun. The displaced families are sheltered in tents provided by the authorities and reportedly live in dire conditions and lack most basic amenities. In addition, 86 families displaced in the Ghanche district are living in a camp in Abadan. Their situation is reported to be adequate as they have received food assistance covering

their needs for three months from the Pakistan Medical Association. They also live close to their village of origin and make brief return trips to bring necessary commodities.

In general, the response capacity of the authorities of the Northern Areas appears to be limited. The local authorities must request funding for emergency assistance from the federal authorities in Islamabad. While emergency assistance so far has been granted to the displaced population, continued assistance is sporadic. There is a clear need for capacity building in order to cope with issues related to internal displacement (Exchange of information with ICRC 2003).

National response

Pakistani federal and local authorities are bound by international humanitarian and human rights law with regard to their obligations to assist and provide protection to people displaced within the areas under its authority. The UN Guiding Principles on Internal Displacement, which reflect these legal standards, constitute the relevant framework to guide the assistance and protection offered to IDPs in areas of Kashmir which are controlled by Pakistan. However, while internally displaced in Pakistani-controlled Kashmir in general have been provided with short-term life-saving assistance, humanitarian assistance in the longer term has been insufficient and sporadic. One explanation for this is that the Pakistani authorities, while assisting the refugees who have arrived from the Indian side of the LOC, reportedly do not provide the same level of assistance to internally displaced because they want them to return to their villages along the frontier to reinforce Pakistan's claim to that area (USCR 2003).

International assistance

In general, the international aid community in Pakistan has given little attention to the conflict-affected Kashmiri population (IRC, 31 January 2003). Less than 50 military observers from the UN Military Observer Group in India and Pakistan (UNMOGIP) monitor the LOC. This UN presence, however, is not accompanied by UN humanitarian assistance, neither in Pakistani- nor in Indian-controlled areas.

The International Committee of the Red Cross (ICRC) is one of the few international humanitarian organisations which has focused on the war-affected people in Kashmir. During 2002, ICRC distributed items essential for surviving the winter to a total of 2,500 internally displaced – 1,700 in a camp near Skardu and 800 persons in camps in the Neelum valley. ICRC also promotes permanent solutions for the people who have been displaced for several years and monitors displacement in areas that are accessible. In cooperation with local authorities, ICRC seeks to improve shelter conditions for internally displaced in the Northern Areas (ICRC 2002, p.169; ICRC 2003, p. 151; Exchange of information with ICRC 2003).

So far, ICRC has been responding on an ad hoc basis to the IDP situation in the Northern Areas. However, the nutritional and shelter situation worsened during the latter half of 2003 and ICRC plans to assist the affected population throughout the winter in order to prevent a humanitarian crisis (Exchange of information with ICRC 2003).

Islamic Relief has been working in the Neelum Valley since 1998 and seeks to coordinate assistance to the war-affected populations on the Pakistani side of the LOC. Its humanitarian assistance includes improvement of health-care, livelihood projects, water and sanitation as well as strengthening the local capacity for first aid and evacuation of civilians in times of intensified conflict (IR 2002, "Preparedness Project").

Working with Islamic Relief, the International Rescue Committee distributed food and blankets to some 2,500 displaced families in and around the village of Athmuqam in the Utmakan sector of Azad Kashmir during 2002 (IRC 2003).

Prospects of return

Continued episodes of shelling across the LOC and loss of income generating opportunities due to landmines have so far obstructed any substantial return movement to the worst affected areas. The unprecedented ceasefire that was announced between India and Pakistan in November 2003 has eased tensions along the LOC and may lead many of those currently displaced to opt for a return to their villages. Although episodes of violence continue to be reported in Indian-controlled Kashmir, plans for a peace dialogue in February 2004 on the status of the disputed territory of Kashmir create further hopes for a durable return for those displaced by this long-standing conflict.

LIST OF SOURCES USED

(alphabetical order)

Amnesty International (AI), 12 July 2001, Indo-Pakistan Summit: Plea to put human rights in Jammu and Kashmir firmly on the agenda

Internet

<http://web.amnesty.org/ai.nsf/Index/ASA040012001?OpenDocument&of=COUNTRIES\PAKISTAN> , accessed 16 December 2002

BBC News, 16 June 1999, "Thousands displaced by Kashmir fighting"

Internet

http://news.bbc.co.uk/hi/english/world/south_asia/newsid_369000/369984.stm#top
accessed 4 October 2001

BBC News, 27 May 2002, Pakistani villagers flee border area

Internet

http://news.bbc.co.uk/hi/english/world/south_asia/newsid_2010000/2010649.stm
accessed 28 May 2002

BBC News, 4 January 2002, Analysis: Contentious Line of Control

Internet : http://news.bbc.co.uk/1/hi/world/south_asia/377916.stm , accessed 16 December 2002

Committee for a Workers' International, 2002, Report On the 25th December "Anti-War" demo and 12th January

Internet : http://slp.at/cwi/infos_int/neu_0201_kash.html , accessed 16 December 2002

Committee for a Workers' International, May 2002, Asian sub-continent on the brink of catastrophe: An eyewitness account from a socialist in Pakistani Occupied Kashmir

Internet : http://slp.at/cwi/infos_int/neu_0205_kash.html , accessed 16 December 2002

International Committee of the Red Cross (ICRC), 2002, Annual Report 2001 (pp 168-171)

Internet

[http://www.icrc.org/Web/eng/siteeng0.nsf/htmlall/C0F9EAE2FEE8D1D3C1256C0500538DF8/\\$File/PAKISTAN_AR_2001.pdf?OpenElement](http://www.icrc.org/Web/eng/siteeng0.nsf/htmlall/C0F9EAE2FEE8D1D3C1256C0500538DF8/$File/PAKISTAN_AR_2001.pdf?OpenElement) , accessed 16 December 2002

International Committee of the Red Cross (ICRC), 2003, Annual Report 2002, Pakistan

Internet

[http://www.icrc.org/web/eng/siteeng0.nsf/htmlall/C0F9EAE2FEE8D1D3C1256C0500538DF8/\\$File/PAKISTAN_AR_2001.pdf?OpenElement](http://www.icrc.org/web/eng/siteeng0.nsf/htmlall/C0F9EAE2FEE8D1D3C1256C0500538DF8/$File/PAKISTAN_AR_2001.pdf?OpenElement) , accessed 12 January 2004

International Committee of the Red Cross (ICRC), December 2003, Exchange of information with ICRC 2003

International Crisis Group (ICG), 11 July 2002, Kashmir: Confrontation and Miscalculation
Internet
http://www.crisisweb.org/projects/asia/afghanistan_southasia/reports/A400696_11072002.pdf, accessed 28 August 2002

International Crisis Group (ICG), 4 December 2003, Kashmir: learning from the past, Asia Paper no. 70
Internet
http://www.crisisweb.org/library/documents/asia/070_kashmir_learning_from_the_past.pdf, accessed 8 December 2003

International Rescue Committee (IRC), 15 April 2003, Pakistan Program Annual Report 2002
Internet : http://intranet.theirc.org/docs/pak_ar_2002.pdf, accessed 12 January 2004

International Rescue Committee (IRC), 31 January 2003, "IRC Extends Emergency Aid to Displaced Families in Kashmir"
Internet : <http://www.theirc.org/index.cfm?section=news&wwwID=1629>, accessed 14 March 2003

Islamic Relief (IR), 12 June 2002, Initial Need Assessment & Disaster Preparedness Plan for AJK (For LoC Emergency)

Islamic Relief (IR), 2002, "Neelum Valley Disaster Preparedness Project (NVDPP)"

Islamic Relief (IR), 2002, "Refugees"

Knudsen, Are, 2002, Political Islam in South Asia, CMI Report R2002:14
Internet : <http://www.cmi.no/publications/2002/rep/r2002-14.pdf>, accessed 16 December 2002

U.S. Committee for Refugees (USCR), 2003, World Refugee Survey 2003: Pakistan
Internet : http://www.refugees.org/world/articles/wrs03_scasia1.cfm.htm#pakistan, accessed 6 June 2003

U.S. Department of State (U.S. DOS), February 2001, 2000 Country Reports on Human Rights Practices
Internet : <http://www.state.gov/g/drl/rls/hrrpt/2000/sa/index.cfm?docid=710>, accessed 4 October 2001

