



RESEARCH PAPER

Millennium Development Goals and Socio-Economic Conditions of Women in Azad Jammu and Kashmir: A Legal Analysis

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ABSTRACT

This article focuses on women's economic, social and cultural (ESC) rights in Azad Jammu and Kashmir (AJK) with linkage to millennium development goals (MDGs). It discusses AJK's international human rights law (IHRL) obligations with reference to protection of women's ESC rights. It analyses provisions of legal instruments in order to understand AJK's legal and constitutional system. It will create a context for further discussion. Under international law, it is well established that human rights are available to 'everyone' as grounded in Universal Declaration of human rights (UDHR), (1948) and other human rights instruments. For ascertaining human rights obligations of AJK, this article is specific with reference to the analysis of ESC rights of women in AJK. It discusses economic and social conditions of women with linkage to MDGs. ESC rights are considered as mere aspirations and goals therefore the Maastricht guidelines are also formulated. ESC rights are grounded in the UDHR and the International Covenant of Economic, social and cultural rights (ICESCR), (1966). The argument developed throughout article is that though AJK is not a full-fledge State but having State-like character, the AJK has its human rights obligations, in particular, ESC obligations for promotion and protection of women. The women in AJK are vulnerable and may be empowered by promotion of ESC rights.

Keywords: Human Rights, Economic Social and Cultural Rights, AJK, Women Empowerment, Human Rights Obligations, Jammu and Kashmir

Introduction

Human rights are available to 'everyone' without any distinction or discrimination. The ESC rights are also human rights and states have obligations to respect, protect and fulfil these rights. In AJK, the economic and social patterns of women are significant for consideration because of their vulnerability. It is also important to apprise the reader about the geographic location, history and current legal status of the AJK. It will also create a context for further discussion. The significance of discussion about the legal status is that it will clarify the nature and status of AJK'S human rights obligations. Such a clarification is important given the disputed status of AJK. This article investigates whether the AJK has any legal obligation to protect and promote the human rights of its people, particularly of women's ESC rights. This is revised and updated version of the article on socio-economic rights of the women with linkage to MDGs.

Historical Background of State of J & K and AJK

The State of Jammu and Kashmir (J&K), lies in north-western part of Indian subcontinent. It became a disputed territory after the partition of the Indian subcontinent in 1947. Bounded on northeast by the Uygur Autonomous Region of Sinkiang and Tibet

(both parts of the Peoples Republic of China), it is surrounded by the Indian states of Himachel Pradesh and Punjab on the South; Afghanistan on North West and Pakistan on West. The territory's total area is 85,806 square miles (222,236 square km), of which 31,643 square miles (81,954 square km) is controlled by India.

The modern State of J&K evolved from the Dogra heartland in Jammu, as the home of many different ethnic groups and a diverse set of cultures. At the time of the partition of the Indian subcontinent in 1947 the State of J & K was one of the 564 princely states that faced the choice of either joining India or Pakistan in accordance with the twin principles of geographical contiguity and self-determination following the lapse of British paramountcy. Although J&K had a Muslim majority (77 percent in the census of 1941), and shared a long border with the new state of Pakistan, the Maharaja refused to opt for Pakistan (Rahman, 1996).

India's military intervention on behalf of the besieged Maharaja led to the first India-Pakistan war over Kashmir. India aired the dispute before the United Nations, calling for international intervention in the matter. After their first war over Kashmir in 1947-48, India and Pakistan signed a cease-fire agreement on January 1, 1949. India and Pakistan went to war over Kashmir again in 1965, and the resulting line of control divided old J & K into four political units: (1) Ladakh and J & K Valley (Indian-occupied Kashmir); (2) Azad Jammu and Kashmir (Pakistan administered Kashmir); (3) the Northern Area, administered by Pakistan; and (4) Aksai Chin, controlled by China (Snedden, 2012).

In view of historical, religious and geographical links the people of J & K (a former State) demanded independence, in its place, entered a miserable conspiracy with the Hindu leadership and agreed with India. This flashed the freedom movement of the Muslim population of the State against the Dogra (a former Hindu leader) and Indian forces in J & K. As consequences of this liberation movement, some part of the State was liberated from the Dogra authority in 1947 which is called AJK (Khan, 2011). The accompanying map provides a general orientation to the geography of the area of the erstwhile princely state of J & K and will serve as a useful reference for the better comprehension of the series of maps that follow.

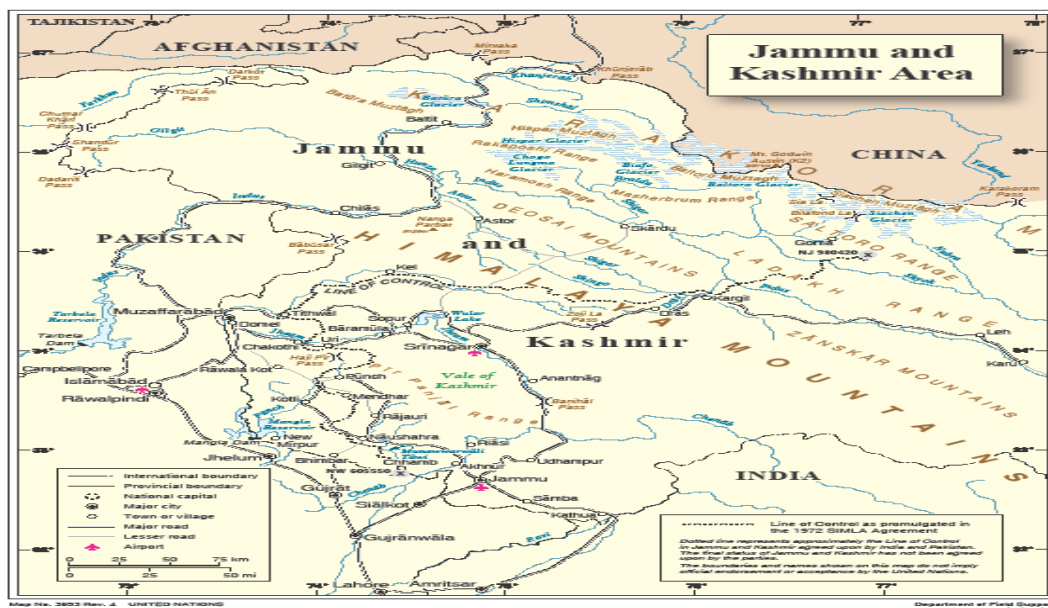


Figure 01: Source: Document No 1210659, UN Cartographic Section, Jammu and Kashmir area, Online

The overview and explanation of profile and demography, AJK government and its political structure, economy and employment in AJK is necessary in order to create a context for further discussion.

Profile and Demography of AJK

AJK comprises of an area of 13,297 square kilometres expanded over 10 districts. The topography of the area is mainly hilly and mountainous with valleys and stretches of plains. According to 2017 Population Census Report, AJK has a total population of 40.45 million. The population contains 40, 45366 (both genders). About 99.9% population comprises of Muslims. Mostly the population lives in villages and these villages are located on the mountains and foot-hills. Average family size is estimated at 6.7 members. Literacy rate which was 55% in 1998 population census has now increased to 64%. About 85% households have very small land-holdings between one to two acres per family, and the average farm size is only 1.2 hectares. The major crops are maize, wheat & rice whereas minor crops include vegetables, grams, pulses and oil-seeds. Major fruits are apple, pears, apricot and walnuts (Official Website AJK Government). Sudhozai, Khwajgan and Abbasis are among the tribal groups who have been migrated from Ghazni (Afghanistan) and living in AJK. Currently, 18000 are Sudhozai caste and the rest is Khwajgan living in AJK area (Khan, 2011). The geographical features of AJK are as follows:

Table 1
Demographic

Area	5134 Sq. Miles 13297 Sq Km.	
	1.330 Million	Hectors
	3.286 Million	Acres
Longitude	73° – 75°	
Latitude	33°– 36°	
Topography	Mainly hilly and Mountainous with terraces, Valleys and Plains at some places.	
Climate	Sub-tropical highland type	
Temperature	Maximum 45.2°C	
	Minimum -02.6 °C	
Rainfall	1300 mm on the average	
Elevation from sea:-		
Range from South	360 meters	ASL
Range from North	6325 meters	ASL
Snow Line		
In Winter around	1200 meters	ASL
In Summer around	3300 meters	ASL
Main Rivers	Jhelum , Neelum & Poonch	

Source: AJK Bureau of Statistics, Planning and Development Department,

Government of AJK and its Political Structure

Although AJK is a self-governing entity and administered by Pakistan but under the Constitution of Pakistan the State is not a part of it (Report AJK-Introduction, 2007). AJK has its own elected Prime minister, President, legislature and official flag. Financial matters of AJK, i.e. Tax affairs and budgetary, are dealt by its own administration body rather than by Pakistani board of Revenue. AJK has its own legislative Assembly (LA) comprises of (forty-nine members) and Kashmir council (fourteen members). These both houses share legislative powers and executive/government over various subjects divided between them. The president of AJK is Vice chairman of the Kashmir Council (KC) whereas Prime Minister

of Pakistan is its Chairman as provided by ICA. These two houses, namely, LA and KC along with President have power to legislate. However, AJK does not have capacity to enter into relations with other states which is questionable. The population features of AJK are as follows:

Table 2
Population

Projected population of AJ&K. (2015)	4.466 million
Male population. (2015)	2.247 million
Female population. (2015)	2.217 million
Gender Ratio (Number of males per 100 females)	101
Average Family Size.	6.7 Members. (MICS2007-08)
Rural - Urban Ratio	88:12
Growth Rate	2.41 %
Population Density 1998 Census.	258 Persons/Sq. Km.
Population Density 2015 projected	336 Persons/Sq.Km.
Literacy Rate	76 %
Religion	Almost 100% Muslims

Source: Projected on the basis of 1998 Census, Population Census Organization, Islamabad, PSLM 2014-15 Survey

Economy, Employment and health in AJK

It is necessary to explain economy and employment so that it will clarify the economic, employment and health situation in AJK. In 2005, AJK was hit by 7.6 magnitude of earthquake which caused a severe damage to the state's economy. The GDP growth rate in its economy over the last three decades increased from 1.6% to 6.3%. However, agriculture is still playing a significant role in the economy of AJK as around 70% of the population is dependent on it (Report AJK Bureau, 2009). Approximately 60% of the manual labor force is directly and indirectly employed in agriculture sector and only 15% is employed in industry. Job redundancy ranges from 9.0 to 13%. With regard to annual household income, people living in the rural areas are more dependent on remittances than are those living in the urban areas. Majority of the rural population depends on agriculture, livestock, forestry and non-formal employment (Report AJK Economic Review, 2011).

Table 3
Statistical analysis of Micronutrient deficiencies in children under five & Women with reproductive Age (WRA)

Indicator	Pakistan	AJ&K
Micronutrient Deficiency Under Five		
Stunting	43.7%	32%
Wasting	15%	18%
Anemia (Moderate to severe)	61.9%	46%
Iron deficiency Anemia	32.7%	26.7%
Vitamin A Deficiency	54%	44%

Zinc Deficiency	39.2%	47.2%
Vitamin D Deficiency	40%	35%
Maternal Micronutrients Indicators		
Anemia (Moderate to Severe) in non-pregnant women based in HB level 1	50.4%	41%
Anemia (Moderate to Severe) in pregnant women based in HB level 1	51%	43%
Vitamin A def. (Non-Pregnant)	42.1%	13.7%
Vitamin A def. (Pregnant)	46%	32.2%
Night blindness during last pregnancy	16%	17%
Vitamin D def. (Non-Pregnant)	66.8%	73.3%
Vitamin D def. (Pregnant)	68.9%	73.4%
Urinary iodine excretion in women (moderate to severe deficiency)	14%	35%
Use of iodized salt for cooking	39.8%	71.6%
Presence of Goiter	2.9%	9.8%
Worm infestation in the last six months	5.9%	13.9%
Practice of Mothers for IYCF		
Initiating breast feeding within one hour of birth	24.6%	12.4%
Initiating breast feeding within 1 to 12 hours of birth	27.6%	35.1%
Initiating breast feeding after 24 hours of birth	31.4%	26.5%
Honey as the first feed offered after birth	41%	43.2%
Exclusive breast feeding upto six months of age	15.2%	4.1%
Introducing semi solid food at 6-8 months of age	51.8%	35.7%
Knowledge about Iron rich food	24.8%	35%
Knowledge about Iodine rich food	42.8%	17%
Socio Environmental Indicators		
Household food insecurity	58%	55%
Household food insecurity (moderate to severe)	30%	26%
Formal education of mothers	41%	70%
Piped source of drinking water	50%	21%
Never treat water to make it safe for drinking	85%	93%

Source: Azad Jammu & Kashmir Rural Support Program, Muzaffarabad

AJK'S affiliation and Relation with Pakistan

The AJK's Constitution provides for two executive forums; the AJK Government and the AJK Council. The AJK Council is under the numerical control of the federal government and presided by the PM of Pakistan. It comprises six other federal ministers, the minister of Kashmir affairs as the ex-officio member, the PM of AJK, and six AJK members elected by the Legislative Assembly of AJK (AJK Constitution, 1972).

Thus, AJK remains under Pakistan's administration for all intents and purposes as exhibited through its constitution while the constitution of Pakistan is silent in this respect. From the outset, the institutional set up in the territory was designed to ensure Pakistan's administration of the area's affairs. According to the United Nations Commission for India and Pakistan (UNCIP) resolutions, AJK is neither a Sovereign state nor a province of Pakistan, rather a "local authority" (Behera, 2017). The "local authority" (initially was an independent and sovereign government localised by Karachi Agreement) as established in October 1947 handed over to Pakistan under the Karachi Agreement of April 28, 1949, matters related to defence, foreign affairs, negotiations and coordination of all affairs relating to Gilgit and Baltistan (Gillani, 2008).

AJK having its *State-like* character does not constitute a part of Pakistan and is a foreign territory under the Constitution (PLD 1985 S.C (AJ &K) p62). Although AJK is not part or province of Pakistan and is a Muslim majority area but in fact administered and controlled by Pakistan. Friendly relations exist between AJK and Pakistan however; legally speaking laws are imposed on the people of AJK under the umbrella of friendly relations.

People of northern areas are citizens of Pakistan for all intents and purposes. They have the right to invoke any of the fundamental rights and liable to pay taxes. They have an independent judiciary to enforce, inter alia, the fundamental rights (1999 SCMR 1379).

Political status of AJK marked by ambiguity

Nominally, AJK is not a province or agency of Pakistan with a province-like status. In reality, AJK is under the tutelage of the Ministry of Kashmir Affairs in Islamabad (Faruqui, 2010). Clause (4) of article 1 of constitution of Pakistan embodies powers of the parliament to admit into federation new states or areas on terms and conditions it deems fit. While Article 257 of Constitution of Pakistan prescribes future relation of whole state of J & K with Pakistan according to the wishes of the people of the area but no provision of Pakistan’s Constitution talks about the status of AJK. When a state accedes to another state, it is not merely the territories of such a State that would accede, but accession would include all that is situated in such territories including its inhabitants (2002 MLD 1636). The map of AJK is as follows:

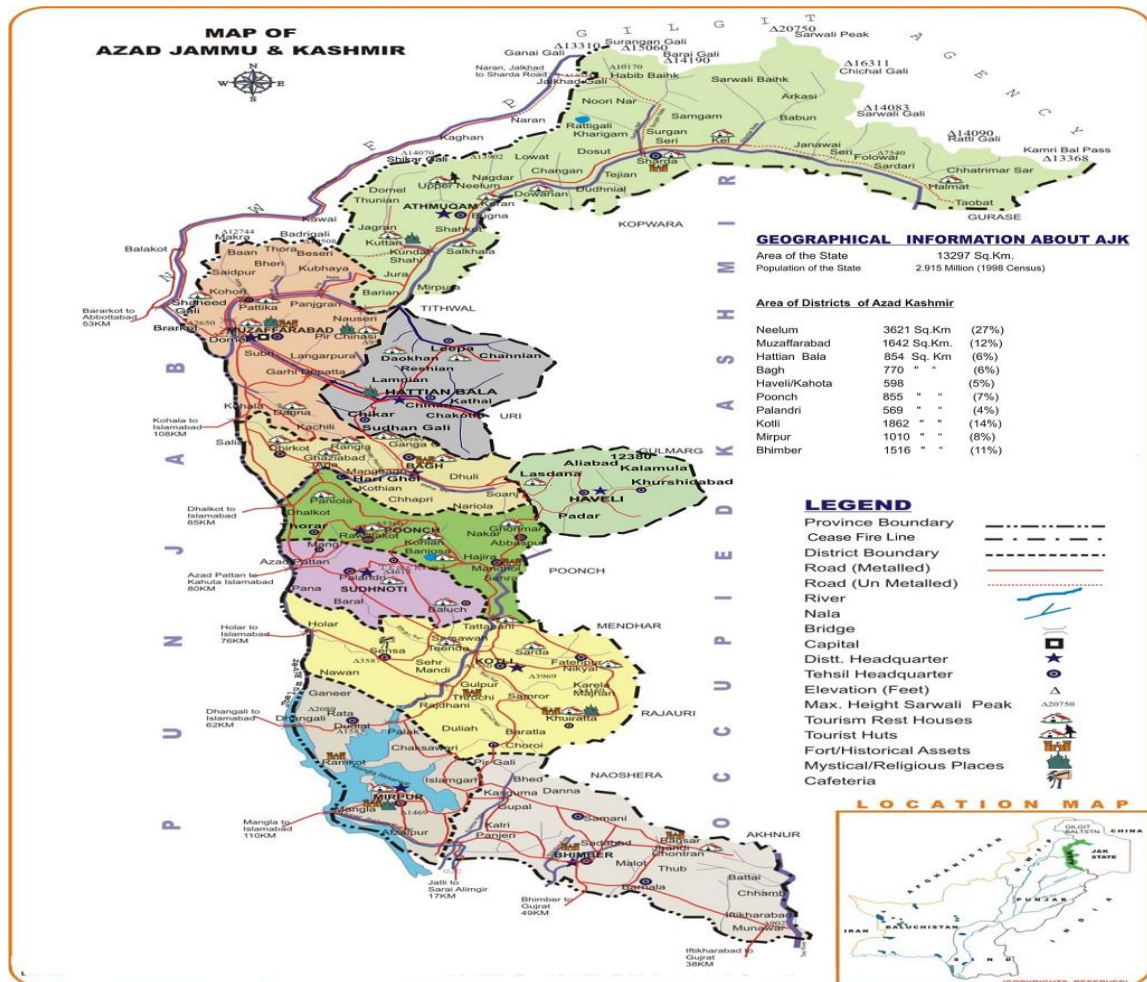


Figure 02: AJ&K Official portal, Official website of Government of AJ&K,

Literature Review

Constitutional Status of AJK and Women’s ESC rights

The supreme law of AJK is Azad Jammu and Kashmir Interim Constitution, 1974 name given in 13th Amendment (IC). The word Interim signifies temporary. It is because future status of J& K is yet to be determined in accordance with the UN Resolutions and

wishes of the people. AJK has its own area, population and government but it lacks capacity to enter into relations with other states. Hence AJK is not a state but is a *State-like* entity. The AJK constitution bars from elected office any individual who "propagates against, or takes part in activities prejudicial or detrimental to the ideology of the State's accession to Pakistan". Any dialogue between Islamabad and Muzaffarabad must also include the Northern Areas of Gilgit and Baltistan, which separated from the former princely state following a successful revolt against the Maharaja's decision to accede to India in 1947.

Under Interim constitution, it is the obligation of state to protect and promote basic human rights of individuals. Section 4 specifically addresses fundamental rights of individuals. Fundamental rights are those rights which are granted and guaranteed by state therefore it is perfect obligation on AJK government to protect such rights. On the other hand, imperfect obligations are also incumbent on AJK government to protect and promote ESC rights of women. ESC rights are considered as aspirations and goals and falls in the category of principles of policy. Principles of policy are guidelines and directions for taking into consideration in which the rights are protected and enforced. It is therefore obligation on AJK government to pay consideration on availability of ESC rights and promote and protect them in the light of human rights instrument in particular ICESCR because at least under customary international law the provisions are indirectly binding on AJK as well. AJK is under obligation to take necessary steps for improving the availability of ESC rights to women.

Provision relating to the State of Jammu and Kashmir

The Constitutional provision of Pakistan has provided that the relationship between Pakistan and people of State of J&K including AJK if they decide to accede to Pakistan shall be determined in accordance with their wishes (Constitution of Pakistan, 1973). This provision further indicates that the peoples of Pakistan do not recognize that the State of J&K is a part of India but still a disputed territory the people of which has still to decide about their accession to Pakistan or otherwise. When the status of Kashmir will be determined and decided as a state then automatically AJK can ratify human rights instruments and by virtue of such ratifications ESC rights of women are promoted and they are empowered. However, till the solution of Kashmir dispute, under Interim Constitution imperfect obligations are incumbent on AJK government through foreign affairs of Pakistan to protect basic ESC rights of women.

Material and Methods

The methodology adopted in this work is qualitative. The data is collected from relevant statutes on the topic and reports.

Results and Discussion

Status of Women's ESC rights with linkage to MDGs

AJK Interim Constitution guarantees certain fundamental human rights available to all individuals including women. In this section the provisions which are relevant to Women's ESC rights with linkage to (Millennium development goals) MDGs are analyzed. Section 4 (1) states that No person shall be deprived of liberty save in accordance with law. The covenant recognizes the right of everyone to social security including liberty and social insurance (Article 9 ICESCR).

Under Section 4 (5), freedom of movement is recognized. Everyone has right to live and move freely in AJK and to reside and settle in any part. Section 4 (6) recognizes that every State Subject shall have the right to assemble peacefully in the interest of public order. Section 4 (7) states that everyone has right to form associations or unions. Freedom of

speech and expression are also guaranteed i-e every State subject shall have the right to freedom of speech and expression in the interest of the security of AJK. Section 4 (8) recognizes the right of everyone to enter upon any lawful profession and occupation.

Every individual is allowed to conduct any lawful trade or business. On the other hand article 8 of the International Covenant on economic, social and cultural rights (ICESCR) recognizes right of everyone to form trade unions or associations for the promotion and protection of his economic and social interest. Moreover, article 4 of the ICESCR recognises the right of everyone to the enjoyment of just and favourable conditions of work. Under section 4 (9) every individual will try his best to make friendly relations with Pakistan. Moreover, it is obligation on everyone to respect public order, decency or morality.

Every State Subject shall have the right to acquire, hold and dispose of property. Section 4 (13), states that no person shall be deprived of his property. Section 4 (15), argues that all state subjects are equal before law and are entitled to equal protection of law. Discrimination is prohibited under section 4 (17) of the AJK constitution. It states that no State individual who is qualified for appointment in the service of AJK shall be discriminated against in respect of any such appointment on the ground only of race, religion, caste or sex. In the interest of the said service, specified posts or services may be reserved for members of either sex.

ESC rights are termed as aspirations and goals and in this regard principles of policy should be observed. It is the responsibility of each organ and authority of the state to act in accordance with the principles of policy. These should be regarded as being subject to the availability of resources. Section 4 (17) creates obligation on State to protect and promote basic human rights without distinction however, in the terms of implementation of the situation is different.

MDG's contain clear quantitative standards to which all Governments have made a political commitment. There was strong emphasis on aligning them closely with the relevant economic and social rights obligations, and on ensuring that the targets and indicators address the human rights of women and excluded groups. It noted that countries could adopt additional human rights-related goals (Vandemoortele, 2007). Each of the MDGs aims to fulfill a particular civil, economic, or social right.

For instance, the right to life (goal 4 reduce child mortality), the right to development and right to an adequate standard of living and food (goal 1 eradication of extreme poverty), the right to education (goal 2 achieving universal primary education), the right to non-discrimination (goal 3 promoting gender equality and empowering women), the right to health (goal 5 improving maternal health). Consequently, analysis of the MDG goal 3 promoting gender equality and empowering women must include a human rights perspective. Progress is lagging for achieving MDG 3. AJK needs more progress towards the achievement of promoting gender equality and empowering women (MDG 3). It is argued that AJK should observe quantitative standards, address patterns of discrimination, and strengthened strategies for empowerment of women in enjoyment of their ESC rights keeping in view the MDGs targets and indicators.

Share of women in wage employment in non-agricultural sector is 4.45 %. Gender parity index in secondary education is 0.89 %. Gender parity index in primary education is 1.01 %. Youth literacy GPI is 0.53%. Overall all these indicators of this goal are off-track; AJK is unlikely to meet MDG 3. Unfortunately, since the 2005 earthquake which struck AJK in 2005, significant amount of resources continue to be used for recovery and rehabilitation thereby negatively impacting the allocation of funds for development interventions (MDG's Report, 2013). Indicators show that level of participation is low. AJK still falls of the MDG targets set for 2015. In this context, AJK government has to make laws and policies for achieving gender equality and women empowerment.

Women empowerment and participation, which are key human rights principles, has become a standard feature of development discourse. The third key recommendation of the Millennium Project focused on the need for broad-based participation in implementing the Goals:

- Developing countries should craft and implement the MDG-based poverty reduction strategies in transparent and inclusive processes, working closely with civil society, the domestic private sector and international partners.
- Civil society should contribute actively to designing policies, delivering services and monitoring progress.
- Private sector firms and organizations should contribute actively to policy design, transparency initiatives and, where appropriate, public-private partnerships (Millennium Project, 2005).

The World health organisation (WHO) is committed to the attainment of the United Nations MDGs. Health is a means to reduce poverty and attain sustainable economic development. MDGs have relationship with basic human rights and provisions of AJK constitution are also consistent. Keeping in view above recommendation ESC rights of women in AJK needs to be protected and promoted. For example, In AJK'S Interim constitution certain fundamental rights are recognized and protected. Section 15 states that: All persons are equal before law and are entitled to equal protection of law. This provision includes women as well. Section 17 safeguards against discrimination in service. These provisions also apply to women in theory however, in terms of implementation in AJK, these rights faces challenges, for example, women are neglected in getting education, food, health care facilities, consent for choice of a life partner and other essentials of life (Hassan, 2005).

Achieving gender equality in education requires equality of access and opportunity to education, as well as equality of treatment once in school for girls and boys alike. Gender parity in education refers to the equal enrolment of girls and boys in school. To sustain and build on the gains made in improving gender parity in education, the wider issues of equality of opportunity and equality of treatment have to be addressed.

Commitment 7(d) of the Johannesburg Plan of Implementation was to "Promote women's equal access to and full participation in, on the basis of equality with men, decision-making at all levels, mainstreaming gender perspectives in all policies and strategies, eliminating all forms of violence and discrimination against women and improving the status, health and economic welfare of women and girls through full and equal access to economic opportunity, land, credit, education and health-care services" (UNDESA, 2004). Although indicators for all goals must be disaggregated by sex, there is strong support for a specific goal on gender equality. AJK hasn't signed any human rights instrument because of undetermined status as foreign affairs are a subject of Pakistan for AJK being stated under Karachi Agreement, 1949 and ICA, 1974. Hence AJK is legally and politically bound by International instruments. It is argued that such goals be achieved through domestic legislation in AJK in the light of international law and Islamic law. The UN Task Team report states that:

"Discrimination against women and girls impairs progress in all other areas of development. The global development agenda should seek not only to address and monitor the elimination of specific gender gaps, but also to transform the structural factors that underpin the widespread persistence of gender inequalities, gender-based violence, discrimination and unequal development progress between women and men, girls and boys. The empowerment of women and girls and the protection of their rights should be centre-pieces of the post-2015 agenda" (UN Report, 2008).

Pauline questioned that do women have full participation in decisions that affect their lives and communities? (Stockins, 2011). It is not established fact that in AJK women can fully participate in decision making. However, they should have full participation and involvement in exercising their basic ESC rights. For this purpose, it is necessary to promulgate and legislate at domestic level so that women are empowered and they exercise their ESC rights without discrimination and enjoy full participation in exercising their rights. This is the possible solution for improving their empowerment and status as they are vulnerable.

Picture of Poverty and Economic Inequality in AJK

Poverty is inclusive in AJK with 40% of the population dwelling in absolute poverty having less than one US dollar per day incomes. Women living in AJK are facing disadvantages from the time they are born. The birth of a girl is commonly met with dissatisfaction, even irritation and the guilt is usually placed on the mother. As a rule, the girl child receives less food, less access to education and less health care than a male child and as a result girls are more likely to die of childhood diseases (Lundberg and Pollak, 1994). Promotion and promotion of ESC rights and women empowerment is understood as to give power to women for having not only the resources and opportunities but also the ability to utilize these resources and opportunities for their personal, economic and social change (Report Charlier and Caubers, 2008).

Women's particular vulnerability to social and economic deprivation is deepened further in conflict and post-conflict situations and when economic sanctions are imposed. The CESCR has stated that ESC rights must be taken into account when imposing sanctions, and State Parties to the Covenant should take account of the suffering that such sanctions are likely to inflict on vulnerable groups, such as women. As the UN Security Council has recognized, peace and women's equality are inextricably linked (SC Resolution, 2000).

AJK is one of the poorest areas, with annual per capita income ranging from USD 180 to 200, about half the national average. Land degradation, farmland fragmentation and reduced agricultural productivity are jeopardizing the traditional lifestyle and forcing increasing numbers of the poor to migrate in search of off-farm employment. Around 88% of the population live in rural areas and are dependent on forestry and agriculture for their livelihoods (Planned project activities 2002 – 2003 addendum, 2002).

In AJK females are also playing their role in the development of economy and to fulfil the needs of their families but this rate of participation is comparatively low because of the religious and cultural restrictions. Out of 53 seats 5 seats are allocated to Women in AJK'S parliament. According to the world development indicators, women in AJK are participating 23% in the labour force of AJK. Prominently they are providing services in agriculture, education, health, in professional and business. Labour force participation rate is the proportion of the population, ages 15 and older that is economically active and contributing in household expenditures. The next section is specific to economic and social conditions of women in AJK.

Economic and Social Conditions of Women in AJK

Gender: Women have significantly lower economic opportunities, mobility, access to resources and autonomy in AJK due to cultural and religious customs and other forms of gender discrimination.

Health conditions: Children are visibly malnourished, have discoloured hair, have distended stomachs and vacant looks. Women look very old for their years, marry young. People have disabilities or scarring related to diseases, such as small pox.

Social conditions: Women are living under social conditions in which it is difficult for them to assert their rights and they are often exploited by wealthier people. A “feudal” elite dominates rural society. Farmers are dependant for their basic needs on a traditional landlord, and do not have property rights over their land. Rural society is male-dominated. Since men control the markets and trading, women are therefore cut off from economic opportunity. Women have little control over how the money is spent and are not aware of how much they really earn (Case Study McVay, 2007).

Socio-demographic factors affect women’s independence in making decisions regarding health, household, family planning etc. Women’s economic dependency has long been understood to be a major factor in structuring inequalities between men and women. Control over financial resources is often considered a central dimension when measuring women’s household position (Arooj et. al, 2013).

Women Education is very crucial variable of the study, because it affects the overall socio economic conditions of women, especially in decision making regarding employment, time allocation in domestic activities, maternal health, sanitation and hygiene, and their medical checkups etc. Distance from water source is the average distance women have to walk while carrying the water. This variable has special importance with reference to women health and their time allocation (Ahmed et. al, 2017).

Women are subjected to discrimination and violence on daily basis. Study implies that women face discrimination and neglect at all levels in our society. They have the sense of being inferior, imposed by the traditional thoughts of a male chauvinist society; women are suffering tremendously especially in their homes. Lack of education and economic opportunities for women restrict the potential of women to think about their due rights.

Poverty and wrong interpretation of religious are also big hurdles in the way of Pakistani women becoming progressive and independent. Men normally control their movements and behavior whether he is a father, husband or brother. The women of Pakistan will have to struggle for a long time to survive and get their equal rights. Until and unless the traditional thoughts regarding women as inferior, or as chattel are changed, it might be difficult for women to get any sort of freedom in this environment. Pakistan may not become a prosperous country in the world unless the half of the population consisting of women is given equal opportunities to take part in this process of development (Asif, 2011).

In terms of livelihood, remittances are an important source of income and account for approximately one quarter of household consumption expenditure in AJK. For most recipients, remittances are a primary source of income and in many cases the only source. In Azad Kashmir, remittances to households account on average for 25.1% of total households’ monthly income.

Patterns of Vulnerability

The patterns of vulnerability to the hazards discussed above can partially be surmised from the damage of the 2005 Earthquake. Similar patterns of vulnerability are present in relation to most hazards. A brief review of the earthquake studies illustrates the point about the differential vulnerability of the women, children and the elderly. Studies indicate that urban population was particularly vulnerable to the earthquake (Khan and Mustafa, 2007).

Conclusions and Recommendations

From the preceding discussion it is concluded that although AJK is not recognized as a State by the UN but is *State-like* entity having its own Government, legislature, executive

and Judiciary. This article reveals that ESC rights of women may be protected in the light of norms of International law. The constitutional status of AJK is though not clear but human rights obligations are incumbent on AJK government at least under the norms of Customary International law (CIL). The constitution was designed as temporary arrangement and government was established because future status is yet to be determined.

AJK is not reflected in article 1 of Constitution Islamic republic of Pakistan, 1973, that define territories of Pakistan. AJK is part of State of J & K till the solution of Kashmir dispute however, it is administered by Pakistan. AJK has administrative relation and affiliation with Pakistan. Despite its ambiguous status as a State, under IC or at least under the norms of CIL, it is obligation on AJK government to respect, protect and fulfill basic human rights of the people.

People living in AJK are poor economically and socially. They have less sources of income. Socio- economic and socio- cultural conditions of women are not good. Poverty index in AJK is high and in this regard; there are challenges on AJK government for example non-availability of educational institutions, lack of health facilities and less employment opportunities. Women's activities are limited to their homes and have fewer opportunities for working. They can prove better teachers and doctors. It is therefore responsibility of AJK government to protect basic human rights of the people especially women in AJK by taking special measures and implementation of the legislation in line with international laws so that they may exercise and enjoy their ESC rights equally without any discrimination and distinction.

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