Abstract: Following the 1990 insurgency in the Valley of Kashmir, thousands of Kashmiris crossed the Line of Control and fled to Azad Jammu and Kashmir (AJK), where they are presently living as refugees. This essay examines the complicated nature of the Kashmir issue that sets these Kashmiri refugees apart from conventional refugees. For better understanding, a comparison is drawn between them and other past and present refugees of South Asia. Despite their arrival in Azad Jammu and Kashmir (AJK) almost 30 years ago, they are still living in camps. This essay analyses the major problems faced by the refugees in camps: housing, employment, education and subsistence allowance. The paper attempts to explore reasons for the continued dismal living conditions of these refugees.

Keywords: Kashmir conflict; refugees; Azad Jammu and Kashmir; 1990 Kashmir insurgency; life in camps

1. Introduction
The Kashmir dispute has remained a serious bone of contention between India and Pakistan since its inception in 1947. Bose (2003) has argued that the international dimension of the Kashmir conflict—the issue between India and Pakistan—has “remained unchanged—indeed, static and frozen since the genesis of the dispute” in 1947. The real change in the Kashmir conflict has occurred in the internal dimension of it, the 1990 insurgency, and he calls it the contemporary Kashmir conflict (12). This insurrection has adversely affected the inhabitants of the Kashmir Valley.
—Kashmiris—in various ways. The impact on Kashmiris living in the Kashmir Valley has gained the attention of media, international human rights organisations and various academic scholars.

While the focus has primarily remained on Kashmiris living in the Valley of Kashmir, those Kashmiris who fled to Azad Jammu and Kashmir (AJK) in 1990 as a result of the insurgency, have been given very little attention by the media, international human rights organisations, or even academic scholarship. The only academic work available on the 1990 Kashmiri refugees has come from Robinson (2013). In her work, she analyses all the Kashmiri refugees who fled to AJK and Pakistan from Indian Jammu and Kashmir since 1947. In doing so, she also analyses the Kashmiri refugees of 1990, particularly discussing how they came to AJK; some came as refugees and some came as Mujahids (holy warriors). However, she fails to discuss how the inherently complex nature of the Kashmir conflict has created a unique category of refugees. In addition, she does not analyse the 1990 Kashmiri refugees’ life in camps, the problems that they face over there and how successful the government has been in rehabilitating them. This article aims to analyse these aspects of the 1990 Kashmiri refugees that have hitherto remained unexplored, and by filling this gap it contributes to the scholarship on the Kashmir issue as well as to refugee studies.

I began my research by going through as much secondary literature as possible in the University of Cambridge Library. While there was no secondary literature on the topic itself but reading helped me to connect my topic with wider debates and also prepared me for my fieldwork. I went to Muzaffarabad (capital of AJK) and Islamabad to do field research for one month. I interviewed twelve people, which comprised six refugees living in camps in Muzaffarabad, three town refugees living in Islamabad and three AJK government officials in Muzaffarabad, including the then Minister for Rehabilitation in the AJK government, Refugee Welfare Officer of Muzaffarabad and Extra Assistant Commissioner of Muzaffarabad. The purpose of interviewing different types of people was to get diverse and unbiased information. I thought this mix of people would provide me with workable data for my research. In addition, I visited AJK government departments in Muzaffarabad and acquired useful government records that have not been used in the scholarship before.

My fieldwork included doing one to one interviews with the main stakeholders. The interviews were semi-structured and some of the questions were open-ended, such as the main issues in the camp, as I wanted the refugees to express their views openly. Because the questions were open-ended, I often asked follow-up questions from the interviewees. It was a challenge for me to interview some refugees who were not educated and thus found it difficult to express their concerns clearly. To tackle this issue, I asked follow-up questions from them which helped them mention their concerns in detail. One of the strengths of my fieldwork was that I was able to interview participants in the age group 20–75. This enabled me to acquire the perspective of both, young and old people—two different generations.

One of the limitations of my fieldwork was that I was able to interview only one female; due to privacy and religious (Islamic) reasons, most women in AJK do not want to give interviews, especially to a male interviewer.

I had certain advantages during the course of my fieldwork. Firstly, since I am a native of AJK, I did not face issues that a foreign researcher would have to deal with such as an understanding of the local culture and more importantly, the language. Due to my fluency in Urdu, Punjabi and Pathwari languages, it was easy for the refugees to communicate with me in one of these languages, even though they mostly spoke Urdu. Secondly, as the son of a renowned politician and an ex-Prime Minister of AJK, it was comparatively easier for me to get access to government departments and meet government officials on short notice, which saved me time.

As a native, I have visited many places in AJK but the Kashmiri culture is much more prominent in these camps than elsewhere in the AJK. I found the refugees very hospitable. When I visited any hut in a camp, the host offered me various drinks and food, even though they had financial issues
and were living in tents. The most common item offered was Kashmiri tea or Pink tea (called Noon Chai in Kashmiri language) and Kashmiri Kulchay (a snack similar to a biscuit that is eaten with the Kashmiri tea). In the camps, I also saw a few men wearing pheran (a long loose overcoat or cloak), which is known as the traditional dress for Kashmiris. Even though it has been more than 25 years since their arrival in the AJK and are also living in miserable conditions, they have kept alive their Kashmiri culture. As I have never been to the Indian-administered Kashmir nor have I researched extensively about the Kashmiri culture, I cannot say with certainty that the culture in AJK is the same as their ancestral homes on the other side of the LOC.

2. The 1990 insurgency and the migration of Kashmiri refugees

The 1990 insurgency was a significant event in the history of Jammu and Kashmir and it is important to understand the origin of the insurrection. Ganguly (1997) has argued that “political mobilization” and “institutional decay” (21–39) were the main causes of the insurgency. Political mobilization involves a form of political awakening and it happened in Indian-administered Kashmir due to an increase in literacy rate. In ten years from 1971 to 1981, overall literacy rate in Jammu and Kashmir grew by 43 per cent and there was also substantial growth in the number of madrassas (Islamic schools) after 1983. Moreover, proliferation of mass media also boosted the process of political mobilisation. For instance, 254 newspapers were published in Kashmir in 1991 compared to 135 newspapers in 1975. There was also significant growth in electronic media, especially television and video and audio tape recorders. As a result, a new generation of Kashmiris emerged that was more educated, politicised and articulated. “Institutional decay” can be understood in terms of the flawed democratic process as every election except two (1977 and 1983) since the very first, in 1957, was marked by “corruption and deceit” (Ganguly, 1997, 39) Democratic systems rely on institutionalised opposition, and over the years, any opposition to the National Conference, the main political party in the Valley, was driven out of the institutional arena, which has been termed by Bose as “the intolerance, indeed criminalization, of political opposition in IJK (Indian Jammu and Kashmir)” (Bose, 2003, 98).

In 1984, after Farooq Abdullah was dismissed as the Chief Minister and replaced by G.M. Shah, instability grew in Kashmir and security and economic situation started to worsen. The poor economic condition, which led to unemployment among educated youth, “provided a fertile recruiting ground for various secessionist organisations” and “these organisations started to extend their political sinews with increasing impunity” (Ganguly, 1997, 89). In 1986, the alliance between Congress and National Conference proved to be unpopular among a segment of Kashmiris, who then joined religion oriented and fundamentalist political parties which collectively formed the Muslim United Front (MUF), the only other avenue of opposition at that time. The 1987 election, in which Congress-National Conference alliance won, was rigged as voters were systematically intimidated, ballot boxes tampered and electoral officers harassed by party workers. The conduct and outcome of this election ended any chance of expression of legitimate dissent in Kashmir (Ganguly, 1997, 89).

Another point of view is that religion played a major role in instigating the insurgency. Wissing discusses how religious (Islamic) radicalism and terrorism sponsored by Pakistan fomented the insurgency. The Islamic resurgence of the previous several decades changed the role of Islam in the politics of South Asia, which, inevitably, augmented the Islamic ideological presence in the separatist milieu of Kashmiris politics. This Islamic resurgence in Kashmir was linked to sponsored terrorism by Pakistan. Jagmohan, two times governor of the state of Jammu and Kashmir, stated that the dilemma in Kashmir was due to Pakistan-directed Islamic conspiracy: Pakistan-backed terrorist organisations had gained strong control in the Valley and “all organised sectors of society in the Valley had been infiltrated by terrorists and subverted” to replace tolerant Kashmiri Islam with Islamic fanaticism in the minds of Kashmiris (Wissing, 2003, 159–160).

By 1989, a number of militant groups had begun to operate in the Valley; Jammu and Kashmir Liberation Front (JKLF) being the most prominent one. According to Schofield, the militants
included disappointed political workers and traditional opponents of the National Conference in the 1987 elections, as well as young men who had become alienated by Indian government policies and lack of job opportunities—their grievances were as much economic as political (Schofield, 2000, 146). In the early 1990s, there were massive anti-India demonstrations, strikes and rallies in Srinagar and other towns of the Kashmir Valley by the Kashmiri Muslims, which called for Kashmir’s azaadi (freedom) from India.

On the night of 19 January 1990 there was an intensive house-to-house search and the next day, there was a large protest in the streets of Srinagar against the search the night before. When unarmed protestors reached the Gawakadal bridge over the Jhelum River, they were fired on both sides of the bridge by paramilitary troops, which resulted in hundreds of Kashmiris dying either due to gunshots wounds or they jumped in the river, and drowned, to escape the bullets. This was one of the worst massacres in Kashmiri history and had dire repercussions as it caused thousands of Kashmiris to march in Srinagar and other towns chanting slogans “We want freedom” or “Long live Islam”. With this incident, it was no longer a fight between the militants and security forces. Schofield argues that “it gradually assumed the form of a total insurgency of the entire population” as loudspeakers in mosques encouraged people to come out and everyday people were shouting slogans of “Azaadi”. Teachers, doctors, lawyers, students all came out on the streets to protest (Schofield, 2000, 148–149).

However, not all Kashmiris supported the insurgency, especially the Kashmiri Pandits—the Hindu community in the Valley. As law and order deteriorated in the Kashmir Valley, Kashmiri Pandits felt an increasing sense of vulnerability and insecurity in response to what they perceived as a threatening atmosphere in the region. These feelings were worsened by a series of actions directed against their community, including attacks on prominent Kashmiri Hindu politicians and advocates, and acts of violence in Hindu localities in Srinagar (Duschinski, 2008, 46) As Evans mentions, two Srinagar based newspapers, Al Safa and Srinagar Times, carried direct threats in April 1990, warning Kashmiri Pandits to leave the Valley or be killed. The then Governor, Shri Jagmohan, hinted that the safety of the Hindu community in the Valley could not be guaranteed (Evans, 2002, 20–22). The hostile environment in the Valley caused a large exodus of Kashmiri Pandits and 1990, the year when the exodus started, is described as a “watershed year in the history of Kashmiri Pandits” (Gigoo & Sharma, 2015, XV).

The insurrection led to massive human rights violations in the Valley of Kashmir. According to the International Commission of Jurists (ICJ) report, the human rights abuses in Indian Jammu and Kashmir ranged from unlawful killings, rape, forced disappearances, torture and sexual abuse to suppression of freedom of speech (Goodhart et al., 1995). These abuses were committed by the Indian security forces as well as the armed insurgents. For instance, Asia Watch and Physicians for Human Rights report stated that in one week, 15 cases of rape, 44 extrajudicial executions, 8 cases of torture, and 20 injuries resulted from indiscriminate shootings of non-combatants by the Indian army and security forces personnel (Asia Watch and Physicians of Human rights 1993, 2). Crackdowns were the main instrument used by the Indian security forces to tackle the insurgency. In these crackdowns, Bose suspected that Kashmiris were taken to special interrogation centres, and when they returned from the interrogation, they were physically crippled or mentally disturbed, or both, and some never returned at all (Bose, 2003, 113–114).

The persecution and cruelties carried out by the Indian security forces caused thousands of Kashmiri Muslims to cross the LOC and flee to AJK, where they are currently living as refugees. Two kinds of Kashmiris fled to AJK: those who wanted to escape the persecution of the Indian security forces, such as crackdowns; and those who went to AJK to get training and weapons, and return to fight the Indian forces (Hashim, 2013). Regarding the latter, Bose argues, “as the armed revolt acquired a popular character owing to the severe and indiscriminate nature of Indian repression during 1990, thousands of Valley youths started to cross the LOC in search of weapons and training” (Bose, 2003, 126). Some of these youths returned, but some were unable to, and they
are now residing in AJK as refugees. Altaf Ahmed Butt, a former senior commander of the Hizbul Mujahideen who migrated to AJK in 1990, is now a businessman and the president of a housing society in Islamabad. He expressed his views regarding the Kashmiri refugees:

“There were two kinds of refugees who fled to AJK in 1990. The first category of refugees included those who became victims of the persecution and cruelties of Indian forces, and they wanted to escape it. The second category of refugees was of the freedom fighters, who came to AJK with the aim of obtaining training and then going back to liberate Kashmir” (Butt, 2016).

The map below shows the area of the former princely state of Jammu and Kashmir which is now divided between Pakistan (green colour), India (blue colour) and China (yellow colour). I have drawn a red circle in it to show that this essay focuses on this area only. The black dot in Azad Kashmir shows where Muzaffarabad is located, and this is where I did my fieldwork as most of the refugee camps are based here. The arrows show different areas of Indian-administered Kashmir, such as Srinagar, Kupwara and Baramulla, from where the Kashmiri refugees migrated to AJK and are currently living in camps in Muzaffarabad. Please note, as the table for refugees will later suggest, there are a few refugee camps in other areas of AJK too, such as Bagh and Kotli.

The map is taken from Wikimedia Commons (2007), however, I have made a few changes to it. I have drawn circles and arrows to make it clear and appropriate for my topic.

Robinson’s work makes a similar point that some Kashmiris crossed the LOC to AJK to escape the torture and human rights abuses caused by Indian security forces. She argues that the definition of their migration as Hijrat was not due to religious reasons but to protect their families and re-establish a proper domestic life for them in the new place—AJK; (Robinson, 2013, 204–205). She also
gives details of how some refugees became militants after joining a militant organisation to get training. According to Robinson, *Jihad* for these Kashmiris was more about protecting their families as she argues that the *Mujahid-e-Kashmir* was the defender of victimized women of the family (Robinson, 2013, 179). While Robinson has given a good explanation of how these refugees came to AJK, whether as *Mujahid* or *Muhajir*, she does not analyse how different these refugees are to some of the other refugees in South Asia. Moreover, Robinson’s work completely ignores how the refugees are living in camps, which will be explained in detail later.

It was not the first time that the inhabitants of Indian-administered Kashmir fled to Pakistan and AJK. There has been influx of refugees in the past as well. The first large wave of migration from Indian-administered Kashmir was in 1947 in the aftermath of the partition of British India, as around 1.5 million refugees fled to AJK and Pakistan. Another 50,000 refugees fled to AJK and Pakistan after the 1965 and 1971 Indo-Pak wars. The last influx of refugees was in 1990 after the eruption of the insurgency in Indian-administered Kashmir, and currently there are around 37,000 refugees in AJK and Pakistan (Government of Azad Jammu and Kashmir, 2016).

### 2.1. Legal and Political Status of the Kashmiri refugees

The legal status of Jammu and Kashmir state-subject refugees (Muhajir-e-Jammu and Kashmir) is the same as it was in 1947. Therefore, the Kashmiri refugees who migrated in 1990 are legally refugees in AJK (Robinson, 2013, 146). The then AJK Minister of Rehabilitation, Majid Khan, confirmed that the displaced Kashmiris of 1990 are legally and officially refugees in AJK and Pakistan (Khan, 2016). They are issued a *Muhajir* Card (Refugee Card), which identifies them as refugees. The picture of a *Muhajir* card is given below:
A Muhajir card (refugee card)—The title of the card “Muhajir-e-Jammu and Kashmir” suggests that the person is a refugee from the state of Jammu and Kashmir from 1990. The card also has the address of the person’s residence in AJK, as well as that of his (ancestral) home in Indian Jammu and Kashmir.

Source: This is a picture I took of a refugee’s Refugee card, whom I met in Muzaffarabad.

2.2. Are they really refugees?

According to the AJK government these displaced Kashmiris are legally and officially refugees. However, it is also important to examine if they are refugees in the global, and South Asian context as well. The United Nations High Commissioner for Refugees (UNHCR) does not recognise them as refugees on the basis that they are displaced within the former Princely State of Government of Azad Jammu and Kashmir and Kashmir, as the Line of Control (LOC) is not an international border (Robinson, 2013, 137). This argument is based on the 1951 Refugee Convention and its 1967 protocol, the international instrument, which defines a refugee as a person who “owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country” (United Nations High Commissioner for Refugees, 2010: analysed in detail by Chimni, 2000).

However, even if the 1990 Kashmiri refugees do not fall within the definition of the 1951 Refugee Convention, it does not mean that they are not refugees. Other conventions define refugees differently from the 1951 Refugee Convention, although they are more region specific. For instance, the 1969 Organization of African Unity (OAU) Refugee Convention provides a more expansive definition of refugee and millions of people are recognized as refugees in Africa according to this convention. Unlike the 1951 Convention, which defines a refugee based on “well-founded fear of persecution”, the OAU Convention acknowledges the fact the refugee exodus can be as a result of a threat of more general nature, which is intrinsic to the country in question. Edwards has argued that the definition of a refugee, according to the OAU Convention, is framed in terms of individual status, and the prevalence of individual assessment is increasing, mainly because since “there is no single or easy interpretation of the OAU Convention definition, there are many possibilities” (Edwards, 2006, 204–233).

Similarly, the 1984 Cartagena Declaration defines refugees as persons who have fled “because their lives, security or freedom have been threatened by generalized violence, foreign aggression, internal conflicts, massive violation of human rights or other circumstances which have seriously disturbed public order” (Edwards, 2006, 230). This definition encompasses political and economic reasons as well and not just fear of persecution as described by the 1951 Convention.

The partition of British India in 1947 created millions of refugees which were not recognized by the UNHCR either. However, these people were legally recognized as refugees by the Inter-Dominion Agreements, in which India and Pakistan developed a national and provincial legal framework, administrative practices, and institutional forms for dealing with them (Robinson, 2013, 103). They were also defined by their relationship to the property in each of the new states under the Evacuee property laws (Robinson, 2013, 105–108; Zamindar, 2007, 120–157). India remains a non-signatory to the UNHCR and refugees in India are defined by its own standards and not the 1951 Convention; Chimni (2000, 482–490) explains in detail the legal requisites for refugee status in India. The above-mentioned examples demonstrate that the
displaced Kashmiris are refugees because the AJK government has legally categorized them as refugees.

It is also important to know the rights of the 1990 Kashmiri refugees in AJK and Pakistan. The then AJK Minister of Rehabilitation stated:

“The 1990 Kashmiri refugees are treated as first-class citizens of Pakistan. They have all the rights that a local person of Azad Jammu and Kashmir has: they have the citizenship, right to buy property in Pakistan and AJK, right to vote and every right that the locals of AJK enjoy.” (Khan, 2016).

One may assume that these refugees are like nationals of Pakistan, as they have all the rights that a local of AJK has. As they have citizenship, their Identity (ID) card is similar to that of locals as well, and issued by the same issuing authority—National Database and Registration Authority (NADRA). However, although all the refugees have the right to citizenship of Pakistan, not all of them have been issued ID cards by NADRA yet, (this will be explained later). In addition to having the same rights that a local in AJK has, Kashmiri refugees are also issued Muhajir cards (refugee cards), which was described earlier. The Muhajir card is not an identity document because the refugees have the ID card as their main identity document. Instead, the Muhajir card is used to give benefits to these refugees, such as monthly subsistence allowance, education allowance and other benefits, which will be discussed later.

2.3. The LOC and the discourse of being internally displaced peoples (IDPs)
The Line of Control (LOC) is a de facto border that divides the former Princely State of Jammu and Kashmir. It was a ceasefire line drawn under the auspices of the United Nations in 1949. In the 1972 Simla Agreement, both India and Pakistan agreed to call it the Line of Control, which is explained in detail by Bose (2003, 2) and Banerjee (2010, 62–80). Since the LOC is not an internationally recognised border, there were mixed views among the refugees I interviewed: some believed that they are refugees (or Muhajirs), and some were of the opinion that they are Internally Displaced Peoples (IDPs). For instance, Altaf Ahmed Butt said:

“We are not Muhajirs (refugees). We are Internally Displaced Peoples (IDPs) who have moved from one part to another within our home, which is the (former Princely) State of Jammu and Kashmir. AJK is also our home and locating here does not mean we have moved to a foreign territory” (Butt, 2016).

This standpoint is similar to the UNHCR’s stance regarding Kashmiri refugees, which was discussed above. However, some 1990 refugees said that they are not IDPS, but refugees. For instance, Omar Farooq is the president of Jammu and Kashmir Relief and Rehabilitation Trust, which is an NGO based in Rawalpindi and Muzaffarabad. He expressed his views by saying “the Kashmiri Muhajirs are not Internally Displaced People because they cannot go back to their homes in the Kashmir Valley” (Farooq, 2016). This perspective is shared by another 1990 refugee Waleed Rasool, who is currently an assistant professor in the Islamic University Islamabad. He said “(Kashmiri refugees) are refugees, as they cannot return. IDPs means that they can move within the same place but to go back to their homes they need to cross the Indian army (at the LOC), and the Indian army does not allow them to come back” (Rasool, 2016). This position is based on the argument that both sides of Jammu and Kashmir are controlled and administered by two different countries. Regarding the LOC, Banerjee has argued that “politically the line remained unstable, with control being the only justification” (Banerjee, 2010, 63). Therefore, while the LOC remains a de facto border, it does not have the characteristics of a proper border. The peculiar nature of the LOC affects the way Kashmiri refugees are perceived.

2.4. Comparison with the partition refugees
Due to the Kashmir dispute and the peculiar nature of the LOC, the Kashmiri refugees are unique compared to the refugees of South Asia in the past. In 1947, the partition of British India caused
massive migrations, generating large exoduses of refugees across the Indo-Pakistan border. With the above argument that the Kashmiri refugees have moved within the same state (former princely state of Jammu and Kashmir), one can attempt to compare them with the refugees in Punjab and Bengal, which were divided into two parts as well in the wake of the partition. Millions of people migrated from East Punjab to West Punjab, and vice versa, but the movement took place within the same province—the pre-partition Punjab. According to Chattha (2011, 80), around 5.5 million Muslims migrated to West Punjab, and around 4.5 million Hindus and Sikhs moved to East Punjab. Similarly, in Bengal, people moved from East Bengal to West Bengal, and vice versa, but stayed in the same province—the Bengal which had existed in British India. In Bengal, the flow of refugees, across the East and West Bengal border, continued for several years even after partition (Chatterji, 2013, 273–304). However, Bengal and Punjab were divided by an international border, the Radcliff Line, which the refugees crossed. Whereas, in the case of Kashmiri refugees, they crossed the LOC, which as discussed earlier is a de facto border. In the immediate aftermath of the partition, regarding the Radcliff Line, Chester states, “the border was an uncertain zone rather than a fixed line” and “boundary was poorly marked and posed no barriers to those who wished to cross” (Chester, 2009, 135). The Radcliff Line turned into a proper border in the following years. Zamindar (2007, 79–189) has explained how the permanent national border was made with the introduction of the permit system in 1948, and later by the passport system in 1952. On the other hand, the Kashmir dispute remains unresolved, and the LOC continues to be a de facto border.

2.5. Comparison with the more contemporary refugees in South Asia

In the present time, another kind of refugees living in Pakistan are the Afghan refugees, who fled repression in Afghanistan during the late 1970s and early 1980s, as explained in detail by Khattak (2003). A comparison can be drawn between them and the 1990 Kashmiri refugees because both the refugees are currently residing in Pakistan. At present, there are around 1.5 million registered Afghan refugees in Pakistan, and another 1 million who are not registered at all, according to the Government of Pakistan. The registered Afghan refugees are issued Proof of Residency (PoR), which recognises them as “Afghan citizen(s) temporarily residing in Pakistan” (Human Rights Watch, 2016). This is very different from the Kashmiri refugees who are entitled the citizenship of Pakistan, and not considered temporary residents like the Afghan refugees. In addition, as a large number of Afghan refugees are present in Pakistan without documents, they are often victims of police abuses, such as raids on Afghan settlements, detention, harassment, and physical violence against Afghans according to the Human Rights Watch (2016). On the other hand, while there are many grievances of the Kashmiri refugees that they have not been rehabilitated properly by the government, which will be explored in depth later, none of the 1990 Kashmiri refugees interviewed during the fieldwork complained that they had been victims of such police abuses.

The exodus of Kashmiri Pandits from the Kashmir Valley, in 1990, is similar to the Kashmiri refugees in the sense that they too fled the Kashmir Valley as they became victims of the violence of the 1990 insurgency, particularly the violence perpetrated by Muslim militants. Around 160,000 of them fled the Valley and moved to Jammu and other cities of India (Evans, 2002). According to Schofield (2000, 151), the Kashmiri Pandits “were used as propaganda material by the Indian government to demonstrate that not only Muslims were suffering during the insurgency.” However, what distinguishes Kashmiri Pandits from Kashmiri refugees in AJK is that the Kashmiri Pandits did not cross the LOC, or any other border, as they were still in India after migration. On the other hand, the Kashmiri refugees crossed the LOC, which was discussed above.

It can be argued that the Kashmiri refugees are treated comparatively better than other refugees in Pakistan, or as stated above are given rights equal to AJK nationals. This is mainly due to Pakistan’s claim that the former princely state of Jammu and Kashmir (J&K) is part of Pakistan. From the outset, the civil and military leadership of Pakistan has termed Kashmir as the “jugular vein” of Pakistan (The Times of India, 6 September 2019). The ideological basis for the creation of Pakistan was that it was a separate homeland for the Muslims of South Asia, and J&K being a Muslim-majority region is, according to Lamb, a “powerful symbol” for Pakistan (Lamb,
Figure 1. These details have been provided by Commissionerate Rehabilitation of the Azad Jammu and Kashmir Government.

| Name of District | Serial No. | Name of Camp              | No. of families | No. of Persons |
|------------------|------------|---------------------------|-----------------|---------------|
| Muzaffarabad     | 1          | Ambore (3 Camps)          | 551             | 3,113         |
|                  | 2          | Rara Domishi Camp         | 107             | 621           |
|                  | 3          | Basnara Camp              | 143             | 963           |
|                  | 4          | Manak Payan No.1 Camp     | 171             | 980           |
|                  | 5          | Manak Payan No.2 Camp     | 549             | 3,477         |
|                  | 6          | Naili Hattian Camp        | 97              | 497           |
|                  | 7          | Chellah Bandi             | 499             | 2,288         |
|                  | 8          | Karka Pethika Camp        | 122             | 676           |
|                  | 9          | Heer Kutli Camp           | 78              | 451           |
|                  | 10         | Zero Point                | 151             | 929           |
|                  | 11         | Others (out of camps)     | 2314            | 10,609        |
|                  |            | **Total**                 | **4,782**       | **24,604**    |
| Bagh             | 12         | Chatter No.2              | 257             | 1,591         |
|                  | 13         | Mang Bajri                | 337             | 2,120         |
|                  | 14         | Huda Bari Camp            | 291             | 1,695         |
|                  | 15         | Others (out of camps)     | 193             | 985           |
|                  |            | **Total**                 | **1,087**       | **6,391**     |
| Kotli            | 16         | Gulpur                    | 195             | 1,131         |
|                  | 17         | Kotli Sohlinan            | 395             | 2,505         |
|                  | 18         | Others (out of camps)     | 274             | 1,421         |
|                  | 19         | Others at Fateh Pur       | 12              | 72            |
|                  |            | **Total**                 | **876**         | **5,129**     |
| Mirpur           | 20         | Others (out of camps)     | 105             | 775           |
| Rawlakot         | 21         | Others (out of camps)     | 12              | 125           |
|                  |            | **Total**                 | **6,853**       | **37,024**    |
Likewise, Paul has argued that Pakistan has an “irredentist” claim on J&K (Paul, 2005, 203). Therefore, treating the Kashmiri refugees well would demonstrate that Pakistan is willing to accept and welcome people from Indian-administered Kashmir.

The Kashmir conflict has put these Kashmiri refugees in a bizarre situation. It is ironic that due to the Kashmir conflict these displaced Kashmiris are called by various names—refugees, Muhajirs and IDPs—instead of who they originally are—Kashmiris. Moreover, it has also affected the way they are currently living in AJK.

Most of the 1990 Kashmiri refugees are living in camps. According to the AJK Government Rehabilitation Department, out of the 6876 refugee families, 6576 are in living in camps (Government of Azad Jammu and Kashmir, 2016). I visited four camps, all of which are in the Muzaffarabad district. Ambore 1, Ambore 2 and Chellah Bandi camps are in the city of Muzaffarabad, whereas Naili Hattian is further from the city of Muzaffarabad. No two camps are identical and differ from each other in various ways. For example, Ambore 1 camp is one of the oldest camps in AJK, whereas Ambore 2 camp and Chellah Bandi were constructed after the 2005 earthquake. Naili Hattian is an old camp but was destroyed completely in the catastrophic earthquake in 2005, and was rebuilt in the same year. In addition, Chellah Bandi and Ambore 1 camp are among the biggest camps in AJK, whereas Naili Hattian is a relatively small camp (see the number of people living in each camp in Figure 1). However, the problems faced by people inhabiting these camps are similar: housing, employment, subsistence allowance, health and education. Housing is a major concern of the refugees, whereas health and education problems are not as severe as housing, employment and subsistence allowance.

3. Housing

All the twelve participants I interviewed, including refugees and government officials, agreed that for several reasons, the main problem of camp refugees is housing. It is important to have an idea of what the camps look like. Most of the camps, and particularly the ones I visited, are temporary structures, where the huts are made of mud, tin, or bricks. They are far from a permanent settlement as shown in pictures given below.

Ambore 1 camp (Photo taken by the author)
Naili Hattian camp (Photo taken by the author)

Housing is a serious problem for Kashmiri refugees because firstly, the hut given to each family does not have sufficient space to accommodate all members of a family. This is because these were allocated to them in 1990, and after 30 years, their family size has grown but the space provided to them has remained the same. With more people staying in one room, there is also the issue of privacy. Regarding the housing issue, the Extra Assistant Commissioner of Muzaffarabad district said:

“When people came in 1990 they needed less space to live. For instance, for four people even two rooms were enough. But now, after 26 years, the size of the same family has increased: their children have grown up and married. Now those two rooms are not enough since those four people have become 10 or 11 now. Definitely they need more space to live.” (Qureshi, 2016)

Similarly, the picture below shows a hut in the Chellah Bandi camp that was given to a family of three people who came from the Kupwara district in 1990. Now, the same family has expanded as their children have grown up and married, and the same hut is used by three families (eight people; Mir, 2016).
Chellah Bandi Camp (inside view of a hut) (Photo taken by the author)

One of the main reasons the AJK government has not been able to rehabilitate the refugees by giving them proper housing is because it does not have enough financial resources. From 1947 to the present time, the economy of AJK has remained poor and therefore AJK is financially dependent upon Pakistan for most funding. As Snedden has stated, the three largest revenue receipts in the AJK budget are all issued or controlled by Islamabad; these are “Federal Aid for Deficit Budget”, “Share of Federal Taxes” and “Income from AJK Council” (Snedden, 2012, 173). Therefore, the rehabilitation of Kashmiri refugees is not entirely dependent on the AJK government but also on the Pakistan government as it provides most of the funding. However, the AJK government is directly responsible for the rehabilitation and with a weak economy, it is not surprising that the AJK government is struggling to rehabilitate. The then AJK Minister for rehabilitation said:

“The total development (sector) budget to cater whole of AJK, including the refugees, is Rs 10 billion. If you compare, even the Rawalpindi sub-union council’s budget is more than the AJK budget. What can we do with such a limited budget? We try our best to accommodate the refugees in the limited budget that we have, as we know they are our responsibility” (Khan, 2016).

On 8 October 2005, a devastating earthquake of 7.6 magnitude hit AJK. Muzaffarabad being the epicentre, almost half of the city was destroyed (The Express Tribune, 8 October 2011). It killed around 75,000 people in AJK and was regarded as “one of the worst natural disasters in South Asia” (BBC News, 8 October 2015). After the earthquake, the prime focus of the Pakistan and AJK governments was rehabilitation of people affected by the earthquake and reconstruction of the city. Therefore, after the earthquake, rehabilitation was to be done for the locals as well and not only for the refugees, which meant that the government could not devote much attention and financial resources to the Kashmiri refugees. Although international aid came from various sources, even after ten years of the earthquake, ‘the government still faced a shortage of funds to complete the remaining reconstruction projects (Pakistan Today, 25 December 2011). The earthquake affected the refugee camps as well. For instance, for my fieldwork, the three camps I visited in Muzaffarabad, Ambore 2, Nial Hattian and Chellah Bandi camps, were reconstructed after complete destruction in the earthquake. Therefore, the 2005 earthquake is another reason the housing issue for the 1990 Kashmiri refugees has not been solved yet.

3.1 The chellah bandi camp

Among all the camps in Muzaffarabad, refugees in the Chellah Bandi camp, which was set up in 2005 after the earthquake, are living in the most miserable conditions. In addition to being overcrowded and having no ownership of land, the huts in this camp are made of cloth. Below is a picture of tents in the Chellah Bandi camp.
Moreover, in this camp, the refugees are also required to pay for the piece of land where the tent is erected; the land is not owned by the government and monthly rent is paid to the private landlord. There are 65 huts in total. The rent paid for the entire camp is Rs 16,250 per month, which is Rs. 250 per hut (please note this is the rent for 2016 when I did my fieldwork and the figures may have increased now). While the annual rent for the camp is Rs 195,000, the AJK government pays only Rs 47,000 per annum, which is rent for just 3 months. The remaining rent is paid by the refugees themselves, with Rs 250 per month paid for each hut in the camp for 9 months (Hanif, 2016). This places an additional burden on the refugees of the Chellah Bandi camp as compared to the other camp refugees, who despite other problems, do not have to pay rent for the camp they live in.

Unlike other camps in Muzaffarabad, in the Chellah Bandi camp, refugees reside in tents which makes their living conditions extremely difficult. Abdul Rashid, a 40 years old resident of the Chellah Bandi camp. He has been living in this camp for about 10 years, ever since it was set up after the 2005 earthquake. He is of the view that while there are other problems in the camp, living in tents is the biggest problem as it has made their lives miserable. Regarding the wretched living conditions in the camp, he said

“At night I sleep with my shirt off, and at times when the wind blows outside, I often get up and wear my shirt. I fear the wind will blow our tent away and then who will take care of my children? I make myself ready, physically and mentally, to take my children to a safe place. Moreover, in winters it is so cold in the tents that some of our children get pneumonia and some even die. Life in the tents is very harsh. Whenever we go to any of our relative’s house,
we spend the night thinking how blessed they are, and we used to be like them earlier.” (Rashid, 2016)

Muhammad Hanif, who came from Kupwara district of Indian-administered Kashmir to AJK in 1990, is 75 years old now. He is currently living in the Chellah Bandi camp and expressed his concerns:

“I have been living in AJK as Muhajir for 26 years and I cannot say the government has not done anything at all for us. A person faces happiness and sadness wherever he lives, so we are bearing our present condition with patience. We have never protested against the government on roads. But the government has not done one thing right with us: it has not given us a (permanent) place to live. This zameen (land), where we have placed our tents, belongs to someone else; therefore, even if we want to build a house here, we cannot. Having no land is the biggest problem for us. If the landlord comes today and asks us to vacate this place, we cannot do anything because this land belongs to him and not us.” (Hanif, 2016)

3.2 The Satellite town at thotha: A major rehabilitation project
Currently the AJK government, with the help of two international organisations, is constructing a Satellite Town at Thotha. This is a major, and perhaps the most significant, rehabilitation project that the government has undertaken for the 1990 Kashmir refugees to date. It will be used mainly to rehabilitate the refugees of the Chellah Bandi camp, who are living in the worst conditions destroyed (Dawn, 12 December 2012), as discussed earlier. Below are two picture that show how the Satellite Town at Thotha will look like.

![The Satellite Town at Thotha](Photo taken by the author)
The Satellite Town at Thotha (Photo taken by the author)

220 houses are being built there, comprised of two bedrooms, one kitchen and one washroom. The Islamic International Relief Organisation (IIRO), a Saudi Arabia-based NGO, and the Islamic International Charitable Organisation, a Kuwait-based organisation, is helping the AJK government to build the camp. In addition, there will be one primary school, one mosque and a dispensary in the camp. There are a few schools in the neighbourhood as well (Mehmood, 2016).

The Satellite Town at Thotha will resolve most of the issues of the Chellah Bandi camp refugees. Firstly, one two-bedroom house will be allocated to each family. This means that if, for instance, there are two brothers, who are married, in a family, each one of them will get a separate house, unlike now when two or three families are sharing the same tent. Hence, the problem of space will be resolved. Secondly, the Chellah Bandi camp refugees are living in tents, in the Satellite Town they will be living in proper houses, and would not suffer due to the changes in the weather. Thirdly, the houses given to the refugees will be free and since it is on a government-owned land, the refugees will not have to pay rent for it, as they do now in the Chellah Bandi camp.

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Moreover, as discussed earlier how ownership of the land where refugees are currently living is a problem, in the Satellite Town they will own the land. The government as well as the refugees in the Chellah Bandi camps confirmed that the land ownership papers have been given to the refugees, thereby officially and legally transferring the ownership of the land to these refugees. Lastly, in the Satellite Town there will be some land left even after constructing all the planned houses, and the vacant land will also be distributed among the refugees so that they can open shops, or any similar types, so as to earn a living for themselves (Mehmood, 2016). This will improve their living conditions as currently most of the people do not have any permanent job, or small-scale businesses and mainly work as unskilled labourers, which will be discussed later.
4. Education
During my fieldwork in Muzaffarabad, I was astonished by the fact that all children in the refugee camps are obtaining primary and secondary level education—some going to public schools and others to private schools, such as those operated by the Read Foundation. All the participants in Muzaffarabad, which included five camp refugees and three government officials, confirmed that all the children in the refugee camps were going to school. For instance, in Ambore 1 camp there are around 1000 children and all of them are currently going to school (Mir, 2016). Similarly, a resident of Ambore 2 camp said “In our Muhajir community you will not find a single child who is working on the road or in a factory. All of them are studying, and I am happy there is 100% education here” (Zahid, 2016).

Various factors explain why every child in the refugee camps goes to school. For one, the AJK government provides some educational facilities to the Kashmiri refugees. These include access to public schools, and provision of education allowances of Rs 100 per month to 6th, 7th, and 8th class students, Rs 150 per month to 9th and 10th class students and Rs 300 per month to students pursuing secondary education (Government of Azad Jammu and Kashmir, 2016). Additionally, the AJK government has provided primary schools in some of the camps as well.

In addition to the facilities provided by the government, there are other factors that have contributed to the 100% literacy rate among refugee children in the camps. One of them is that private or public schools exist in the vicinity of most camps, which makes it easy for parents to send their children to school, as it is convenient and they do not have to pay for the transportation cost. For instance, there are four schools near the Ambore camp 2 (Zahid, 2016) and three schools in the surrounding areas of the Chellah Bandi camp (Hanif, 2016). However, not every camp in Muzaffarabad has a school nearby, and for some camps the only schools nearby are private schools, which are quite expensive for the poor refugees. For example, in Naili Hattian camp, the school provided by the government is till class 5th only. There is a private school nearby, operated by Read Foundation, but it is expensive. Despite that, the residents of the camps send their children to this private school. Roshan Diand, a resident of the Naili Hattian camp, said “we are at times sacrificing our one-time meal to send our children to Read Foundation (the private school)” (Diand, 2016).

In such cases, it is the priority of the Kashmiri refugees to provide education to their children irrespective of the hurdles they face. Even the Refugee Welfare Officer of Muzaffarabad District said:

“Although the AJK government is providing some education facilities to these camp refugees, it is mostly due to the efforts of these refugees that all of their children go to school. The credit goes to them because they manage to send them to school even under these circumstances” (Mehmood, 2016).

Although there are some concerns regarding the quality of education in public schools and the affordability of private schools, education is not a major problem for the camp refugees and they are happy that their children go to school. Moreover, as it was mentioned earlier that these refugees enjoy the same rights as locals of AJK, the AJK government provides free education to these refugees in the government university, the AJK University, and most of these refugees do Bachelor's, and later Master's (Khan, 2016). For example, Ambore camp 2 has many people who have a Master's degree; however, they still do not get jobs (Zahid, 2016). Therefore, for the camp dwellers, employment is a much bigger problem than education.

5. Employment
A large number of refugees in the camps work as unskilled labourers, and on a temporary basis, where there are usually paid daily wages. This is especially true of the first generation of refugees who came in 1990 because most of the refugees who settled in camps in AJK were from border villages of Indian-administered Kashmir. They mostly did farming but in Muzaffarabad there are
not enough opportunities for farming, and they do not have other skills to pursue a professional career. Moreover, some of them had not received proper education whereas others were in the middle of their education when they fled to AJK. Once in AJK, they could not continue their studies because they lacked financial resources. Others left education and engaged in the Kashmir freedom struggle. However, the following, and recent, generation of these 1990 refugees is more educated and tries to work in professional jobs. Due to some issues, which will be discussed later, the overall proportion of camp refugees who work in professional jobs is very low. This can be understood by looking at the example of the Nalii Hattian camp. The camp has a total population of 497 refugees, which includes 200 students. Of the remaining 197 people, only eight people are working in professional jobs, which includes two teachers, two in the army, one in the police, one health worker and one working in Hattian local government (Ahmed, 2016).

Although the government has allocated a 6% job quota in the public sector for the 1990 Kashmiri refugees, it is not being implemented fully as noted in a DAWN Newspaper article on 7 April 2014. All the refugees I interviewed had the same response: the quota is not implemented completely in different government departments. The then AJK Minister for Rehabilitation, Majid Khan, also agreed that the 6% quota has not been fully executed. He said:

“Although the 6% quota was introduced in 1990 for these refugees, it was never implemented. Now we have started to implement the 6% quota, but it is still not implemented fully in all the departments. When most of the departments advertise their job posts, they do not bother to implement the 6% quota. We have discussed this issue at all the levels and its implementation has slightly improved now” (Khan, 2016).

It should be noted that although the 6% quota is not being implemented fully, it has provided job opportunities to some of the refugees. For instance, Rakhsana Zahid, of Ambore 2 camp, told me that though the 6% quota is not fully implemented, it has provided jobs to some of the refugees in this camp, especially jobs in the field of medicine.

Apart from this, another problem for some of the refugees is that they do not have their Identity (ID) cards. While all the 1990 Kashmiri refugees are legal citizens of Pakistan, some of them have not received their ID cards yet (The Express Tribune, 11 June 2013). The ID card is an essential document for everyone in AJK and Pakistan, and irrespective of the profession people work in they are required to show it at the time of recruitment. Not having the identity card is a major problem for these refugees because even if they possess the education and skills for a particular job, they will not be recruited if they do not have the document to prove their identity. All refugees have Muhajir card but it is not accepted as a replacement for the ID card. Therefore, to make a living, most of the refugees are left with no option but to work as unskilled day-labourers, where they are not required to show their ID cards.

According to the AJK government, the issue of the ID card is almost solved and the refugees will be issued ID card soon, as the then AJK Minister of Rehabilitation said:

“It is true that some refugees do not have their ID card, and it is a genuine concern of the refugees. The issue is almost settled as NADRA (the issuing authority of ID cards) has started to issue ID cards. We fought with the Kashmir Committee to issue their ID cards but it was a lengthy procedure. However, we have eventually succeeded in convincing them and now they have started to issue ID cards.”

6. Subsistence allowance
The AJK government gives a monthly subsistence allowance of Rs 1,500 to every refugee (irrespective of whether he/she is living in a camp or out of camp), with the head of the family getting Rs 1,590 per month (Government of Azad Jammu and Kashmir, 2016). As long as the refugees are registered and have the Muhajir card, they are given this monthly subsistence allowance regularly.
All the five camp refugees I interviewed said that their families, friends and other residents of the camp get this monthly stipend on time. However, during my fieldwork, the refugees and the government officials said that Rs 1,500 per month (or Rs 50 per day) is certainly not sufficient. The camp refugees I interviewed were of the view that to cover the basic necessities of life, in the present time, a refugee’s average expenditure is around Rs 5,000 (approximately £25), and Rs 1,500 (£7.5) per month is too little. When I asked Roshan Diand, a refugee in the Naili Hattian camp, about the subsistence allowance, he said “It is just tea money. It is sufficient for having two cups of tea each day for a month” (Diand, 2016).

Regarding the monthly subsistence allowance, the then AJK Minister of Rehabilitation said:

“Currently, Rs 730,000,000 are being spent on the subsistence allowance annually, and we have submitted a request to the Prime Minister of Pakistan to raise the subsistence allowance for the refugees because Rs 1,500 is certainly not sufficient in the present time” (Khan, 2016).

The AJK government is only responsible for distributing the monthly subsistence allowance among the refugees, whereas the amount of the allowance, and any increase in it, is decided by the Government of Pakistan, or specifically by the Prime Minister of Pakistan. While the inflation rate has risen in the past few years in Pakistan, this monthly allowance has stayed the same for the last 10 years due to which it is impossible for the refugees to even meet the basic necessities of life (Dawn, 7 April 2014).

While the Kashmiri refugees had some grievances against the government, which were discussed earlier, none of the refugees that I interviewed had any complaint against the local people of AJK. For instance, when I visited the camps, one official of the rehabilitation department, the Refugee Welfare Officer, who was a local of AJK, went with me to show me the camps. When we sat in different huts in a camp, I could see the Kashmiri refugee talking friendly, freely and exchanging some jokes and banter with the official of the rehabilitation department. I witnessed a cordial relationship between the two.

When I inquired Hanif, a refugee in the Chellah Bandi camp, about his complaints against the government, he said:

“Our grievance is against the central AJK and Pakistan governments that have not resolved our housing issue. The employees of the rehabilitation department look after us; when we complain about small issues such as lack of electricity or water supply in the camp, they help us as much as they can. They often come to our camps and inquire about our well-being; they are nice people.” (Hanif, 2016)

The refugees have been living in camps since their arrival in AJK during the 1990s. This is mainly because these refugees came from border villages of Indian-administered Kashmir and had no skill, apart from farming, or education to get jobs in AJK, as mentioned earlier. As a result, their financial situation never improved, and they got stuck living in camps. However, their second generation, which is more educated, brings some optimism to improve the living conditions of the family, given they are provided employment opportunities.

7. Conclusion

Though the Kashmiri refugees fled to AJK to escape from the persecution and cruelties of the Indian forces in the Kashmir Valley, to their dismay, they have faced many problems in AJK too. This is true because even after 30 years of their arrival, many cannot even afford the necessities of life. The Government of AJK needs to find ways to improve the condition of Kashmiri refugees. If the financial resources are limited, perhaps a re-allocation of financial resources can be done. For instance, a monthly stipend is paid to every Kashmiri refugee, even to those who are outside camps and well settled now. If the stipend is not paid to these refugees, the same money can be
used to increase the monthly stipend amount for the camp refugees, who are living in miserable conditions.

While the Kashmir dispute has remained unresolved in the past 74 years, and uncertainty still prevails regarding its settlement in the near future, Pakistan and India should endeavour to reduce the sufferings of Kashmiris. It does not only include reducing the sufferings of the Kashmiris in the Kashmir Valley, but also the Kashmiris in AJK, particularly the 1990 Kashmiri refugees, who are the obscure Kashmiris in the Kashmir conflict.

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