

# AZAD JAMMU AND KASHMIR







- On the direction of the AJK Supreme Court, local bodies elections were conducted in AJK after almost 32 years. The government and major political parties tried several delaying tactics, but failed to postpone the elections.
- In three phases of the local bodies polls, the ruling PTI party emerged the winner with 830 members in civic bodies, followed by 697 independent candidates.
- Political parties supporting the idea of an independent state of Jammu and Kashmir remained excluded from the electoral process, with the election commission rejecting nomination papers of candidates who did not support the idea of the disputed region's accession to Pakistan.
- After functioning with only one judge instead of nine, the AJK High Court finally appointed six judges after the federal and AJK governments agreed on the appointment procedure.
- The government cracked down upon activists from nationalist parties. These activists had protested against the hike in food and electricity prices, and against a bid to bring controversial amendments to the AJK Interim Constitution 1974 to change the constitutional status of AJK.
- AJK remained the target of natural calamities throughout the year, including heavy snowfall, torrential rains, and devastating floods which claimed around 84 lives and damaged a significant amount of public infrastructure and private properties.
- The government back-tracked on the establishment of a military-inclusive tourism development authority after prolonged protests by political parties and the civil society took place.
- The PTI tabled a motion of no-confidence against their own elected prime minister Sardar Abdul Qayyum Niazi, and elected Sardar Tanveer Ilyas as successor after Niazi resigned.
- The AJK Assembly conducted 20 sessions throughout the year and remained in session for 72 days, but passed only two bills except for budget and monetary bills during the years.
- The government revoked the law passed by the previous government to regulate the services of around 4,300 ad-hoc government employees. As a result, these employees were terminated from their jobs.

- The police reported an overall decline in crime rates as 8,578 cases were registered this year compared to 8,985 during the previous year. Rape and sexual harassment remained a threat to women and children, and the majority of rape cases went unreported in 2022, especially in rural areas.
- During the summer season, a wildfire erupted in different parts of AJK and approximately 3 million trees and many species of wildlife were affected.
- Massive deforestation in Neelum Valley under government supervision remained a challenge this year. Several inquiries against officials involved are yet to complete.



Azad Jammu and Kashmir (AJK) is an autonomous region administered by Pakistan and part of the larger disputed territory of Jammu and Kashmir. During the year 2022, no significant change in AJK’s interim constitutions or laws was witnessed. However, the region saw some remarkable political developments in 2022: despite several objections raised by political leaders, the election commission of AJK managed to conduct local bodies polls in AJK under the Supreme Court’s directions.

AJK is also one of the regions of Pakistan most vulnerable to climate change. Considered Pakistan’s most disaster-prone area, with frequent natural disasters such as earthquakes, flash floods, glaciers, landslides, and conflagration, this year was no exception. Catastrophic floods, snowfall, and wildfire took place, but the death toll remained lower compared to other regions. A large number of public and private properties and infrastructure were also damaged during the mid-year flash floods.



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## Laws and law-making

During 2022, the AJK assembly conducted 20 sessions and remained in session for 72 days,<sup>1</sup> but only two acts were passed throughout the year according to the AJK assembly and law department's record.<sup>2</sup>

The controversial Azad Jammu and Kashmir Regulation of the Services of Certain Categories of Contractual, Ad Hoc or Temporary Government Employment (Term and Conditions) Act 2021 aimed to regulate ad-hoc and temporary government employees from grade 1 to 18, but this act was revoked by the assembly. Consequently, around 4,300 employees, who were mostly appointed by the previous government on a political basis, lost their jobs without any due process. However, the act was once again adopted with some amendments after a prolonged protest by the sacked employees took place.

The government and opposition parties tabled bills in the house on local bodies elections and privileges related to members of the legislative assembly, but these were later withdrawn. The Pakistan Tehreek-e-Insaf (PTI) also tabled a no-confidence motion against their own elected Prime Minister Sardar Qayyum Niazi less than a year after he took office. After he tendered his resignation, Sardar Tanveer Ilyas was elected the new prime minister.

## Administration of justice

On 8 January, the newly elected PTI-led government appointed six new judges in the AJK High Court after consultation with the Prime Minister of Pakistan Imran Khan. The newly appointed judges included the brother of AJK's prime minister, Sardar Qayyum Niazi. This appointment triggered criticism over the conduct of the newly elected prime minister, but he categorically denied influencing the appointment of his brother and claimed that the appointment was initiated before he took office.

After the appointment of new judges in the high court, the number of pending cases, especially those related to marriages and family matters, dropped as many cases were disposed of. According to high court records, 21,369 cases were heard and 8,116 were disposed of. The lower courts heard 98,512 cases and 56,184 cases were disposed of.



## Law and order

According to the AJK police’s records, there is also a clear decline in the total number of cases registered during the year as it dropped to 8,578 compared to 8,985 in 2021. However, it is believed that this is due to people’s reluctance to register cases with the police, especially for crimes against women, for instance cases of rape, attempted rape, and harassment. The police also hesitated to share data on crimes against women and children, and cases of workplace harassment that are often reported in local newspapers were not reflected in police records.

The number of cases involving murder, violence against women, rape, burglary, and narcotics remained higher this year: 89 cases of murder were reported this year compared to 74 last year; 14 rape cases and 320 cases of abduction followed by *zina* [adultery] were also reported this year (Table 1).

Table 1: Crime statistics for AJK for 2022 and 2021

Offense	Years	Total cases
Murder	2022	89
	2021	74
Dacoity	2022	5
	2021	3
Robbery	2022	63
	2021	57
Gang-rape	2022	0
	2021	1
Rape	2022	21
	2021	14
Kidnapping	2022	21
	2021	14
Kidnapping for ransom	2022	1
	2021	1
Abduction/ <i>zina</i>	2022	320
	2021	281

<i>Offense</i>	<i>Years</i>	<i>Total cases</i>
Burglary	2022	280
	2021	260
Theft	2022	597
	2021	491
Trespass	2022	487
	2021	473
Hurt	2022	365
	2021	401

*Source: AJK police.*

In a notable incident on 6 September, the police arrested a man impersonating a police officer in Neelum Valley who was involved in cases of harassment, fake raids, and torture. During the investigation, the accused identified some top officials of the police department as his accomplices; however, only seven constables and head constables were sacked and arrested for their involvement in such crimes.

Besides the traditional system of registering first information reports (FIRs), the AJK Police started using social media to receive complaints from citizens during 2022. Around 8,000 cases were solved this way without registering an FIR.

The Line of Control (LOC) remained peaceful since February 2021 after India and Pakistan had agreed to restore the 2003 ceasefire agreement. However, landmines and cluster bombs spread all over and near the LOC remained a challenge for citizens; several villagers living near the LOC died or were severely injured in ‘mysterious blasts’ every year that were later attributed to these landmines and cluster bombs. On 28 March, a boy was killed and six people injured after a toy-shaped bomb exploded in Leepa Valley.<sup>3</sup> On 19 September, two brothers were killed in Athmuqam, Neelum Valley, in a mysterious blast. Initially, their cause of death was determined to be a leopard attack, but later during the post-mortem, police found splinters of a bomb in their bodies. They were also killed by a toy bomb or landmine near the LOC.<sup>4</sup>

## **Jails and prisoners**

The infrastructure of prisons in AJK remains inadequate, with reconstruction of the central jails in Muzaffarabad and the district jails of Bagh, Rawalakot, and Plandri still pending after their destruction in the 2005 earthquake. These jails are in makeshift buildings while the rest of the region’s jails are in old buildings, with insufficient space allocated for prisoners inside. Three districts of AJK—Neelum, Jehlum Valley,

and Haveli – do not have district jails, so prisoners there are either kept in judicial lockups or shifted to the nearest jails. Currently, juvenile offenders are kept in the same premises as adult prisoners as well which is against the law.

As of 31 December, 816 people were imprisoned in AJK's prisons, of which 16 were juveniles and 21 were women, with three infants accompanying their mothers. 65 prisoners, including three women prisoners, were awarded the death penalty. However, none of the prisoners in AJK on death row have been executed in the past four years.

On 16 June, the police launched an operation in Central Jail Muzaffarbad after receiving reports of a narcotics racket being run from the jail. A clash between police and prisoners erupted in which at least six policemen and two inmates were injured. After the incident, the prisoners staged a hunger strike and alleged that the police were torturing inmates.<sup>5</sup> On 3 August, the minister for education in AJK, Malik Zafar Iqbal, was sentenced to life imprisonment for the murder of a young boy committed 19 years ago.<sup>6</sup> While imprisoned, he kept the charge of the ministry and continued to run his office from Central Jail Kotli for four months until he was acquitted by the AJK Supreme Court.



## Freedom of thought, conscience and religion

In recent years, a few cases of mob lynching on charges of blasphemy took place in the region's southern districts, especially Mirpur and Bhimber. Blasphemy charges are also registered in some instances, especially during the Islamic months of Muharram and Rabi-ul-Awal. In Kotli, the district in general and the city in particular, there have also been some incidents of persecution of the Ahmadiyya community, but most of these incidents go unnoticed as neither the police register these cases nor are they highlighted in media reports.

On 25 June, a court in the Bagh district of AJK awarded a death sentence to a mentally ill person, Muhammad Shafeeq, on allegedly committing blasphemy on Facebook.<sup>7</sup> The case was registered on the application of a local imam. The family of the accused presented his medical record, however the court disregarded it and sentenced the accused to death.

On 28 July, a young person by the name of Sufian was killed by a mob of Tehreek-e-Labbaik Pakistan (TLP) members on charges of blasphemy. After killing Sufian, the mob walked to the nearest police station and recorded a collective statement accepting responsibility for the murder.<sup>8</sup> According to news reports, his burial was not allowed in the local graveyard, and he was instead buried inside his native house without a funeral prayer.

## Freedom of expression

Curbs on freedom of expression persisted in AJK with an environment of invisible censorship suppressing opposing viewpoints, especially those related to the disputed region's accession to Pakistan. Local media outlets mainly covered the political activities of mainstream parties that supported the idea of the region's accession to Pakistan, with rallies and protests from nationalist parties and groups supporting complete independence missing from national and local media coverage. These protests could only be seen on social media.

On 10 June, the spokesperson for the Prime Minister of AJK threatened to lodge an FIR against two journalists, Haris Qadeer and Asif Ashraf from Rawalakot, for their alleged involvement in a smear campaign against the prime minister when these journalists had reported a security breach at the prime minister's house.<sup>9</sup> An application was filed at the police station, but no FIR was registered after the media organisation got involved.

On 13 December, journalist Naeem Chughtai and two other journalists were attacked by the employees and officers of the Press Information Department outside the office of the Director General.<sup>10</sup> The three

journalists were there to protest against alleged discrimination by the department for selecting only certain journalists to report on government activities. The police initially refused to register an FIR despite significant injuries confirmed in a medico-legal report, but later registered an FIR against the government employees as well as the journalists.<sup>11</sup>

On September 25, a magistrate along with police personal raided a book fair in Rawalakot's public college and confiscated several books, including two penned by Maqbool Butt, a Kashmiri leader hanged in India's Tihar Jail.<sup>12</sup> The two books are among 34 books banned by AJK government for being 'contradictory to the ideology of Kashmir's accession to Pakistan'.

## Freedom of assembly

AJK's civil society and political parties continued to face police brutality for protesting on civic issues, with numerous incidents of clashes and police crackdowns on civil society protests reported during the year.

In August, a widespread protest campaign was launched by AJK's civil society against proposed controversial amendments in the AJK Interim Constitution 1974 to partially revoke the 13<sup>th</sup> amendment that empowers the region through devolution of power. A parallel campaign was also launched against a controversial and military-controlled tourism authority to launch large-scale tourism projects that threatened the local community's ownership rights to pastures and grazing fields. Later, the campaign also included a demand to reduce electricity and food prices that had been increased.



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These demonstrators and police clashed in many parts of AJK and the police reportedly tortured activists in their custody. This led to further protests in the region, with three districts of Muzaffarabad observing a wheel-jam strike against the custodial torture of activists on 12 August. The police registered nine FIRs in different police stations nominating at least 400 activists – most of these activists belonged to the AJK prime minister’s native town and were members of nationalist parties.<sup>13</sup> However, there have been allegations of the prime minister using the police to suppress political opponents, especially those supporting the idea of independence for Jammu and Kashmir. This allegation remained un-investigated.



## Local government

After almost 31 years, local bodies elections were conducted in AJK despite several delaying attempts by the ruling and opposition political parties. The Election Commission of AJK conducted the elections in three phases under the directions of the Supreme Court of AJK after the federal government refused to provide security and deploy the required forces to conduct elections on the same day. A total of 13,000 candidates – most of them young and quite a few being women – filed nomination papers, and 10,813 out of them contested the elections for 2,614 seats in district councils, union councils, municipal corporations, municipal committees, and town committees. The PTI secured a clear victory by winning 830 seats in all 10 districts, followed by 697 independent candidates. The PML-N bagged 497 seats, while the PPP won 460 general seats in direct elections.

The overall elections process, including the election campaigns, remained peaceful. Only a few incidents of violence were reported during the elections in which around six security personnel and four civilians were injured according to media reports. While political and legal hurdles to devolving powers to newly elected public representatives still remain, the elections of the local bodies were widely appreciated by the public at large.

The local bodies polls also opened new venues for younger candidates and female candidates to participate in political activities. Out of 13,000 candidates who filed nomination papers, the majority of them were young as political parties chose to issue tickets to younger persons and grassroots political leaders and workers rather than family members of the political parties' leaders. As a result, a new generation of political leaders emerged from the local councils which will gradually get involved in governance, policymaking, and decision-making.

Besides general seats in local bodies, 12.5 percent of the seats were reserved for women and 12.5 percent for younger candidates to enhance their participation in decision-making. These newly-elected young representatives are expected to play a crucial role in the development of AJK through innovative ideas rather than waiting for government support.

However, similar to the general elections, the local bodies elections excluded nationalist parties and candidates who had dissenting ideologies. Before filing nomination papers, candidates had to sign a bond affirming their belief in the ideology of the accession of Jammu and Kashmir to Pakistan. Those candidates who did not sign this bond were expelled from the election process by rejecting their nomination papers. Zulfiqar Haider Raja, a candidate for the Bagh Municipal Corporation, took his case to the district returning office after his nomination was rejected on these grounds, but his case was dismissed from there too.



## Women and children

Cases of sexual harassment and rape that were often reported in local media outlets remained missing from official records. No incident of gang rape was reported this year, while 14 cases of rape and 320 cases of *zina* were reported in the entire region. The police were often blamed for registering rape cases under *zina* sections to allow for out-of-court settlements between parties. It is believed that the majority of victims of harassment and rape avoided reporting such cases due to cultural barriers such as victim-blaming and lack of trust in redressal systems.

Certain incidents of violence against women and children created unrest in AJK. For instance, on 27 March, a member of the TLP slaughtered his six-month-old niece after a failed murder attempt on her mother and sister-in-law. The perpetrator took refuge in a local mosque after the murder and, in a police statement, admitted that he wanted to kill his mother and sister-in-law for being insolent.<sup>14</sup> On 19 April, a court in Mirpur awarded a death sentence to a man who raped and brutally killed an 11-year-old Kanwal Matloob and dumped her body in a jungle in December 2021.<sup>15</sup> The case created unrest across AJK and protests erupted when the body was found. In June 2022, a hospital guard raped a six-year-old girl in a public hospital in Muzaffarabad. Police arrested the guard and registered an FIR against him.<sup>16</sup>

On a positive note, it was reported on 11 May that the AJK Medical College in Muzaffarabad refused to restore the service contract of an admin officer who was dismissed on charges of rape and harassment, despite pressure from the minister for health to do so.



## **Environment**

In June, a wildfire erupted in different parts of AJK and spread over thousands of acres of jungle. While the exact cause of the conflagration and figures of losses remain undetermined, it is estimated that around 70 percent of the jungle was affected by the fire and more than 3 million trees were reduced to ashes.

On 10 June, the fire that had broken out in the jungles of Naseerabad engulfed a zoo. The wildlife department later claimed that all the birds and animals were rescued, however the fire damaged some parts of the zoo badly. On 11 June, seven employees of the forest department deputed to control the wildfire were caught in a blaze in the Kotli district and sustained serious burn injuries.<sup>17</sup> Two of them later succumbed to their injuries in the hospital.<sup>18</sup>



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In the Neelum Valley region, deforestation under government supervision remained a huge challenge. Local communities and media outlets continuously raised their voices against such rampant deforestation. In response, the forest department dismissed around 17 officers and employees from their services on 5 August,<sup>19</sup> but the illegal cutting and transportation of timber out of Neelum Valley, as well as some other parts of AJK, still continued to take place.<sup>20</sup>

Certain species of wildlife were injured or killed during the year as well. On 23 January, wildlife guards evacuated a seriously injured leopard from Noseri which had been shot by a hunter and shifted it to a

rehabilitation centre in Muzaffarabad. The leopard later died in Muzaffarabad, and the police arrested the hunter.<sup>21</sup> On 9 February, another leopard was stoned and strangled to death by angry villagers after it injured at least three people, including a woman, in the Jhelum valley district. On 4 September, around a 15-foot-long Indian python was killed by villagers in a suburban area of Mirpur after it tried to swallow a goat.<sup>22</sup> Three days later, another python of almost the same size was killed in the nearest village.

Wild animals have been frequently caught in the crossfire on the LOC as well, killed either by soldiers or by mines spread over the area. On 24 January, a female Sambar deer wandered across the LOC into the Kotli district. Fortunately, it was rescued and released into its natural habitat.<sup>23</sup>

AJK is an area prone to natural disasters and accidents associated with glaciers, floods, and landslides. The year started with heavy snowfall, and then in the summer, some of the worst torrential rainfall and floods in recent decades took place.

According to figures issued by the State Disaster Management Authority, 84 people died and around 168 were injured during the year in natural calamities including floods, landslides and snowfall. On 9 January, at least three people, including a child, were killed and one injured in rain-related incidents in Kotli and Haveli districts. On 24 March, two labourers were killed after being trapped in a landslide while working in the Gojra area of Muzaffarabad.

On 8 August, heavy rains wiped out a portion of the Azad Pattan road along the Jhelum River, suspending vehicular traffic connecting the Poonch, Haveli, and Sudhnoti districts to Rawalpindi and Islamabad. On 2 August, 10 members of a family were killed and four wounded when the roof of their mud house caved in due to heavy rainfall in the Tahli Khakhriyali village of the Hajira subdivision in the Poonch district. On 28 August, three people died in rain-related incidents in Neelum Valley after flash floods and rainfall hit several areas. On 30 December, around 200 tourists, including women and children, were trapped in heavy snowfall in Pirchanasi near Muzaffarabad; the police managed to safely evacuate them to Muzaffarabad.

The floods also damaged infrastructure and property, destroyed crops and fruits, and severely disrupted the emerging tourism industry in the Neelum Valley area. Most flood victims, especially those who incurred property and financial losses, did not receive any compensation from the government.

## Endnotes

- 1 Azad Jammu and Kashmir Legislative Assembly. (2022). *Orders of the day*. <https://ajkassembly.gok.pk/orders-of-the-day/>
- 2 Azad Jammu and Kashmir Legislative Assembly. (2022). *Acts*. <https://ajkassembly.gok.pk/acts/>
- 3 T. Naqash. (2022, March 28). Boy killed after dud shell goes off. *Dawn*. <https://www.dawn.com/news/1682141>
- 4 Two brothers die due to blast caused by unexploded shell in Athmuqam. (2022, September 20). Kashmir Media Service. <https://www.kmsnews.org/kms/2022/09/20/two-brothers-die-due-to-blast-caused-by-unexploded-shell-in-athmuqam.html>
- 5 A. Mughal. (2022, July 18). Clash erupts between police, inmates in Muzaffarabad Central Jail. *Samaa*. <https://www.samaaenglish.tv/news/40010885>
- 6 J. Mughal. (2022, August 4). *Kotli: Wazir ko 19 saal puranay qatal ke muqadmay mein 19 saal qaid* [Kotli: Minister sentenced to 17 years in jail for a 19-year-old murder case]. Independent Urdu. <https://www.independenturdu.com/node/110356>
- 7 J. Mughal. (2022, June 26). *Kashmir: Facebook par 'tauheen mazhab' karne walay shakhs ko sazae mout* [Kashmir: Death sentence handed down to man posting 'blasphemous' content on Facebook]. Independent Urdu. <https://www.independenturdu.com/node/106466>
- 8 J. Mughal. (2022, July 28). *Kashmir: zamanat par raha mulzim tauheen mazhab ke ilzaam mein qatal* [Kashmir: Man released on bail killed in blasphemy accusation]. Independent Urdu. <https://www.independenturdu.com/node/109621>
- 9 *Azad Jammu Kashmir wazeer e azam ki security mein khilal, sahafion par Bharati agent ka ilzaam laga indraaj muqadma ki darkhwaast* [Prime minister of Kashmir's security breached, journalists labeled 'Indian agents' to file case]. (2022, June 10). *Naya Daur*. <https://urdu.nayadaur.tv/news/89172/kashmir-pms-security-breached-journalists-called-indian-agents-to-file-case/>
- 10 T. Zafar. (2022, December 15). *Azad Kashmir, mehakma it-tila-aat ke mulazmeen ke khilaf bogus FIR, aik laakh mulazmeen ka mehakma it-tila-aat ke mutasirah mulazmeen ke sath kharray honay ka elaan* [Azad Kashmir: Bogus FIRs registered against employees of the ministry of information, 100,000 employees announce their support for arrested employees]. *Pakistan News International*. <https://pni.net.pk/azad-kashmir-news/423684/>
- 11 (2022, December 13). *Mehakma it-tila-aat ke daftar par hamla, toar phore* [Attack on the Ministry of Information, destruction]. *Kashmir Express News*. <https://dailykashmirexpress.com/web/?p=20118>
- 12 J. Mughal. (2022, September 25). *Pakistan ke zair e intizam Kashmir mein kitaab melay se 'mamnooa' kitaab zabt* ['Forbidden' book seized from book fair held in Pakistani-administered Kashmir]. Independent Urdu. <https://www.independenturdu.com/node/115786>
- 13 J. Mughal. (2022, August 7). *Pakistan ke zair e intizam Kashmir mein ehtijaj aur grftaryan kyun?* [Why are protests and arrests being made in Pakistani-administered Kashmir?]. Independent Urdu. <https://www.independenturdu.com/node/110691>
- 14 *Safaaq nojawan ne apni 6 mah ki bhateji ko zibah kar dala* [Young man slaughters six-month-old niece]. (2022, March 26). *Express News*. <https://www.express.pk/story/2302483/1/>
- 15 T. Naqash. (2022, April 20). Rapist sentenced to death on three counts. *Dawn*. <https://www.dawn.com/news/1685838>
- 16 J. Mughal. (2022, June 21). *Muzaffarabad: paanch sala bachi ke mobayyana rape ka mulzim girftar* [Muzaffarabad: Alleged rapist of five-year-old girl arrested]. Independent Urdu. <https://www.independenturdu.com/node/105976>
- 17 *AJK forest fire causes injuries to 7 firefighters*. (2022, June 11). *The News International*. <https://www.thenews.com.pk/print/965101-ajk-forest-fire-causes-injuries-to-7-firefighters>
- 18 *Two AJK foresters die as another fire breaks out in Swabi*. (2022, June 14). *24 News*. <https://www.24newsd.tv/14-Jun-2022/two-ajk-foresters-die-as-another-fire-breaks-out-in-swabi>
- 19 T. Naqash. (2022, August 5). 17 officials of AJK forest dept punished. *Dawn*. <https://www.dawn.com/news/1703298>

- 20 Deforestation in Azad Kashmir posing environmental risks. (2018, March 21). Dunya News. <https://dunyaews.tv/en/Pakistan/432152-Deforestation-in-Azad-Kashmir-posing-environmental-risks>
- 21 J. Shahid. (2022, January 24). Leopard rescued from Azad Kashmir succumbs to injuries. *Dawn*. <https://www.dawn.com/news/1671141>
- 22 Villagers beat to death 15-foot-long python in Mirpur. (2022, September 3). *Pakistan Today*. <https://www.pakistantoday.com.pk/2022/09/03/villagers-beat-to-death-15-foot-long-python-in-mirpur/>
- 23 T. Naqash. (2022, January 24). Sambar deer set free near LoC. *Dawn*. <https://www.dawn.com/news/1671102>