



SUFFERINGS OF STATELESS WOMEN IN INDIAN-OCCUPIED JAMMU KASHMIR

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ABSTRACT

In Indian-occupied Jammu and Kashmir(IIOJK), there are hundreds of women from Azad Jammu and Kashmir(AJK) and Pakistan who had married the refugees from IIOJK are facing identity problems there. This paper examines the status of these women and their children. The paper aims to explore the problems of these women who are living in IIOJK. The rehabilitation plan of India was just a technique to trap these people. India changed the domicile law in 2020, now even the Indians are eligible to get domicile of IIOJK but these women who are wives or divorced or widows of Kashmiris are still struggling for their identity. These women are facing social and economic problems and their children are also deprived of all basic rights.

This research is qualitative and analytical. The data has been collected from different reports, news and articles available on websites.

INTRODUCTION

After the partition of the sub-continent in 1947, the princely state of Jammu and Kashmir was divided into two parts. A temporary ceasefire line is dividing this region, one region AJK is under the administration of Pakistan and the other is under the occupation of India. Villages and families were divided and even personal land holdings were divided into two parts. In 1989 the new spell of the freedom movement was started in IIOJK and many families and young people were forced to migrate to AJK and Pakistan. These young people from IIOJK were settled in different cities of Pakistan and AJK and they have started their new life. These young people got married in various parts of Azad Kashmir and Pakistan, and some of them even had children.

The Indian Govt. has announced four policies at different times to suppress the freedom struggle. The first policy was announced in 1995, the second in 2004, the third in 2010 and the fourth in 2019. The 2010s was also put into action by Governor N. N. Vohra. Its purpose was to aid the reintegration of those from IIOJK who had crossed into AJK between January 1, 1989, and December 31, 2009; but later decided to return. This policy applied to individuals who had travelled to AJK their dependents were also considered for eligibility under this policy. Additionally, it noted that the wives and children of them were placed in counselling

centres for debriefing and were provided with proper documentation. The policy outlined four pathways to return and surrender: Chakan da Bagh in Poonch district, Salamabad in Baramulla district, Indira Gandhi International Airport in New Delhi, and Wagah in Punjab. Based on the recommendation from J&K Governor S P Malik, the government revisited the surrender and rehabilitation policy in 2019. Similar to the framework of the 2018 policy, the draft for 2019 still includes a monthly stipend of INR 6,000 for individuals who surrender, while excluding hardcore militants implicated in serious crimes. This updated policy places a stronger focus on socio-economic reintegration. Under this initiative, returning militants are referred to as 'renouncers' and are eligible for a fixed deposit of either INR 500,000 or INR 600,000, based on their good conduct over three years. Additionally, they can apply for self-employment opportunities through the Pradhan Mantri Kaushal Vikas Yojana (PMKVY).¹

After the announcement of this amnesty scheme, 377 immigrants from IIOJK returned along with 844 family members.² The wives and children of these persons are facing identity problems. As the women arrived in the IIOJK, they faced several challenges, including harsh weather, language difficulties, and an unstable political situation. They found themselves in a completely unfamiliar territory. Their husbands had difficulty in securing employment and took on various odd jobs, working as labourers and taxi drivers to support their families. Because the government classifies them as foreigners, they were denied citizenship.

The Govt. of India is not giving any identity or travel documents to them. These stateless women have been protesting from last many years. The demonstrators insisted that they should either be granted citizenship or provided with documentation to return to their native country. "Out of the 350 women who arrived here under the policy, approximately 50 have already died".³

This paper will examine the problems faced by these women and their children in IIOJK.

¹ Jahangir Sofi, "India Invited These Pakistani Women Across The Border, Then Rescinded The Offer" Article 14, August 2, 2021, <https://www.article-14.com/post/india-invited-these-pakistani-women-across-the-border-then-rescinded-the-offer-6107598a1f11a>.

² Gafira Qadir, "Women With No Country, Pulitzer Centre", *The Wire*, June 1, 2022. <https://pulitzercenter.org/projects/women-no-country>.

³ The Reportage, Pakistani Wives Of Ex-Kashmiri Militants Protest In Srinagar, Demand Travel Document, June 15, 2020, <https://www.thereportage.in/pakistani-wives-of-ex-kashmiri-militants-protest-in-srinagar-demand-travel-document/>

NO CITIZENSHIP

This was promised by India under the amnesty scheme that those migrants who will come back to IIOJK will be entitled to citizenship along with their wives and kids. However the Indian Govt. now consider them as illegal migrants and not issuing citizenship. The Govt. of IIOJK has constituted a high-level committee to identify overstaying foreign nationals and these women from Pakistan and AJK have to face another challenge.

Bushra, 37, has been operating a boutique in Sopore town, located in North Kashmir, for the past ten years. She is one of many women from Pakistan who are married to Kashmiri men and are seeking Indian citizenship so they can visit their parents in Pakistan. "Since we arrived here from Pakistan in 2012, we have been fighting for Indian citizenship. Sadly, we have neither received Indian citizenship nor have we been permitted to return to Pakistan."⁴



Bushra Farooq works in a local boutique in north Kashmir's Kupwara district. She has been working there since her husband, for whom she left her homeland of Pakistan, divorced her.

Shehnaz Bano hails from Kotli, Azad Kashmir. When she and her Kashmiri spouse moved to the city of Qazigund in Indian-administered Kashmir a decade ago, the environment felt familiar, apart from the volatile political climate that was about to alter her existence drastically. She shared with FairPlanet. "I possessed an identity, a state, and rights in my hometown. However, I lack an identity here, and I am not regarded as a human being."⁵

⁴ Mir Ehsan, "Move to identify overstaying foreigners worries Pak-origin women in Kashmir", *Hindustan Times*, Oct.21,2023, <https://www.hindustantimes.com/cities/chandigarh-news/move-to-identify-overstaying-foreigners-worries-pak-origin-women-in-kashmir-101697905931732.html>.

⁵ Suhail Bhat, "Stateless In Limbo: The Pakistani Women Trapped In Kashmir", *Fair Planet*, May 17, 2022, [www. Fairplanet. Org/Story/Stateless-In-Limbo-The-Pakistani-Women-Trapped-In-Kashmir/](http://www.Fairplanet.Org/Story/Stateless-In-Limbo-The-Pakistani-Women-Trapped-In-Kashmir/).

SUFFERING OF THE CHILDREN

The primary concern for these women is the future of their children. They cannot leave the country for educational or job opportunities, leaving them with slim chances of realizing their aspirations. Ambreena a woman from Pakistan said, "Our lives have been destroyed, but we desire our children to lead respectable lives. Our worries about them have intensified."⁶

Some of the women, thinking the journey to Kashmir would be brief, left their children behind in Pakistan and have spent the years since enduring the agony of forced separation. Dozens were later divorced by their Indian husbands, leaving them destitute, alone and yet unable to return home.

They have lost hope of gaining citizenship in India and long to reunite with their families in Pakistan. They feel stuck in a relentless cycle of despair and hopelessness. "If things continue as they are," Ambreena remarked, "most of us will choose to end our lives."

Naseema Akhtar, 37, originally from Sialkot, Pakistan, expresses that her son will complete his higher secondary education this year. According to the documents, he is neither identified as Indian nor Pakistani; where will he belong? They are unable to find employment here, nor can they travel abroad.⁷

VOICES OF THE WOMEN

The women along with their children are in protest and demanding citizenship or should be allowed to return to Azad Kashmir or Pakistan. Following are their plight, sufferings and demands that were published in different newspapers and social media platforms.



Qubra Geelani, who lives in Muzaffarabad, Pakistan, married a Kashmiri in 2010 and moved to Kashmir with him in 2014, is requesting permission to return home. After being divorced by her husband in 2018, she faces significant difficulties as she has no relatives in Kashmir and lacks anyone she can stay with. "I have been

⁶ Ibid.

⁷ Rifat Fareed "Pakistani wives of former Kashmir rebels struggle to survive" *Aljazeera*, June 25, 2019, <https://www.aljazeera.com/features/2019/6/25/pakistani-wives-of-former-kashmir-rebels-struggle-to-survive>.

making every effort to return to my home in Muzaffarabad, but despite having all the necessary documents, I am not permitted to go. I encounter numerous challenges and am currently residing with a Kashmiri family in Pattan.”⁸ She is determined to find a way back and expresses gratitude that other Pakistani women have gathered here to support her, hoping that they too can visit their families freely.

Nusrat Rashid hails from Neelam Valley in AJK and moved to IIOJK with her husband in 2010. She has two daughters and went through a divorce in 2020, which has made her circumstances even more challenging. "My life is a struggle; I must provide for my daughters, and I am renting my home. I urge the government to heed our requests,"⁹ Nusrat expressed to DW, who now resides in Kupwara in northern Kashmir.

"We were peacefully living [in Pakistan] when this policy was announced, and it completely destroyed our lives," Bushra

Nageena Kausar was born in Islamabad, the capital of Pakistan, and had a typical upbringing surrounded by loved ones. In 1995, she wed Mohammad Ashraf Malik, a man from IIOJK. In 2011, the pair chose to relocate back to IIOJK and have been residing in Sopore, a town located in the Baramulla district, ever since. Kausar expressed to Anadolu Agency, "It has been nearly a decade since I last saw my parents. We have been confined here without knowing the reason. What wrong have I or my parents committed?"¹⁰, who is the sole child of her elderly and unwell parents.



Taibah Ajaz is another Pakistani woman who regrets the day she relocated to IIOJK. Raised in the military town of Abbottabad, Pakistan, she married Ajaz Ahmad Malik in 2002 and moved to Pattan in IIOJK in 2013. She expresses, "I lament the day I arrived here; our life has been nothing but hardships since we posted here. Everything is incredibly challenging for us. We lack valid Aadhar [identity] cards,

⁸ Mir Suneem, "Pakistan Origin Kashmiri Brides Desperate To Go Home", *Kashmir Life*, February 2, 2019 <https://kashmirilife.net/pakistan-origin-kashmiri-brides-desperate-to-go-home-200518/>

⁹ Keith Walker, "Kashmir: Ex-rebel's wife finally returns to Pakistan", *DW*, October 18, 2023, <https://www.dw.com/en/kashmir-ex-rebels-wife-finally-returns-to-pakistan/a-67134303>.

¹⁰ Nusrat Sadiq, "No place to call home for Pakistani women in Kashmir: Pakistani wives of ex-militants are spending their lives as 'stateless' citizens in Indian-administered Kashmir", *Anadolu Agency*, February 11, 2020, <https://www.aa.com.tr/en/asia-pacific/no-place-to-call-home-for-pakistani-women-in-kashmir/1730418#>.

making even simple tasks like obtaining a mobile phone connection difficult for us. Living here feels like an endless punishment and nothing more.”¹¹

Fozia, who hails from Muzaffarabad Azad Kashmir, described the rehabilitation policy as a “nightmare” for her. After being married for 19 years, she and her Kashmiri husband, Ghulam Hassan Lone, decided to return to IIOJK. In September 2007, Fozia, her spouse, and their three children arrived in the Valley. However, she reported that just 15 days after their arrival, her husband’s brothers expelled them from the house. With their parents deceased, the brothers explicitly stated that her husband had no claim to any family assets, she explained. The family is currently living in a single rented room in Kupwara district in north Kashmir, where her husband earns a living by selling fruit from a cart.¹²

‘In Pakistan they know us by our Kashmiri identity but here in Kashmir the administration does not own us,’ said Nadiya. “We have lost our identity and are stateless.”

Nusrat Begum, 35, is a woman hailing from Neelam Valley in Azad Kashmir who entered into marriage with a Kashmiri man from Kupwara in 2008. Later that same year, they relocated to IIOJK. I never anticipated becoming trapped in this situation. However, it feels like no one cares about our suffering “After a while, my husband began to physically assault me. Then in 2020, he divorced me. When my father found out, he was so devastated that he suffered a heart attack and passed away,”¹³ she remembers.

CONCLUSION

In 2010, the Omar Abdullah-led government initiated a “rehabilitation scheme” for individuals who had crossed the Line of Control between 1989 and 2009. Under this amnesty program, immigrants from IIOJK were allowed to return to IIOJK and reunite with their families. Nonetheless, the scheme did not offer any support to women. These women and their children are stateless, and the Govt. of IIOJK is not giving them the right of citizenship. They could not purchase property, claim share in property, get Govt. job or even travel to see their

¹¹ Ibid.

¹² Jahangir Sofi, “India Invited These Pakistani Women Across The Border, Then Rescinded The Offer” Article 14, August 2, 2021, <https://www.article-14.com/post/india-invited-these-pakistani-women-across-the-border-then-rescinded-the-offer-6107598a1f11a>.

¹³ Mudasir Kuloo, “Pakistani women abandoned in Kashmir: They have been demanding that they should either be deported to Pakistan or given Indian citizenship so that they get a valid passport and travel legally to Pakistan”, *National Herald*, September 04, 2021, <https://www.nationalheraldindia.com/india/pakistani-women-abandoned-in-kashmir>.

parents and siblings in Pakistan or Azad Kashmir. These women are continuously protesting and advocating for either their deportation back to Pakistan or the grant of Indian citizenship, so they can acquire a valid passport and travel legally to Pakistan. The Kashmiri civil society and political parties appear hesitant to advocate for their cause, likely due to fears of being labelled or misinterpreted. The reasons behind the actions of the men who left their wives remain uncertain. What is evident, however, is the human tragedy inflicted on the women and children who are innocent in this situation.





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