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Implications of National Forest Policy 2015 on Gilgit-Baltistan: The Question of Forest Ownership and Deforestation in Gilgit-Baltistan

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Abstract

Gilgit-Baltistan (GB) having a specific administrative status under the Federation of Pakistan has several political and social issues which have socio-political implications on the lives of the people living in that Region. Although the Federal Government has legislated forest policy at the National level; due to the presence of the various types of traditional forest regulating mechanisms GB lacks single unanimous policy for the conservation and harvesting of natural forests in the different regions of GB. So, therefore, to conserve natural forest; GB needs a unified type of forest policy legislated by the mandated Assembly of GB to prevent the region from deforestation and degradation of wildlife

Keywords forest policy, Gilgit-Baltistan, Ownership and Deforestation

Introduction

Forest policies at national level has been formulated since 1955 to conserve and protect the forest throughout the country. The formulation process of different forest policies of Pakistan has been criticized due to their uncertainties and unpractical approach. (Shahbaz, Ali and Qayum, 2006) The National Forest policy (NFP) 2015 was the continuation of the previously formulated policies. Constitutionally forest is the provincial subject but Federal government has a considerable mandate in the inter-provincial coordination and cooperation with international actors involved in the environmental or forest protection programs. (NFP, 2015) As we know that Gilgit-Baltistan (GB) is a disputed territory as per UN resolutions of 1948 and according to constitution of

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Pakistan as well. Administratively GB is one of the administrative unit of Pakistan, so Pakistan exercises her authority on GB without any political hesitation since last seven decades. (Haque, 2012) The people of GB due to their deteriorated and unsustainable political history could not be able to take proper share in the socio-political and economic circles of the country of Pakistan and even the GB region as well. Same is the case with the subject of forest in GB, forest being one of the mismanaged or maltreated department among the other departments within GB.

The organizational structure of forest department is recently completed but the policy formulation related towards it, is not clear even now a days. At GB level there is ministry of forestry is functional since the implementation of “*Gilgit-Baltistan empowerment and Self Governance Order 2009*” by then Pakistan People’s party’s government. Interestingly forestry is not the subject of GB legislative Assembly, it is the subject of GB council. GB council is not a directly elected body only 6 members out of 15 are indirectly elected through GB legislative Assembly members, while remaining 9 members are nominated by the Prime Minister (PM) of Pakistan. (Mehmood, 2017) It means that any law or policy could not be formulated or implemented on forests in GB without the pleasure of the PM Pakistan. A top-down approach always remained dominant in policy formulation with regarding to the forestry in GB. Top -down approaches are even being criticized throughout political and academic circles in the world due to their element of being unaware about the grass root realities and eliminating the actual stakeholders in policy formulation. (Perera and Vlosky, 2006) Bottom -up approaches could be only feasible in regarding to matter of forestry in GB, because in GB forestry is managed differently in different Districts of GB.

Although the formulation process of National forest policy 2015 by then ministry of climate change and environmental protection at some extent consulted the different stakeholders involved in forest conservation throughout the country. Larger scale global initiatives on climate change and environmental protection were started from the decade of 2000 to onwards, Pakistan always remain involved at global level initiatives on climate change theoretically. After the Bonn conference on climate change in 2014 Pakistan formulated the National policy on forest on the mandate given by the council of common interest. We will discuss here the flaws of policy related towards GB not the other provinces. The subject of forestry is still govern under the Gilgit private

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forest regulations 1970 and even the NFP 2015 also considered the Acts passed by Federal governments in decade of 1970s.

In western world forest conservation and sustainable using procedures evolved much a lot like forest certifications but in GB the decades old permit system is still functioning. Legally GB is divided into two regions in regarding to land ownership and utilization aspects in the forms of settled and unsettled areas. For example whole Baltistan Division, the districts of Astore and Gilgit are settled areas which means that government departments like revenue and administration departments have a vital role in land ownership and transfer of land inheritance. The unsettled districts of GB are Diamer, Ghizer, Hunza and Nager, in these districts lands of all kinds are owned by people and managed by people through under their relative customary laws. The ownership and management of natural forest have also dual policy. E.g. all natural forests in GB except Daimer are owned by the Forest department GB. Nearly 45 percent of natural forest are located in the Daimer District, which are owned by local people but managed by forest department.(website, GBFD) Unfortunately the rate of deforestation in Daimer is so much higher than national deforestation rate.

If the communal ownership benefits the whole community in the form of revenue generated through the trade of timber then it can be questioned differently. The reality is that only a specific groups of people are being benefited from this notion not the whole community. The timber Mafia is vibrantly active to extract more and more benefit to themselves with no care of deforestation or ecological degradation. There are several factors behind the destructive role of timber Mafia in GB. So we will here explain those factors which give space to timber Mafia and we will also explore nexus of timber Mafia with the law formulating and enforcement agencies in GB. We will also analyze here the actual causes of deforestation in GB.

Literature Review

National forest policy (NFP) 2015 laydown the policy measures related towards forest conversation, protection and sustainable use of forest or material related towards forests. It talks about the scientific mechanisms to slower the rate of deforestation by the coordination with all of units of the federation. NFP also included provisions related to the role of federal departments like railways to expand the afforestation efforts. It also formulated principles regarding towards inter-

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provincial timber trade. Importantly it is clarified in NFP that throughout Pakistan deforestation is high in the districts of Daimir (GB) and Khoistan (KP) to the privately or communally owning of the forests. It also talks about the creation of an ecological corridor to slower down the environmental degradation in Pakistan. NFP did not laydown the reliable provisions for the better management of the privately owned forests in GB. Huge commercialization of wood and wood products with dominant role of timber mafias are also responsible behind the unstoppable deforestation in Pakistan but NPF have no provisions/guidelines related this issue. (NFP, 2015) While criticizing the forest management policies of Pakistan by a report on Asia-Pacific stated that “provincial forest departments in Pakistan are only focusing on the law enforcing to overcome the forest degradation.

There are no scientific mechanism to overcome the issue”. This report also explained the complex legislative procures in South Asian countries due to involvement of different interest groups like timber mafias, trade unions and local community representatives to safeguard their interests. The new policies are formed but in realty colonial forests regulatory laws like forest regulatory act 1927 are enacted in many regions of the South Asian countries. (FAO, 2012) GB is the example of above explanation because the NFP 2015 recognized the role of those laws which were made in 1970s to manage the privately owned forests in GB.

Certification on timber and related materials being carried in the different regions of the world mostly North American and European regions to ensure the consumer about the social and economic aspects of the timber that it has being carried from the economically, socially and legally managed locale and forest. By analyzing the history of forest certification Perera and Vlosky stated “that attestation of wood and wood products go back into royal decrees issued by French monarch in 1637 on timber trade and consumption but modern certification method was adopted in the rapid deforestation decades of 1980and 1990s” they critically described the certification process, main certification schemes, certification cost, issues of quality and negligible participation of developing countries (where deforestation rate is also high) in certification schemes . (Perera and Vlosky, 2006)The involvement of third party to issue a certificate for a timber trader can increase the cost of timber products but on the other hand it also cuts the mafias interest and slower the deforestation rate as well. WWF suggested in one its reports on “joint forest mechanism” that the

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institutionalization of community organizations at locale level in the forms of establishing proper organizational structures, financial and technical support by the governmental and NGOs. Then joint mechanisms shall be set with those locale institutionalized organizations will be helpful to carry out the policy measures to conserve wild life and forests. (Shoukat, 2003) Ajaz Hussain analyzed the dilemmas of national integration in Pakistan which much closer to the national building in GB's context .because the factors which Ajaz identified are also can identified in context of GB e.g. geographic disconnections among the different regions in GB are remained present for a long time . Linguistic, cultural and sectarian barriers are present knows days in GB (Hussain, 2009) the disintegrated feature of GB creates hurdles to the responsible institutions to formulate the unified policy measures for the all people of GB.

Nonic and Milijic analyzed in detail about the privately owned forests in state of Serbia and stated that Serbia have 29 percent of forest cover , in which 52 percent of total forest are owned by private owners while 39 percent are owned by the State. Throughout the history from 1891 to onward the ways and mechanisms of ownership remained continuously changing e.g. the changing of social forest into state forest and in 2006 the natural forests either state or private became the public good. Due to the dual ownership of forests and involvement of different actors e.g. timber traders and other business corporations in Serbian state it seems too difficult to formulate and implement a unified forest policy to overcome the issue of forest management in Serbia. (Nonic and Milijic, 2008)

Fazia and her research colleagues explained the intensity of deforestation from 1995 to onwards .unfortunately it is increasing year by year e.g. deforestation was 1.63 percent year during 1995to 2000 and in periodical years of 2010 to 2015 it is 2.54 percent per year. The factors behind deforestation are expansion of commercial based agriculture, commercial utility of timber, fuel wood and natural causes like attacking of diseases, droughts and floods etc.(Fazia and Wenxing, 2017) their study on commercial and natural causes behind deforestation is relevant to deforestation issue of GB. The natural cases like floods and increase in level of water in streams and rivers increases the soil erosions, which results the flow of trees situated in near to river shores. The involvement of contractors and mafias during the issuing of contracts to cut down trees and sell it into market creates more severe conditions for the survival of natural and even planted

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forests. The nexus of timber mafia, contractors and responsible institutions e.g. Forest departments are playing a destructive role to fulfill the commercial needs of the timber market. So 14 percent of deforestation occurs due to fulfill the commercial utility of the forests. (SPDI, 2010)

One could not neglects demand and market of the timber in Pakistan. Ali and Noor explained the market of timber in Pakistan, which is 0.239 m³ per day. The daily consumption of timber market of Pakistan is full filled through three different sources namely imports, state owned forests and farm lands. Among these three sources the share of state owned forest is less due to the conservation of forests by creating protected areas by the state in different regions. Ali and Noor also explained the illegal cutting of trees in protected regions by forest department employees and timber mafias. This is uncontested reality that a larger proportion of daily timber consumption in market come through timber mafias. (Ali and Noor, 2012) Unfortunately state of Pakistan could not implement forest policies properly since its inception and loss its forest covers day by day.

Poverty, unemployment and lack of alternatives against firewood made deforestation faster in the rural areas of Pakistan. The case study of district Tank located in KP province by Lal Badishah and his colleagues clarifies us that lack of alternatives like Gas and electricity in a required need to the rural parts of District compels people to use wood. The huge consumption of wood for fuel in homes, in brick factories and other purposes per year 16622.5 metric tons of wood is being consumed. Now question arise that it is possible to any international, national agency to planted trees to sustain the forests in that area? (Badishah and Burni, 2014)

The case study of Basho valley in Baltistan clearly unveils the state led deforestation in GB from 1960s to 1987. The ban on cutting down of green trees in 1987 in Basho valley was a cosmetic measure because illegal forest harvest are carried in Basho valley and many other regions of GB even now a days. The main reason behind the huge harvest from 1960 to 1987 was the rapid administrative and developmental projects e.g. the expansion of jeep able roads in Baltistan in 1960s and the abrogation of the Frontier crimes regulation (FCR) in 1972. The completion of Karakorum High way (KKH) in 1978 and jeep able roads connected the isolated regions and provided the easier way to bring the wood into the local and national markets. Government (GB bureaucracy) licensed the nonlocal contractors in Basho valley, those contractors harvest 10 times more harvest as compare to the sanctioned quotas. The reasons which identified in the study

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responsible for the deforestation in Baltistan Division are the deployment of huge Army in boarder areas and deployment of civil government officials, these two groups consume a larger scale of the wood for heating and residential purposes. The provision of lesser/ negligible facilities by government to cope with severe weather conditions during winters also boost the deforestation process not only in Baltistan but in Diamer and Gilgit Divisions as well. (Jawad and Dick, 2005)

Research Methodology

This paper is based on the qualitative type of research methods like conduction of in-depth interviews with the main stake holders, reviewing the existing primary and secondary type of resources and analyses of the gathered data in the form of themes.

Discussion/Analysis

Several themes are raised from the studying and analysis of different literary and academic sources on the research topic. So we will discuss here one by one those themes.

Real Story of Forest Management and Ownership in GB

Before 1974 GB was administratively divided into two agencies Gilgit Agency and Baltistan Agency and one sub Agency of Diamer. FCR was the supreme law of land for residents of at that time. Baltistan, Diamer and Gilgit city were administrated by government civil servants like tehseeldars revenue collectors etc. Hunza and Nager were princely states under heredity rule while Ghizer was divided into four political districts under the control of political governors. So the natural forest in Baltistan, Astore and Gilgit were under the ownership of state while in diamer natural forest were owned and managed by the local communities. The natural forests in Hunza, Nager and Punial were owned by the heredity rulers of these areas.(Dad and Abbas, 2017)Here we will not go into the details of deforestation carried under the ownership of heredity rulers and their nearer or dearer ones in the different areas of Punail, Hunza and Nager.

Particularly in punial wildlife was degraded through uncontrolled hunting and forest harvests under the rule of RA (local title for the heredity ruler) of punail until 1972. After the abrogation of FCR and Rajagi system in GB in 1974 by Z.A Bhutto then PM of Pakistan. Except natural forest in Daimer district, forest in all other districts were brought under the direct control of Forest department of GB. Now the questions arise, why the status of Daimer is different from the other Districts of GB? Is Diamer is not part of GB? Are the people of Diamer remained more

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responsible in context of wildlife conservation historically? Daimer is part of GB and the sense of responsibility of people of Daimer is not greater than remaining people in GB. The elders or tribal chiefs of Daimer signature an agreement with political Agent of Gilgit Agency in 1952 that government should not intervene in the natural forest ownership and management in exchange of their formal accession with the Domain of Pakistan. (Naseem, 2007) There were other dozen of more conditions proposed by the elders of Daimer to the political Agent while all those were abolished by government gradually while the agreement on forest ownership is enacted now a days with its full extend. Although management in form of issuing contracts and permits for timber trade is under the control of GB forest department. Why that agreement is enacted now a days? Because bureaucratic control of GB for more than 5 decades made the divides among the people and different regions of GB.

The bureaucratic official always remained in Gilgit city and depicted the people of Daimer most violent and conservative people in GB. If the people of Daimer are naturally violent and conservative then why the hundreds of thousands of people of originally belong to Daimer and settled throughout the GB are non-violent and liberal? It is true that voluntarily people of Daimer could not handed over their ownership rights to the malfunctioning forest department but government on the other hand did not tired a sincere efforts yet to manage the forests in Daimer . The other reason behind the community ownership of the forest in Daimer is that most of elected representatives from Daimer district are the heads or chiefs of those families and tribes who owns the huge forestry areas. So they always stops any resolution which effects the communal ownership rights.

Triangulation of Interests

In continuation of deforestation by legal and illegal means until the whole forest covers will be changed into barren lands, there is vested interest of certain interest groups. The biggest interest group is contractors union at Daimer level and at GB level. The second group is the timber mafia, individuals involved in illegal harvest and smuggling of wood from Daimer into different parts of Pakistan and GB. The third group is District forest department officials and World Wide life officials. The personal relationships and influence matters a lot in looting of forests and saving one another from the legal consequences. Interestingly the actual interest group I meant the local

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community is out of discussion to get the benefits from this irrational practice. The local communities only organizes protests and blocks when government wants any policy change regarding to forest harvests. Government of GB with the approval of PM Pakistan announces the timber policy with in a couple of years. E.g. in 2017 Shahed Khaqan Abbasi then PM Pakistan approved the 27 million cubic feet should be sale into the market. (Dawn 5 November, 2017) PM also approved the sale of all illegally cut timber into the market. In Diامر this a common practice that after the approval of every new timber policy, the illegal cutting down of forest are carried at larger scale with the pleasure of the forest officials. Conservator Diامر region is to be considered one of the most powerful positions in bureaucracy of GB due to the chief manger of the 45percent of total forest cover of GB. There is well known joke in Daimer that an illiterate father when his son said that he is nominated in the one of the best engineering university to become a civil engineer, then he replied his son the job of engineers are resemble with the mansions so you should stop your education because you did not chose the job of powerful officials like Range officer forest.

The affiliated departments like public works, water and power, police, GB Scouts, district administration and district AGPR officials also get benefits from the illegal cutting and trade of timber in Diامر. The actual dilemma is that the common people get negligible amounts from the timber trade due to dominant role of timber mafias and the timber contractors. This issue is reported in leading newspapers like Dawn, the news and express Tribune repeatedly. The actual price per cubic feet of timber in market is several hundred times more than the price paid to the common people by the mafia dealers and contractors. Unfortunately this issue is not discussed at larger context in the policy formulating institutions at GB level or National level. Interestingly how the millions of cubic tons of illegal timber is easily passed through the dozens of checking posts by state security agencies with alongside to the KKH but the common passengers are being checked by these security personnel several times during journey without any logical reason.

Commercialization of Timber in GB

The commercialization of timber started in GB after network of roads in different portions of GB and GB's connection to Pakistan through KKH in late 1960s and earlier 1970s. Roads increased interconnectivity, which helped people of different parts of GB to trade among themselves and

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also with the different regions in country. (Kreutzmann, 1991) So the people of forest rich regions transported the wood into the poorer forest regions like wood from punial is being transported into tehseel yaseen and Gilgit city, similarly timber is being transported from Chilas into Gilgit city and Sikardu to earn more earnings. The commercialization process of timber was also initially boosted by the State itself due to infrastructural projects like wooden hanging bridges, wooden roofs of governmental buildings and wooden school furniture for the governmental schools. The bureaucracy boosted deforestation without thinking the sustainable use of the timber in that decades. The other factor behind the commercialization now a day on the behalf of government is the sanctioning of wood quotas to the specific government officials stationed at Gilgit and Sikardu cities. E.g. one lower division clerk of GB secretariat easily gets more than 1500 kg wood per winter season from his department through o contractor for heating purpose.

Extreme Weather Conditions

Wood consumption in GB is comparable high as compare to the other parts of the country. Weather conditions remain severe in the hilly areas of GB throughout the year while time span of winter season is more in overall GB. The insufficient facilities of energy sources like electricity and LPG from the governmental sources and generally from the common market force the people to consume wood for heating and fueling purposes. So each household consumes tons of wood per year. E.g. one of the school headmaster said that during interview. "One government high school consumes nearly wood of RS.300000 only in two and half of month in winter season" This huge consumption impacted even planted forests by the people as well. E.g. all of natural forest covers in pasturelands of village Damas became barren now a days due to lacking of policy regarding to conserve /protect those trees which only used as fuel wood. Even the protect coniferous trees are being cutting down by burn fires and other tactics by local people. Unfortunately NPF 2015 have no proper guidelines to overcome this issue, which also a nationwide issue.

Natural Disasters

GB faces huge floods and landslides due its specific geography. The floods and rise in level of water in rivers damages natural and planted forests every year in summer season. The precious trees like deodar, blue pine, pindrow fir and chir pine etc. are being lost due the floods and landslides in forest covers. There is no policy at GB level related to manage illegal or unmanaged

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consumption or trade of the collected wood from the flood flows. Only specific people become benefited from the collection of flood wood mostly of them are not even proper right owners of that wood as per customary laws.

Conclusion

Although different measures taken by governmental institutions, NGOs and local community organizations to overcome the issue of deforestation in GB from earlier 1980s to onward. Natural forests in district Ghizer and in some other districts are protected from the destructive type of deforestation due to collective efforts. The fuel needs and construction of houses by the people are the larger timber and wood consumers in GB. While the other biggest consumer of wood and timber is the governmental officials based in specific departments of GB. The special status of natural forests in Diamer also contributes to deforestation and wildlife destruction. The tradition of opening tenders illegally or legal to harvest the forest and involvement of mafias in dealing and smuggling of timber and wood made severe conditions in GB. The policies framed at national level like NFP 2015 were not addressing the genuine issues around deforestation in GB. The accidental approval of upper limits to trade timber within GB and out of GB by the different Prime ministers of Pakistan provide easier ways to operate the non-magnificent cutting of precious and endangered species of trees.

The nexus of economic and political interest of different interest groups also boosted the deforestation rate in GB. GB Forest department also accepts the high rate of deforestation and its incapability to cope with the mafias involve in deforestation. The lack of coordination by the security institutions like police and GB Scouts and lesser number of forest security guards also provide routes to the mafias to carry on their activities. To manage forest resources sustainably there is a need of unanimous forest policy for all of the regions and stakeholders in GB. The mandate to formulate forest policies at GB level shall be given to the elected GB legislative Assemble from the GB Council. In the case of formulation of National Forest policies GB government responsible offices shall be consulted. The national and local policies have more scientific approach than law enforcement approaches. So then only could be progress is possible in crashing down the individual interests and sustain the forest utilization.

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