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**Annual report of the United Nations High Commissioner
for Human Rights and reports of the Office of the
High Commissioner and the Secretary-General**

Written statement* submitted by Union of Northwest Human Rights Organisation, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[23 August 2023]

* Issued as received, in the language of submission only.



Save People of Muzaffarabad, Pakistan Administered Kashmir, from Pakistani Clutches

Muzaffarabad is the capital city of Pakistan Administered Kashmir but the lives of the residents of the city and surrounding area have been devastated by the ruthless and inhumane acts of Pakistan. In Muzaffarabad rivers Neelum and Jhelum used to flow through the city. These two rivers have not only been the primary source of life in the area but they also add tremendously to the beauty and cultural life of the city. Besides providing healthy environment, these rivers are also a rich source of fish & other aquatic species, and have always played a significant role in the socio economic development of the Kashmir region.

However, due to the diversion of River Neelum through its long faulty tunnel the natural river course of 42 km through Muzaffarabad and adjoining areas has been rendered dry. In August 2018, Neelum Jhelum Hydropower Project was completed and River Neelum was diverted from its natural course through twin tunnels with a total length of 39.2 km , turning a huge roaring river into a small stream leaving only 9 cumec water in the river bed . The construction of twin-tunnels destroyed all mountain water springs which have always been natural source of water for the adjoining rural population and caused alarming environmental situation in the city which led to huge backlash from the rural and urban population of the area .

As if the diversion of Neelum was not devastating enough for Muzaffarabad, another river diversion is being constructed by Pakistan on Jhelum River through Kohala Hydro Power Project.

The diversion of River Neelum and the under construction diversion of River Jhelum is not acceptable to the local population. To address the environmental issues and to stop further diversion of rivers in AJK, Pakistan Administered Kashmir, a campaign was launched under the banner of Save Rivers Save Muzaffarabad (SRSM) and declared that River diversion is unnatural thus unacceptable to the people of Pakistan Administered Kashmir, SRSM further demanded:

1. The government of Pakistan must sign agreements of all hydroelectric projects with the Govt. of Pakistan Administered Kashmir.
2. There must be transparency and accountability in these hydropower projects including right to information for the people of Pakistan Administered Kashmir.
3. All the conditions laid by Environmental Protection Agency (EPA) in its conditional NOC for each Hydropower project must be fulfilled.
4. In the river Neelum, 60 percent water flow in the river bed, as it was agreed upon, must be ensured by WAPDA.

People of Pakistan Administered Kashmir, have been protesting against diversion of rivers all over the world with a demand to stop these projects, but Pakistan has not listened to them and is carrying out her inhumane plans. It seems that Pakistan has no consideration for the health, wellbeing and lives of the people of Pakistan Administered Kashmir and just aims at utilising the natural resources of the occupied land to derive maximum economic benefits for Pakistan.

River diversions are unnatural and devastating and human engineering works such as large dams and reservoirs construction, artificial river diversions and channelization has caused serious effects on environment . It is insane to divert rivers for power generation, when other options are available, but Pakistan would not stop as she attaches no value to the welfare and life of the people of Pakistan Administered Kashmir.

A report by Federal Secretary for Water Resources of Pakistan states that; No proper biological study of the river water had been carried out for ascertaining the impact of E-flow on the aquatic life. Due to low flow in the river Neelum, the temperature in and around Muzaffarabad has increased by 4 to 5 degrees which is a very serious concern .

The report further states; It was observed that the Environmental Impact Assessment (EIA) Report prepared by WAPDA and later on approved by Environmental Protection Agency (EPA) on 22 January 2011 was deficient as it did not take into account the social and environmental impacts with disregard of aquatic ecology, dilution of routine urban contaminations and it also lacked presenting trade-off options for various possible mitigating measures for controlling environmental damage. Due to such deficiencies, among others, the minimum environmental flow of 9 cumec has appeared as deficient when executed on trial basis by NJHP. It further states; The EIA report concerning NJHP was approved without having requisite technical expertise in the department on the international best practices relating to environmental flows which has over the years evolved as a specialized area of knowledge which is being practiced in various parts of the world.

Based on the experience of NJHP, which has ruined the lives of the people of Muzaffarabad, the people of Muzaffarabad do not approve the construction of KHPP which incorporates a scheme of diversion of water from the upper limb of Jhelum River at Sira'n to Kohala on the lower limb of Jhelum bypassing Muzaffarabad city, thus depriving the natural water, once again, to the city of Muzaffarabad, except for a stated provision made in KHPP to release 30 cumec as minimum environmental flow below the KHPP Dam.

Given already reduced flow from Neelum after operation of NJHP, the diversion of water after construction of KHPP is intolerable for the Govt. of AJK, Pakistan Administered Kashmir, socially, environmentally as well as politically both at domestic and international level.

The e-flow assessment report of KHPP published on 15 August 2016, states that once KHPP is constructed, there will be dreadful and devastating environmental and ecological effects on Muzaffarabad.

Ministry of Water Resources' (MoWR) report recommends a comprehensive environmental study to determine the e-flow in River Neelum on the similar lines as was conducted by the GoP for contesting its case against India's Kishenganga Hydroelectric Plant on the same river in 2012, but so far no independent EIA study has been done for Neelum Jhelum Hydro Project and Kohala Hydro Power Project.

On 25 June 2020 Government of Pakistan signed an agreement with China for the construction of KHPP inside the territory of AJK, Pakistan Administered Kashmir, in violation of article 52-C of the constitution of so-called Pakistan Administered Kashmir which says; (1) The natural resource of Azad Jammu and Kashmir, Pakistan Administered Kashmir, which having a potential of economic value and providing for the sustenance of life for future generations shall be preserved and regulated by an Act of the Assembly. The constitution further states that "...the natural resource of Azad Jammu and Kashmir may be utilized under the law, in the economic and efficient manner without affecting the pristine environmental value of the inherent endowment of the State".

But Pakistan has constructed mega hydro-power projects on the rivers of Pakistan Administered Kashmir without any formal agreements with the Government of so-called AJK, Pakistan Administered Kashmir, completely ignoring their negative environmental and ecological impacts which is flagrant violation of the basic human rights of the people of Pakistan Administered Kashmir, making their lives miserable and turning the heaven of our land into hell. Construction of hydro power projects and diversion of rivers has lowered the water level underground and Muzaffarabad is facing acute shortage of clean drinking water, temperature has risen to 44-45 degree centigrade causing severe health conditions. Furthermore the sewerage pipes had all been thrown in the Neelum, but as the river has turned into a little stream, the gutters water doesn't flow and drain through river causing very smelly surroundings and giving birth to many diseases.

The worst aspect of the whole saga is that Pakistan is generating thousands of megawatts electricity from the rivers of Pakistan Administered Kashmir, but people of Pakistan Administered Kashmir are not supplied enough electricity and are forced to live without electricity for up to 18 hours a day.

Pakistan has committed an unforgivable crime by diverting the rivers in Muzaffarabad and people of Pakistan Administered Kashmir are helpless, we plead to the United Nations to exert pressure on Pakistan to force her to provide humane living conditions for the people of Pakistan Administered Kashmir and not to construct mega projects in the disputed territory of Pakistan Administered Kashmir. We hope the world will step in to rescue us.

en.wikipedia.org

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