

# Reforms in Gilgit-Baltistan

Arhama Siddiqua\*

## Abstract

*The Gilgit-Baltistan region is neither a province of Pakistan nor part of the federation. Recently, the suggestion that Gilgit-Baltistan be made a province of Pakistan has stirred a new debate, especially about Pakistan's stance over Kashmir. Past "packages" could not be properly implemented due to the self-centred differences within the bureaucracy in Islamabad and Gilgit. Moreover, the China Pakistan Economic Corridor (CPEC) passes through this region as well. The political government in Gilgit-Baltistan and the public, at large, with the support of all political parties in this region, have repeatedly expressed their concerns about its due share in CPEC. However, the Pakistani Government is of the view that the CPEC is a game changer for Gilgit-Baltistan and Pakistan whereas the projects and 51 MoUs, enlisted by Ministry of Planning and Economic Affairs, have no mention of Gilgit-Baltistan for a single project or MoU. Added to this melee is the definite Chinese pressure to ensure that nothing impedes its progress. It is for Islamabad to come up with a reform package which will pacify the people of Gilgit-Baltistan and bring them aboard the train to economic development. This paper aims to address the pertinent question of whether Pakistan can address the issue of the constitutional status of Gilgit-Baltistan without compromising on its stance on Kashmir. If not, what should be done to avoid any sort of hindrance to CPEC projects being carried out in that region.*

**Keywords:** Gilgit-Baltistan, Kashmir, Joint Coordination Committee on Gilgit-Baltistan, Reforms in Gilgit Baltistan, CPEC.

## Introduction

The Gilgit-Baltistan region is neither a province of Pakistan nor part of the federation. In fact, it is a part of the erstwhile Jammu and Kashmir, which was divided between India and Pakistan, and is directly ruled from

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\*The author is Research Fellow at the Institute of Strategic Studies Islamabad.

Islamabad. It does not enjoy the constitutional status similar to, for example, the Punjab province, which has representatives in the parliament of Pakistan. Pakistan has been deliberating on whether to elevate the constitutional status of northern Gilgit-Baltistan region in a bid to provide legal cover to the multi-billion-dollar Chinese investment plan – the China-Pakistan Economic Corridor (CPEC)<sup>1</sup>. This move could signal a historic shift in the country's position on the future of the Kashmir region. The proposal would see the region mentioned by name for the first time in the country's constitution, bringing it one step closer to being fully acknowledged as a province.

Islamabad has historically insisted that parts of Kashmir that it controls are semi-autonomous and not formally integrated into the country, in line with its position that a referendum should be carried out across the region in accordance with the United Nations Resolution 47 on Kashmir. Reports of Pakistani establishment considering this idea of changing the constitutional status of Gilgit-Baltistan came nine months after Pakistani Prime Minister Nawaz Sharif signed the CPEC agreement with Chinese Premier Xi Jinping on July 5, 2013. CPEC will shorten China's access to the Middle East and Central Asia by 12,070 km and will also bring economic windfall in the form of oil and markets.<sup>2</sup>

The present international order comprises of territorially circumscribed states. Academic studies point to the fact that once a territorial order is threatened, long-lasting disputes occur. These can be deadly.<sup>3</sup> Literature on territorial conflict essentially showcases that three main factors are at play: economic, military and political<sup>4</sup>. Hence, regardless of whether two states have a contiguous border, territorial disputes are much more likely to lead to conflicts with fatalities than disputes with no territorial dimension. It is, therefore, not surprising that

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<sup>1</sup> “Chinese pressure sees Pakistan mull constitutional status of Gilgit-Baltistan,” *Express Tribune*, January 7, 2016.

<sup>2</sup> Zofeen T. Ebrahim, “China's New Silk Road: What's in it for Pakistan?,” *Dawn*, April 20, 2015.

<sup>3</sup> Vasquez, John A. *The War Puzzle Revisited* (Cambridge University Press: 2009).

<sup>4</sup> Vasquez, John, and Marie T. Henahan, “Territorial disputes and the probability of war, 1816-1992,” *Journal of Peace Research* 38, no. 2 (2001): 123-138.

from 1648 to 1990, a minimum of 79 per cent of wars were fought over territory-related issues.<sup>5</sup>

The area affected by the reforms has a historical nexus with the Kashmir imbroglio. Therefore, the Indian government and civil society have been keeping a keen eye on developments here. Hence, the paper also throws light on Delhi's stance on these areas and refers to President Musharraf's formula which included upgrading the representative body in the region to a "provincial legislature" and empowering it to elect its own head and prepare its own budget. It also provided for the transfer of administrative and financial powers to the Northern Areas from the Kashmir Affairs and Northern Areas Ministry<sup>6</sup>. Essentially, it acknowledged the Northern Areas as an integral part of the Kashmir Conflict and, thus, by default, part of negotiations with India on the issue.

Recognizing Gilgit-Baltistan as a province might be viewed as a major shift regarding Pakistan's stance on Kashmir. However, the multi-billion dollar Chinese investment merits legal cover on an urgent basis for the greater long-term interests of the entire region. The type of research that will be used in this article is qualitative comprising of scholarly articles, newspapers and interviews.

This article will aim to answer the following questions:

What is the historical background of the dispute?

What is the effect of CPEC on the reform process?

What reforms can be introduced to pacify the people of Gilgit-Baltistan?

## **History of the Region**

Since pre-colonial era, Gilgit-Baltistan maintained its independent status until it came under the control of the Dogra rulers of Kashmir in the middle of the 18th century. In the 19th century, the British, pre-empting Soviet expansion, wanted to have direct control of the region. On March

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<sup>5</sup>David B. Carter, "The Strategy of Territorial Conflict," *American Journal of Political Science*, 54, no. 4 (2010): 969-987.

<sup>6</sup>Hong, Caylee, "Liminality and Resistance in Gilgit-Baltistan," Legal Working Paper Series on Legal Empowerment for Sustainable Development, *Centre for International Sustainable Development Law (CISDL)*, Montreal, Canada (2012).

29, 1935, the British Government created the Gilgit Agency under a lease agreement for 60 years<sup>7</sup>. However, by August 1, 1947, the areas were returned to the state government because the British had decided to partition the Indian sub-continent.<sup>8</sup> In 1947, the people of Gilgit-Baltistan fought against the Maharaja and got independence. Before partition, the state of Jammu and Kashmir with a total area of 84471 square miles, was geographically divided into following three major regions:

1. Jammu Province (12,378 sq. miles)
2. Kashmir Province (8,539 sq. miles)
3. Frontier Province of Ladakh and Gilgit (63,554 sq)<sup>9</sup>

Mohandas Karamchand Gandhi, the Indian leader of independence movement made a comment on August 2, 1947 that it would be better if Gilgit was awarded local area independence to govern itself.<sup>10</sup> This way it could also preserve its traditional ways. The monarch of Jammu and Kashmir did not take any notice of Gandhi's words and dispatched his confidante, Brigadier Ghan Sara Singh, to the region to govern it. In a matter of days, the locals rebelled and the governor was arrested. Major General, H L Scot, the head of the army unit, sided with the rebels.<sup>11</sup> William Alexander Brown, known as Major Brown, the then leader of the Gilgit Scouts, also played an important role in Gilgit Rebellion and ensured that these areas remained under the control of Pakistan. On October 31, 1947, Major Brown led the Gilgit Rebellion as a result of which Northern Areas and Baltistan were captured by Gilgit Scouts. On November 16, 1947 the 29,814 square miles chunk of the Frontier Province of Ladakh and Gilgit came under the administrative control of Pakistan. This area was named as the Northern Areas. The rest of the Frontier province, 3, 3740 sq. miles area of Ladakh, remains under Indian occupation.<sup>12</sup> In his book, *The Gilgit Rebellion*, Major Brown

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<sup>7</sup>Hori Lal Saxena, *The Tragedy of Kashmir* (New Delhi: Nationalist Publishers, 1975), 34-67.

<sup>8</sup>Dilip Hiro, *The Longest August: The Unflinching Rivalry Between India and Pakistan* (Boulder: Nation Books, 2015), 123.

<sup>9</sup>Madhok Balraj, *Kashmir Problem: A Story of Bungling* (New Delhi: Bharti SahityaSadana, 1952), 34-90.

<sup>10</sup>Luv Puri, "Pakistan's Northern Areas: Time for a Reality Check," *Economic & Political Weekly*, 44 no. 39 (2009), 6-9.

<sup>11</sup>Ibid.

<sup>12</sup>Ibid.

says, “As a liberal member of the world’s paragon of democracy, I considered that the whole of Kashmir, including Gilgit Province, unquestionably go to Pakistan in view of the fact that the population was predominantly Muslim”<sup>13</sup>.

## Post-independence Reforms

In April 1949, several administrative constraints led to an agreement between the governments of Pakistan and Azad Jammu and Kashmir (AJK). Consequently, the administrative control of Gilgit and Baltistan was temporarily transferred to the former. The affairs of Gilgit and Baltistan were brought under the control of a ‘Political Agent’ appointed by the government of Pakistan which now exercised direct rule over Gilgit Agency and Baltistan<sup>14</sup>. The next year, an ordinance, “Rules of Business of the Azad Kashmir Government”<sup>15</sup> came into play, according to which the supreme head of this government functioned under the Ministry of Kashmir Affairs. Pakistan retained control of defence, foreign policy and dealings with the United Nations, while Azad Kashmir authorities continued to administer the territory and economic development. In essence, the ordinance served as the basic law for the territory.

An advisory council was set up in 1975 during the tenure of Zulfikar Ali Bhutto.<sup>16</sup> During her second spell as prime minister, Prime Minister Benazir Bhutto introduced the Legal Framework Order (LFO)1994, which converted the Northern Areas Council into the Northern Areas Legislative<sup>17</sup>. The main head of the council was the deputy chief executive, while the Minister of Kashmir Affairs and Northern Areas as the chief executive. In March 1999, Pakistan’s Supreme Court ordered that the Northern Areas be given the same political, economic and

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<sup>13</sup> The Gilgit Rebellion, 1947, Ibex, 1998.

<sup>14</sup> Bansal, Alok, “Gilgit–Baltistan: The Roots of Political Alienation,” *Strategic Analysis* 32, no. 1 (2008): 81-101.

<sup>15</sup> Robinson, Cabeiri Debergh, “Too Much Nationality: Kashmiri Refugees, the South Asian Refugee Regime, and a Refugee State, 1947–1974,” *Journal of Refugee Studies* (2012): fes030.

<sup>16</sup> Imtiaz-ul-Haque, “Determining the Political Status of Gilgit-Baltistan: Future Perspective,” *NDU*, 2012.

<sup>17</sup> “Northern Areas Governance Order 1994,” published by Secretary Law, Northern Areas Gilgit, May 25, 2008.

administrative rights as given to other provinces of Pakistan.<sup>18</sup> This verdict resulted in the Northern Areas Advisory Council being renamed the Northern Areas Legislative Council. However, the elected deputy chief executive of this council remained compliant to the chief secretary, appointed by the federal authority, who, in turn, had the powers to effect any administrative change.

All this while, the Pakistani ruling establishment repeatedly turned down a politically authorised elected body. The reason is that any attempt to change the status of the Northern Areas would weaken Pakistan's case over Jammu and Kashmir. Any such move will automatically signal Islamabad's desire to end the Kashmir conflict by officially integrating the territory it controls and, by extension, recognising New Delhi's claims to parts of the region it controls, such as the Kashmir valley. The dispute remains that the Northern Areas was part of the state of Jammu and Kashmir, therefore, any tinkering with its status would make Pakistan's claim weak.

President Musharraf, in his visit to Gilgit on October 23, 2007, announced a set of rules to amend the LFO of 1999. The Legislative Council was upgraded to a Legislative Assembly accordingly and the Deputy Chief Executive was made its Chief Executive.

On August 29, 2009, Pakistan Prime Minister, Yousaf Raza Gilani announced political reforms in the Northern Areas under the 'Gilgit-Baltistan Empowerment and Self Governance Order, 2009.'<sup>19</sup> This announcement by the Pakistani Prime Minister about political reforms within the Northern Areas was a significant departure from the earlier stance of the Pakistani state. Hereby the executive council that was previously headed by a federally appointed chairman would now be replaced by a parliamentary system with a chief minister as its executive head. The federal government would appoint the governor. Moreover, an elected assembly of 15 members with an additional seven nominated members would have the right to discuss the budget and approve it. Unveiling the reforms package on September 8, 2009, Prime Minister

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<sup>18</sup>Hong, Caylee. "Law and liminality in Gilgit-Baltistan: managing natural resources in constitutional Limbo," *Canadian Journal of Poverty Law* 2, no. 1 (2013): 71-103.

<sup>19</sup>"The Gilgit-Baltistan (Empowerment and Self-Governance) Order 2009," Law Department.

Gilani did away with the term “Northern Areas” and replaced it with “Gilgit-Baltistan” — a long-standing demand of the people<sup>20</sup>.

The introduction of this package led India to lodge a protest against Pakistan. In addition to the summoning of the Pakistan Deputy High Commissioner Rifat Masood, the external affairs ministry emphasised that the “entire State of Jammu and Kashmir is an integral part of India by virtue of its accession in 1947. The so-called ‘Gilgit-Baltistan Empowerment and Self Governance Order, 2009’ is yet another cosmetic exercise intended to camouflage Pakistan’s illegal occupation.”<sup>21</sup>

The 2009 reforms did not do much to eliminate the skewed balance of power. Not only was the right to amend the LFO taken away from them but the Council was also vested in with greater powers than the GB Legislative Assembly. Since this body is dominated by federal representatives rather than local delegates, many of the agendas do not encompass benefits to the local populace. Rather maintaining control over governance is the order of the day. The advent of CPEC has only expounded on fears of asymmetrical development.

### **Stance of the People of Azad Jammu and Kashmir**

The exhaustive conflict in and around the Kashmir valley has made the people residing there sensitive about their identity and political rights. Azad Jammu and Kashmir (AJK) has always opposed giving a provincial status to the people of Gilgit-Baltistan. Former AJK Prime Minister Chaudhry Abdul Majeed once stated that Gilgit-Baltistan is a fundamental element of the state of Jammu and Kashmir and any attempt to amalgamate it into Pakistan will be catastrophic for the people of Kashmir in their pursuit for self-determination.<sup>22</sup>

In 1993, the Azad Kashmir High Court gave a verdict on the issue of Gilgit-Baltistan<sup>23</sup> stating that the agreement in 1949 was only temporary and that “such arrangement was to be substituted and replaced

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<sup>20</sup>Ibid.

<sup>21</sup>“India objects to Pakistan’s package for POK,” *Hindu*, September 12, 2009.

<sup>22</sup>Tariq Naqash, “AJK opposes giving provincial status to GB,” *Dawn*, July 9, 2015.

<sup>23</sup>Ershad Mahmud, “The Gilgit-Baltistan Reforms Package 2007: Background, Phases and Analysis,” *Policy Perspectives* 5, no. 1 (2008): 23-40.

subsequently in the light of the scheme of law enforced in the rest of the liberated areas of the State, presently known as Azad Jammu and Kashmir.”<sup>24</sup>

Kashmiri leaders have been very vocal over moves to convert the region into the fifth province of Pakistan. Several Kashmiri leaders, including Syed Ali Gilani and Yasin Malik<sup>25</sup>, asserted that any merger of Gilgit-Baltistan into Pakistan will provide a rationalisation to India to retract the special status of the Indian-held Kashmir which would ultimately weaken Pakistan’s stance at bilateral and multilateral forums<sup>26</sup>.

Former President of AJK, Sardar Mohammad Yaqoob Khan, warned the government that the integration of Gilgit-Baltistan into Pakistan would be more disastrous than the dismemberment of the country in 1971<sup>27</sup>. He stated that Pakistan should not leave a void which would give Delhi an excuse to integrate Indian-occupied Kashmir with India. The AJK Assembly even passed resolution to discourage the federal government from making Gilgit-Baltistan a separate province<sup>28</sup>.

### **Stance of the People of Gilgit-Baltistan**

These arguments might be valid but they alienated the political forces in Gilgit-Baltistan as they considered it an attack on the rights of region, the people had valiantly fought for their basic constitutional rights and for the Kashmir cause. As a result, suspicions over the Kashmiri leadership’s intentions of wanting to keep Gilgit-Baltistan as a mere extension of Kashmir increased. Local newspapers and social media provided the much-needed space for political forces to vent their anger against AJK leaders. As reported in *Dawn*, Information Minister of Gilgit-Baltistan, Ibrahim Sanai stated that “People of Gilgit-Baltistan cannot understand

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<sup>24</sup>Ibid.

<sup>25</sup>Tariq Naqash, “Provincial status for GB to jeopardise Kashmir cause, warns Yasin Malik,” *Dawn*, January 14, 2016.

<sup>26</sup>Ershad Mahmud, “Gilgit-Baltistan: Province or Not,” *TNS*, January 24, 2016.

<sup>27</sup>“Don’t Merge Gilgit-Baltistan into Pakistan,” *Times of India*, July 9, 2015.

<sup>28</sup>Tariq Naqash, “AJK government opposes moves to convert GB into a province,” *Dawn*, January 10, 2016.



why the AJK leaders are unhappy over their constitutional rights.”<sup>29</sup> On another occasion, referring to a statement issued by former AJK President over the provincial dispute, prominent Shia scholar, Agha Rahat, said that the “Kashmiri leaders have never spoken for the people of Gilgit-Baltistan during the last six decades but they come up with fake claims to sabotage the empowerment process of the people.”<sup>30</sup>

In August 2015, Gilgit-Baltistan Legislative Assembly passed a unanimous resolution which demanded the federal government to declare the region as a constitutional province of Pakistan.<sup>31</sup> The resolution highlighted that the people of Gilgit-Baltistan had joined Pakistan without any strings attached in 1948 but still remain deprived of their basic, constitutional rights. The resolution demanded that this be rectified immediately and that Gilgit-Baltistan be given due representation in the National Assembly and Senate till a formal solution of the Kashmir issue is found. It also suggested that a committee should be formed to determine the constitutional standing of the region.

For now, there prevails a confusion amongst the people of Gilgit-Baltistan regarding their status in the federation: is Gilgit-Baltistan part of Pakistan or a disputed territory only? The Gilgit-Baltistan Assembly has clearly demonstrated people’s will through various resolutions. They want representation in the National Assembly, Senate, and other policy-making institutions.

## **Stance of India**

India has always seen Gilgit-Baltistan as part of its own territory, which, it believes, is illegally occupied by Pakistan. According to New Delhi, the parliamentary resolution of 1994<sup>32</sup> had confirmed that the region is “part of the State of Jammu and Kashmir, which is an integral part of India by virtue of its accession to it in 1947.”<sup>33</sup> In 2006, an article in the

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<sup>29</sup> Jamil Nagri, “GB parties criticise AJK leaders’ remarks,” *Dawn*, July 12, 2015.

<sup>30</sup> “Gilgit-Baltistan: People Across GB Condemn the Statement of Sardar Yaqub,” *Gilgit Baltistan Bulletin*, January 21, 2013

<sup>31</sup> “Legislators demand GB as province of Pakistan,” *Dawn*, August 12, 2015.

<sup>32</sup> “Motions & Resolutions in Parliament,” *Lok Sabha Secretariat New Delhi*.

<sup>33</sup> Sushant Singh, “Story of Gilgit-Baltistan: Snatched by British, occupied by Pakistan,” *Indian Express*, August 18, 2016.

*Indian Express*, “India needs to refocus attention on Pak-occupied Gilgit-Baltistan,” advised the Indian government to focus on Gilgit-Baltistan for alternate energy routes. New Delhi believes that if joint control of Kashmir is made possible, India will gain access not only to Gilgit but also gain a direct trade and commerce link with China and Central Asia through the Karakoram Highway.<sup>34</sup>

In June 2015, when Pakistan announced elections in Gilgit, of Prime Minister Narendra Modi reiterated the Indian position by stating that the region “is an integral part of India” and that New Delhi deplored the Pakistani government efforts at providing a sense of autonomy to the people of Gilgit-Baltistan. To bolster their stance, they noted that despite the elections a Pakistani federal minister was the governor of the region and this fact alone was an evidence enough of the lack of independence and sovereignty given to the people of the Gilgit region. On August 19, 2016, India announced a five-point agenda to resume talks with Pakistan. One of the topics under discussion was Pakistan’s illegal occupation of Gilgit-Baltistan and Pakistan Occupied Kashmir (PoK)<sup>35</sup>.

### **CPEC Factor**

Various statements by eminent figures of all walks of life are evidence of the importance of CPEC. The President High Court Bar Gilgit Baltistan, Malik Kifayat-ur-Rehman stated on a talk show, “Gilgit-Baltistan welcomes the progress that CPEC brings with it.”<sup>36</sup> Tourism Consultant, Amjad Ayub promised that CPEC would result in an influx of tourists and hence help in enhancing the soft image of the country. Local people have also echoed these. Answering a reporter, one local affirmed that the roads and infrastructure had drastically improved even in the primitive footsteps of CPEC<sup>37</sup>. Chief Minister of Gilgit-Baltistan, Hafiz Hafeez-ur-Rehman declared that CPEC will bring together not only provinces but

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<sup>34</sup>Harrison, Selig S. “China’s discreet hold on Pakistan’s northern borderlands.” *New York Times*, 26 (2010).

<sup>35</sup>Shubhajit Roy, “India draws clear red lines for Pakistan, 5-point agenda for talks,” *Indian Express*, August 19, 2016.

<sup>36</sup>Talk Shows Central. “Jirga 10 September 2016 | Gilgit Baltistan - Geo News”. Filmed [September 2016]. YouTube video,36:23. Posted [September 2016]. <https://www.youtube.com/watch?v=WuSslGRMM5Y>.

<sup>37</sup>Ibid.

also the political parties.” Thereby CPEC may very well provide the impetus for the whole nation to be on the same page for once.<sup>38</sup>

The above mentioned statements are a reflection of the massive political and public support that CPEC has won in Gilgit-Baltistan. Although there are legal hurdles that block the process of development of reforms in this disputed region, the issue has been projected negatively by the Indian media. The videos posted by the Indian media that depicted protestors on the streets of Gilgit-Baltistan were not genuine rather they were clips of protests that were carried out after the *Hazara* killings in the year 2013.<sup>39</sup> This is one of the many reports that the Indian media outlets have released whose only aim seems to be undercutting the progress of CPEC in Pakistan. Such negativity can be perceived as interference and, more worryingly, as an attempt to sabotage the process of development in Gilgit-Baltistan.

### **Geo-strategic Importance of Gilgit-Baltistan and CPEC**

CPEC, being a game changer for not only Pakistan but for the entire region, is of extreme importance to the economy of Pakistan. It holds a pivotal position in this project as it is the ‘gateway to CPEC’. The Khunjerab Pass between Pakistan and China is the line of connection that acts as the archway of CPEC and thus will mark the beginning of an era of economic, historical and cultural bondage between these two countries. On the Pakistani side, the pass is 42 km (26 mi) from the National Park station and checkpoint in Dih, 75 km (47 mi) from the customs and immigration post in Sost, 270 km (170 mi) from Gilgit, and 870 km (540 mi) from Islamabad.<sup>40</sup>

From Chinese side, Gilgit-Baltistan is of primary importance to this project as the pass is the southwest terminus of China National Highway 314 (G314). It is 130 km (81 mi) from Tashkurgan, 420 km (260 mi)

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<sup>38</sup>Talk Shows Central. “Jirga 10 September 2016 | Gilgit Baltistan - Geo News”. Filmed [September 2016]. YouTube video,36:23. Posted [September 2016]. <https://www.youtube.com/watch?v=WuSslGRMM5Y>.

<sup>39</sup>Kiran Nazish, “In Pakistan, About 100 Remain Unburied Out of Protest”, *Forbes*, January 14, 2013.

<sup>40</sup>Ramtanu Maitra, “China-Pakistan Economic Corridor: The Challenges”, *EIR*, 43:1, 2016.

from Kashgar and some 1,890 km (1,170 mi) from Urumqi. The Chinese port of entry is located 3.5 km (2.2 mi) along the road from the pass in Tashkurgan County.<sup>41</sup>

CPEC will usher in an era of prosperity for the people through increased trade and tourism.<sup>42</sup> Indian approach seems to be depriving the region of its due right by projecting the wrong image to the world. Gilgit-Baltistan will serve as the outlet, an entrance and as an opening into both countries, while about 450 km of the corridor is passing through this region. It is entirely indispensable for CPEC. Following is a map of the exact lines of connection between China and Pakistan through Gilgit-Baltistan.

Map No. 1



Source: <http://pamirimes.net/2016/08/23/gilgit-baltistan-legal-status-modis-boasting-and-cpec/><sup>43</sup>

<sup>41</sup> Rebecca Woodward Wendelken, "Geography and the Silk Road," *ASIA Network Exchange* 15 no.2, (2007), 14-20.

<sup>42</sup> Ramay, Shakeel Ahmad. "China Pakistan Economic Corridor: A Chinese Dream Being Materialized Through Pakistan." (2016).

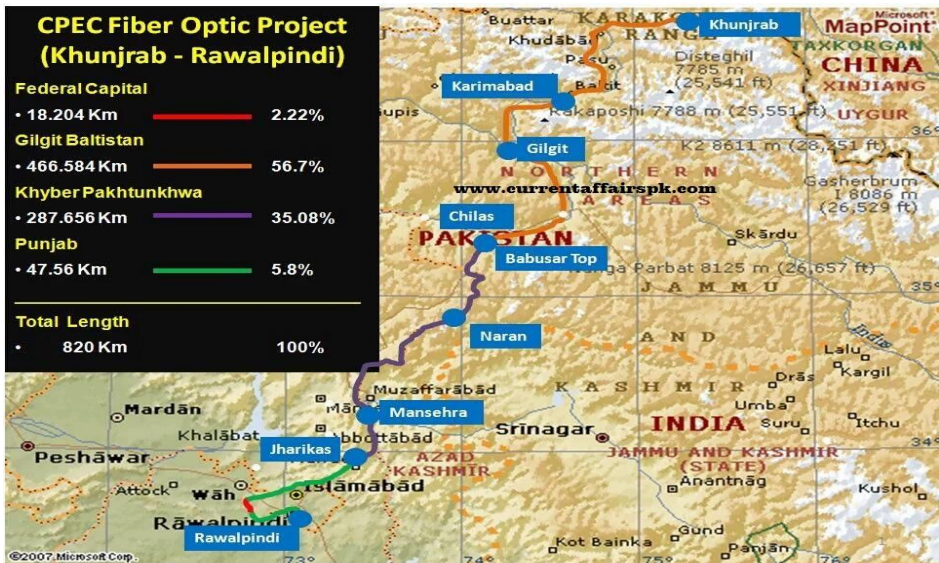
<sup>43</sup> "Gilgit-Baltistan: Legal Status, Modi's Boasting and CPEC", *Pamir Times*, April 13, 2016.

Currently about 80 per cent of China's oil passes from the Strait of Malacca to Shanghai, covering a distance of about 16,000 km. It takes about 2-3 months for these oil-laden ships to reach China. Once the Western route starting from Gilgit-Baltistan is managed and the construction of Gwadar is complete, this distance will reduce to about 5,000 km. Thus this venture is extremely cost-effective for China in the long run and it emphasises the central role that the land of Gilgit-Baltistan plays in this regard.

### **Support for CPEC Within Gilgit-Baltistan**

It has been wrongfully projected by the Indian media that the people of GB have risen up against this venture in mass protests. The general populace believes that this project will bring advancement and infrastructural development with it. They are also hopeful that the close proximity facilitated by road links will increase the likelihood of the goods from Gilgit-Baltsitan to be sold in Chinese markets. Doubts regarding the true share that Gilgit-Baltistan will receive from this venture have been planted and thus a few people have expressed their concerns that their land will only be used by the government. However, as can be seen from the map, the groundbreaking optic fibre line being laid down from Khunjerab to Rawalpindi will convert this region into the hub of high speed internet headwork of Pakistan, thus obliterating all grievances against the antiquated and broken telecommunication signals in Gilgit-Baltsitan.

Map No.2



*Source:* <http://www.currentaffairspk.com/china-pakistan-economic-corridor-cpec-fiber-optic-detail-project/>

## Conclusion and Recommendations

The much needed reforms have been discussed at length by many analysts and experts over the years, however an effective solution remains elusive. With reference to the disputed position of this region in relation to AJK, any developmental reform will hit a legal roadblock instead of being implemented. The ‘Gilgit-Baltistan Empowerment and Self Governance Order’ of 2009 gave the region a ‘province-like’ status. In terms of political reforms and rights being imparted to the people, the Legislative Assembly of Gilgit-Baltistan elects the Chief Minister who will be aided by six ministers. A governor shall also be appointed under Article-20 by the President of Pakistan. The history of these reforms has been mentioned in the paper in a comprehensive detail, thus this portion will present a suggestive analysis of the new prospects of the amenities that can be provided to the people of Gilgit-Baltistan with special reference to CPEC.

In the contemporary world, economic interdependence has surpassed conventional politics which demands that countries put aside issues that hold them back from economic development. Thus it would be wise for all the stakeholders to embrace CPEC and the benefits it yields for immediate up-gradation of the living standards of the people in the region. A three-part solution to resolve the socio-economic and political problems of GB can be deployed:

### *Short-term Solution*

CPEC remains a matter of discussion as it offers huge economic benefits for the region but it also creates a legal quagmire for the government of Pakistan regarding the disputed territorial status of Gilgit-Baltistan. Whether or not the reforms should be brought about under the constitution, it is a rather convoluted matter of discussion. However, to seek maximum benefit from CPEC and its projects, along with other parts of the country, Gilgit-Baltistan must be added to the Joint Coordination Committee (JCC) on CPEC. This addition can be added to the current status of Gilgit-Baltistan with reference to the limited autonomy that has been given to it under the constitution. The JCC is a committee of mutual interest and structure that acts as a bridge between the National Reforms and Development Commission (NRDC) of China and the Ministry of Planning, Development and Reforms (MPDR) in Pakistan to oversee the CPEC project. Representation of Gilgit-Baltistan in JCC will clarify all misperceptions regarding its lack of participation in the project.

### *Long-term Solution*

Once the mega project of CPEC has bolstered up the economy of the region, then the next step can be the socio-political and infrastructural reforms. They will have to be brought about under the ‘special status’ that has been given to this region instead of delaying the economic opportunities for development due to an issue that has not been resolved for more than 60 years. There are examples of other countries that have such territorial disputes and yet the development of the indigenous population has been carried out regardless of their unresolved territorial issues. For example, China has brought about immense development in

Tibet to win support of the local people.<sup>44</sup> Thus following this example economic development can be brought to the doorstep of the people of Gilgit first, and then the task of legal reforms can be initiated. If this issue is politicized further, the people of Gilgit-Baltistan will be deprived of the economic benefits that this new project brings.

Further, if the environment is conducive the issue must be resolved according to the wishes of the people of Gilgit-Baltistan by holding a referendum. For now, it seems practically impossible for a political government to make a sudden policy shift on Gilgit-Baltistan and Kashmir. To benefit from CPEC and its projects, Gilgit-Baltistan must be added to the JCC on CPEC. Development should be continued at all costs.

Once CPEC has strengthened up the economy of the region, the next step can be the introduction of socio-political and infrastructural reforms. Moreover, a constitutional package granting maximum powers to locally elected representatives, ensuring their presence in parliament and other forums, appears to be an ideal solution. However, again this should not happen without a meaningful consultation with political forces in Gilgit-Baltistan. It is imperative that the rights of the people of Gilgit-Baltistan are ensured through constitutional measures and institutional rearrangements.

It is essential for legislators, think tanks and policy makers in Pakistan to resolve this issue on a priority basis, which will help allay the sense of deprivation in the region which prevailed there before.<sup>45</sup> Without such arrangements, the region would be susceptible to mistreatment and exploitation by international corporations, business entities and dispirited decision-making bodies. Only once all parts of the country are on board, the sustainable economic progress and development can be achieved and encouraged.

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<sup>44</sup>Sautman, Barry, and June Teufel Dreyer, eds., *Contemporary Tibet: Politics, Development, and Society in a Disputed Region*(New York, M.E. Sharpe: 2006).

<sup>45</sup>Zaeem Zia, "Make Gilgit-Baltistan the fifth province of Pakistan," *Friday Times*, April 22, 2012.