

**A CASE STUDY OF HUMAN RIGHTS VIOLATIONS IN
INDIAN OCCUPIED KASHMIR AND INTERNATIONAL
RESPONSE: THE WAY FORWARD**

By

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**NATIONAL UNIVERSITY OF MODERN LANGUAGES,
ISLAMABAD**

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DEDICATION

Dedicated to the people of Jammu and Kashmir.

LIST OF ABBREVIATION

| | |
|--------|-----------------------------------------------------------------|
| APDP | Association of Parents of Disappeared Persons |
| AFSPA | Armed Forces Special Power Act |
| APHC | All Parties Huuriyat Conference |
| AJ&K | Azad Jammu and Kashmir |
| BSF | Border Security Forces |
| CRPF | Central Reserve Police Force |
| EU | European Union |
| HRW | Human Rights Watch |
| ICCPR | International Covenant on Civil and Political Rights |
| ICESCR | International Covenant on Economic, Social and Cultural Rights |
| IOK | Indian Occupied Kashmir |
| IPHRC | Independent Permanent Human Rights Commission |
| JEM | Jaish-e-Mohammed |
| JKLF | Jammu Kashmir Liberation Front |
| J&K | Jammu and Kashmir |
| LET | Lashkar-e-Taiba |
| LOC | Line of Control |
| MUF | Muslim United Front |
| OIC | Organization of Islamic Cooperation |
| OHCHR | Office of the United Nations High Commissioner for Human Rights |
| PSA | Public Safety Act |
| PUCL | People's Union for Civil Liberties |
| PUDR | People's Union for Democratic Rights |
| UNHRC | United Nations Human Rights Council |
| UNSC | UN Security Council |
| UDHR | Universal Declaration of Human Rights |

ABSTRACT

Thesis Title: A Case Study of Human Rights Violations in Indian Occupied Kashmir and International Response: The Way Forward.

This study explores the unique combination of economic and strategic interests, due to which the international community and major powers are reluctant to exert their pressure on India to stop committing human rights violations in Kashmir and seeking peaceful resolution of the dispute. The study uses the theoretical perspective of neorealism to explain Indian policy in Kashmir and the role of the oblivious international community, which is not displaying substantial attention towards the human rights violations committed by India in the Valley. The objectives of the study are divided into four categories, which entail the Kashmir dispute under the mentioned theoretical perspective. The variables are examined using the empirical data available on the subject, defining the situation in Kashmir from the emergence of the dispute in 1947 to the current scenario concerning the brutal Indian policies, human rights violations, role of the international community and the freedom struggle of the indigenous people of Kashmir. As a result, the study concludes that Kashmir is a humanitarian crisis and a prolonged dispute of grave importance for the global community, which has ostensibly failed to resolve it over the decades.

Keywords

Kashmir conflict, human rights violation, international law, strategic policy, self-determination

INTRODUCTION

Soon after 1986, when the indigenous people of Indian Occupied Kashmir (IOK) founded Muslim United Front (MUF) and Jammu Kashmir Liberation Front (JKLF) as the appropriate forums to raise their independent voices, the Valley had become a hub of escalated conflict between the armed forces of India and the Kashmiri freedom fighters. December 1989 marked the official start of insurgency when the daughter of Home Minister for Kashmir affairs was kidnapped. This was the point when the Indian government had sent in large security troops to IOK to crush voices of Kashmiri freedom.¹ The Indian forces executed brutal crackdowns and committed grave human rights violations against civilians and implemented an unending brutal rule in Kashmir. Many international organizations started analysing the Kashmiris struggle while highlighting the brutal role of Indian forces in the occupied territories of Kashmir. Asia Watch described this situation as a “human rights crisis” and attempted to communicate the level of New Delhi’s atrocities in Kashmiri society.² Analogous to the Asia Watch, the Office of the United Nations High Commissioner for Human Rights (OHCHR) in a 43-page report mentioned the level of human rights violations in Kashmir. The report of OHCHR released in July 2019 attempted to communicate to the international community the level of Indian brutalities in the occupied areas of Kashmir.³ This situation raised many questions on the Indian political system and New Delhi’s vision of promoting democratic values. Moreover, this situation further tarnished the image of secular India in the world and started receiving a considerable number of critical arguments from around the world. An overwhelming wave of criticism emerging from different corners of the world later revealed an aggressive face of New Delhi under the Modi administration.

Over time, the people living in the world’s capitals started accepting the brutal role of Indian forces in the occupied territories of Kashmir while reluctantly exerting pressures

¹ Balraj Puri, “Fundamentalism in Kashmir, Fragmentation in Jammu,” *Economic and Political Weekly* 22, no. 22 (1987): 835–37.

² Patricia Gossman, *The Human Rights Crisis in Kashmir: A Pattern of Impunity* (Washington: Human Rights Watch, 1993).

³ “Update of the Situation of Human Rights in Indian-Administered Kashmir and Pakistan-Administered Kashmir from May 2018 to April 2019” (Office of the United Nations High Commissioner for Human Rights, July 8, 2019), https://www.ohchr.org/Documents/Countries/IN/KashmirUpdateReport_8July2019.pdf.

on the Modi government. The leaders around the world remained hesitant in making New Delhi even accountable for its brutal acts due to their economic and strategic interests. A large number of developed countries tried to pursue their cooperative relations with New Delhi, which convinced them to enhance their collaboration with the Indian officials in diverse fields instead of discussing the Kashmir issues. On the one hand, the leaders of the technologically developed and economically advanced nations remained active in establishing their cooperative bilateral relations with India. On the other hand, the primary foreign policy mechanism of New Delhi preferred to develop diplomatically cooperative and economically collaborative ties with the power states. In this way, the combination of economic and strategic interests in the international system laid the foundations of Indian cooperative relations with the developed nations and convinced the Indian trading partners from around the globe to not criticize the Indian role in the occupied areas of Kashmir.

Apart from the international community, the situation in South Asia portrays a complicated picture in which the India-Pakistan rivalry victimized the Kashmir issue. Pakistan, the only South Asian country standing against the Indian occupation of Kashmir, always tried to highlight the Kashmir issue at various international forums. Pakistan hit out at India more than once due to its excessive violations of human rights and asked the international community to intervene. In its right-to-reply at the UN Human Rights Council (UNHRC), Pakistan highlighted the grave human rights violations committed by India and its persistent atrocities on the people of Kashmir.⁴ Ostensibly, it made efforts to highlight human rights violations in IOK at almost every international forum. It urged the international community to be vigilant of its responsibilities and pay heed to the gross human rights abuses in IOK. The leading state officials of Islamabad attempted to get the neutral and balanced behaviour of the international community in resolving of Kashmir issue. Nevertheless, the efforts of Islamabad remained inefficient before the growing economic and strategic interests of the international community. While keeping in view the connection of the international community to New Delhi without discussing the Kashmir issue, the government of Pakistan has taken various

⁴ "Pakistan Tugs at World Conscience on Kashmir," *The Express Tribune*, Islamabad, September 15, 2016, 1.

measures at national and international levels. Pakistan also emphasized New Delhi to allow the UN representatives under the OHCHR, and other human rights watchdogs to visit Kashmir to assess the conditions and present their verdict over the facts of the Valley.⁵

In response to the emerging wave of international criticism along with several reports on major human rights violations in the Indian occupied Kashmir, New Delhi remained active in multiplying the presence of its defence forces in the occupied areas of Kashmir. Indian authorities never stopped using indiscriminate and extreme force in tackling the massive protests erupted across IOK, and deployed an arsenal of weaponry against peaceful protesters, including pellets and pepper guns, tear gas, and bullets.⁶ Moreover, Indian forces have committed rape molestation, one of the heinous crimes. The number of molestation and rapes cases and abduction of women makes it evident that Indian forces use rape to severely affect Kashmiri women physically, psychologically, socially, and economically.⁷ Moreover, killings in IOK have remained a tool for extrajudicially executing the innocent civilians for their alleged involvement in ‘anti-state’ activities. Such killings have continuously been increasing over time.

Additionally, in July 2016, India started killing freedom fighters and adopted a brutal rule of its forces, which sparked widespread protests. Indian forces, while trying to disperse the protesters, killed more than a hundred civilians, injured thousands, and blinded hundreds by using pellet-firing shotguns. A curfew that lasted over three months was imposed in IOK while private landline, mobile, and internet service were suspended for weeks, and publication of local newspapers was prevented for days.⁸ The imposition of curfew in the occupied areas and the disconnecting of primary communications links further violated the fundamental human rights. Currently, Indian forces are trying to quell

⁵ “Pakistan urges int’l community to take notice of Indian atrocities in held Kashmir,” *The News*, Islamabad, March 29, 2017, 12.

⁶ *Blind to Justice: Excessive Use of Force and Attacks on Health Care in Jammu and Kashmir, India*. Physicians for Human Rights, December 2016

⁷ Ouffee Maqbool, “*Impact of Conflict on Women in Kashmir*,” *International Journal of Political Science and Development* 5 No. 3, (May 2017): 115.

⁸ Abdul Hamid Khan, “Changed Security Situation in Jammu and Kashmir: The Road Ahead,” *Institute for Defence Studies and Analyses, Monographic Series No. 61*, May 2017, 8.
<https://idsa.in/system/files/monograph/monograph61.pdf>

the new wave of uprisings led by the Kashmiri youth by applying indiscriminate lethal force and, as a result, blatantly abusing human rights in the Valley.

The recent wave of human rights violations – emerged after August 5, 2019, when India revoked Article 370 and 35A of its constitution and abrogated the special status of Kashmir – further degraded the living Kashmiri society and disturbed their societal values. Many international organizations highlighted New Delhi’s atrocities without taking concert measures. International, as well as regional organizations, including the United Nations Human Rights Council, the European Union (EU), and Organization of Islamic Cooperation’s (OIC) Independent Permanent Human Rights Commission (IPHRC), conveyed distress over the sheer human rights violations by the armed forces of India in Kashmir. But, India, very cunningly, covered up these human rights violations and, as a counter step against Pakistan, submitted dossier with UNGA for alleged human rights violations in Baluchistan⁹. Its propaganda against freedom seekers in IOK is also powerful that it made the international community to believe that these freedom fighters are actually terrorists who conduct terrorist activities within the Indian Territory with the aid of Pakistani government. Under such circumstances, it is to be noted that how Pakistan will be able to mobilize international community vis-à-vis the violations of human rights in IOK, while countering the Indian propaganda.

Statement of the Problem

India has illegally and forcefully occupied Kashmir and hesitates to indulge in negotiations regarding the solution to the issue. It is treating this issue as a minor bilateral concern between India and Pakistan; thus, it does not want to involve any third party, be it UN or some other international actor, because in that case, they would ask to conduct a free and fair plebiscite. Moreover, India knows that people of Kashmir either want to join Pakistan or remain independent.

The matter does not end here; the indigenous people of Kashmir are struggling against the illegal occupation of India. Indian forces in the Valley treat these freedom fighters as

⁹ “Isolate Nations Which Nurture, Peddle and Export Terrorism: Indian Foreign Minister at UNGA,” *Dawn*, Islamabad, September 26, 2016. 1.

terrorists, and to crush their movement for independence, they are violating human rights. Killings, torture, molestation, abduction, and other crimes against humanity are committed in the name of state operations against so-called terrorism in IOK. Recently, after the assassination of Burhan Wani in general, and in the aftermath of the abrogation of Article 370A and 35A in particular, the uprisings led by Kashmiri youth have revived the flame for independence. That spark was ignited by the Indian forces, which tried to suppress the voices of people of Kashmir by blindly using lethal force and deliberately committing illicit war crimes.

Pakistan has always tried to highlight the persistent atrocities in Kashmir on almost every international forum and urged the global community to help the Kashmiris; however, the global players and the influential actors are not paying much heed to the human rights violations in IOK. The Indian narrative, which declares the human rights violations hypothetical and uses the pretext of 'terrorism,' enjoys global recognition. The research primarily revolves around the question that why the international community is not displaying realistic attention towards the human rights violations in IOK, and which factors or concerns bar the major powers from pressurizing India to put an end to its brutalities in the Valley. The research employed explanatory case study methodology through qualitative approach to analyse the facts and figures regarding the issue.

Research Questions

The study aims at finding answers to the following questions:

1. How India is dealing with revamped Kashmir dispute dynamics, and what are the possible repercussion with reference to human rights violations in the Valley?
2. Why the international community is not displaying substantial attention for addressing the human rights violations in IOK, and what are the imperatives which allows India to escalate brutalities in the occupied territory?
3. What combating responsive measures Pakistan has taken to address the plight of Kashmiri people, and what policy options Pakistan holds after the withdrawal of Article 370 and 35A?

Objectives of Research

Following are the objectives of the research:

1. To assess the measures India took to tackle freedom struggle and its impact over the human rights situation in the occupied territory.
2. To evaluate the role of international community, and the factors that bar the global powers from pressurizing India to put an end to its brutalities in IOK.
3. To analyse the combating responsive measures taken by Pakistan to address the plight of Kashmiri people.

Literature Review

The academicians and researchers from Pakistan, India, and the international world have produced a variety of literature on what is happening in Kashmir. They mainly cover three dimensions of issue: Indian perspective, Pakistani perspective, and the threats to stability. However, a handsome collection of literature is also available, which covers the human aspect of the issue. Nevertheless, the writers from Pakistan, Indian, and the international world have different views about the fragmentation of the Jammu and Kashmir (J&K) state, the emergence of the Kashmir issue, freedom struggle of indigenous Kashmiris and the Indian approach to crushing the movement. This literature review aimed at presenting a snapshot of significant work about the subject.

A Pakistani writer, Musarat Javed Cheema, in her article *Pakistan-India Conflict with Special Reference to Kashmir* (2015), concluded that Maharaja Hari Singh of Jammu of Kashmir (J&K) wanted to remain independent, but Muslims of the region were not happy with his rule, so they initiated the armed struggle against him with the help of Pashtun brethren. The Maharaja asked for military support from India. Nehru sent military troops to Kashmir and later involved the UN Security Council (UNSC), promising that sooner a referendum will be arranged but later betrayed.¹⁰ Whereas, international authors like Martin Sökefeld described in his article, *Jammu and Kashmir – Boundaries and*

¹⁰ Musarat Javed Cheema, "Pakistan-India Conflict with Special Reference to Kashmir," *South Asian Studies* 30, no. 1 (2015): 45.

Movements (2015) that Muslims of J&K, with support from tribesmen from North-West Frontier Province of Pakistan and the paramilitary, overthrew Maharaja from AJK and Gilgit Baltistan on October 27, 1947. Hoping to get military aid from India against tribesmen, Maharaja acceded the State to India, which later called in the UN.¹¹ Rispin Bates in the book, *Subalterns and Raj: South Asian since 1600* (2007) writes in detail about the partition and emergence of Kashmir issue. In the chapter, *The Nehruvian Era*, Bates describes the irresponsibly optimistic behaviour of Hindu Maharaja and the warlike situation during which the Maharaja had concluded an instrument of accession on the condition of conducting a referendum later.¹²

On the other hand, Indian authors like Samantra Bose in the book, *Kashmir Root of Conflict, Path to Peace* (2003),¹³ and Bina Rai in the article, *Evaluation the Failure of Defence, Diplomacy and Democracy in Jammu & Kashmir: Its Impact on Indo-Pak Relations* (2019)¹⁴ argue that the unrest in J&K at the time of partition resulted in limited scale war between India and Pakistan. For them, the rebellion against Maharaja was supported by Pakistan Army, which led to the fragmentation of J&K into Indian-controlled Jammu and Kashmir (IJK), Azad Jammu and Kashmir (AJ&K), a relatively smaller area, and a low populated Himalayan territory called as Northern Areas.

Regarding the emergence of armed freedom movement in Kashmir and human rights violations committed by the armed forces of India while responding to the movement, Majid and Hussain, in their article *Kashmir: A Conflict between India and Pakistan* (2016), conveyed that Kashmir issue had got new orientations soon after the young Kashmiris initiated a guerrilla war against the Indian authorities in 1989. In response to that, the Indian government launched a variety of harsh laws and used them indiscriminately against the freedom fighters and individuals. The authors presented the inhuman ways of handling the freedom fighters by India from 1989-2006, such as the

¹¹ Martin Sökefeld, "Jammu and Kashmir – Boundaries and Movements," *Contemporary South Asia* 23, no. 3 (July 3, 2015): 251–65, doi:10.1080/09584935.2015.1060948.

¹² Crispin Bates, *Subalterns and Raj: South Asia Since 1600* (Abingdon: Routledge, 2013).

¹³ Sumantra Bose, *Kashmir: Roots of Conflict, Paths to Peace* (Cambridge: Harvard University Press, 2003).

¹⁴ Bina Rai, "Evaluation the Failure of Defence, Diplomacy and Democracy in Jammu & Kashmir: It's Impact on Indo-Pak Relations," *Research Journal of Social Sciences* 10, no. 4 (2019).

establishment of torture cells, interrogation centres, curfews, killings, rapes, destruction of houses, and shops. They noted that Pakistan, being a supporter of Kashmiris' right of self-determination under the UN Resolutions, has always questioned India for using lethal forces against freedom-seeking Kashmiris.¹⁵

Another study, *Kashmir: Nature and Dimensions of the Conflict* (2016), carried out by Saman Zulfqar¹⁶ discussed legal and political aspects of the right to self-determination, and analysed how Indian politics influenced the dynamics of Kashmir issue, particularly about human rights violations, which demonstrate the apathy of the global community towards the issue. Pervaiz Iqbal Cheema, in his article, *State of HR Violations by Indian Security Forces in IJK: Background and Current Situation* (2016),¹⁷ penned down in detail the human rights situation in IOK and the covering up laws. He also analyses the main factors that enable India to disregard world public opinion and continue with its policy of continuous human rights violations in IJK.

Lubna Mohiuddin in her article, *Human Rights Violations: A Case Study of Kashmir* (1997) suggested that although India has signed majority of the international human rights conventions, yet it has been abrogating those norms and laws on massive scales through its deceitful political gambits and assertive operational policies which entails a clear violation of international laws. The writer claims that massive human rights violations are being committed in IOK since January 1990 when president's rule was imposed in the Valley. She opines that the Indian government says that Kashmir is going through law and order problems; but, the law it has imposed in the Valley indicates that a rebellion is going on there.¹⁸

Sonowal and Dube in *Reparative Approach towards Victims of Armed Conflict: Global Experiences and Lessons for India* (2019) legally dissected the victims of armed conflict

¹⁵ Abdul Majid and Mahboob Hussain, "Kashmir: A Conflict between India and Pakistan," *South Asian Studies* 31, no. 1 (2016): 149–59.

¹⁶ Saman Zulfqar, "Kashmir: Nature and Dimensions of the Conflict," *Journal of Current Affairs* 1, no. 1–2 (2016): 51–65.

¹⁷ Pervaiz Iqbal Cheema, "State of HR Violations by Indian Security Forces in IJK: Background and Current Situation," *NDU Journal* 30, no. 1 (2016).

¹⁸ Lubna Mohiuddin, "Human Rights Violations: A Case Study of Kashmir," *Pakistan Horizon* 50, No. 2 (April 1997), 80.

in detail. They stated that India had faced the armed conflict in regions of Jammu and Kashmir for many decades. Such armed conflicts caused damage to the lives of ordinary individuals. People have faced continuous killing, arrests, rapes, and other brutalities. The authors presented the scope of international law and its implication for the victims of such armed disputes. They argued that India required adopting a strategy to access those individuals whose lives had been ruined due to such violence and that India must give necessary rehabilitation to them.¹⁹

Many writers and researchers from the disputed territory of Kashmir also produced literature over the longstanding Kashmir issue and addressed the human aspect of the issue. Ahsan I. Butt, in his book *Secession and Security* (2017),²⁰ explored the question of how states respond to secession movements and how they tackle the movements undermining their security. In the chapter, *India's Strategies against Separatism in Assam, Punjab, and Kashmir*, the writer noted that contrary to its approach towards separatist movements in Assam and Punjab, India used coercive methods and responded with total militarization to movement in Kashmir because it had smelled that Pakistan had reduced its support for Sikhs nationalists and shifted its focus to the rebels in Kashmir.²¹

Another book, *Kashmir in Conflict: India, Pakistan, and the Unfinished War* (2003), written by Victoria Schofield, provided a detailed history of the Kashmir conflict. She termed the armed movement of the 1990s as a proxy war, which was encouraged by the Muslim resistance in other parts of the world and by the collapse of the USSR. With this war, she argues, the massacres, violence, and kidnapping had become a substitute for

¹⁹ Bhabani Sonowal and Dipa Dube, "Reparative Approach towards Victims of Armed Conflict: Global Experiences and Lessons for India," *BRICS Law Journal* 6, no. 1 (2019).

²⁰ Ahsan I. Butt, *Secession and Security: Explaining State Strategy against Separatists* (New York: Cornell University Press, 2017).

²¹ Ahsan I. Butt, "India's Strategies against Separatism in Assam, Punjab, and Kashmir, 1984–1994," in *Secession and Security, Explaining State Strategy against Separatists* (New York: Cornell University Press, 2017), 83–124.

political arguments. For her, this was a negative development that not only diminished the odds for a peaceful solution to Kashmir issue but also worsened Pak-India relations.²²

Asia Watch Committee (1993) of Human Rights Watch described a very detailed crisis of human rights violations in IOK soon after the armed movements started in 1989. During the year 1992, a delegation was sent to Kashmir to record the human rights abuses and disobedience of law by Indian Armed forces. A second delegation, in cooperation with Physicians for Human Rights-Denmark, was sent again in April-May 1993 after severe violence against civilians during the last months of 1992 and early months of 1993. It revealed the killings of individuals by their names, massacre happening in with areas mentioned, rapes by the Indian forces in Shpoian, Haran, and Gurihakhar, Indiscriminate Attacks, and Assaults on Civilians, raids on hospitals, educational institutions, kidnapping, torture, threats and assaults on journalists, and disappearances of people. The report summed up the human rights violation by enumerating the records maintained by each delegation.²³

Some of the Indian writers threw lights on the impact of armed conflict between jihadists and Indian armed forces on women. Sumantra Bose in *Kashmir: Roots of Conflict, Paths to Peace* (2003)²⁴ mentioned that Indian army personnel have allegedly been raping Kashmiri women besides committing other serious human rights violations. Another Indian writer, Ouffee Maqbool, noted in his article, *Impact of Conflict on Women in Kashmir* (2017) that Indian forces used rape in Kashmir as an instrument of retribution and power against the Kashmiri jihadists.²⁵ Likewise, the situation has been reported by Pakistani authors Abid and Ashfaq in the article, *Atrocities on Women committed by Indian armed forces in the Indian held Kashmir* (2016). They discussed the violation of the human rights in IOK, focusing the women and mentioned that the women in IOK are suffering much for being harassed sexually against their fight for the right of self-

²² Victoria Schofield, *Kashmir in Conflict: India, Pakistan and the Unending War* (New York: Bloomsbury Academic, 2003).

²³ Gossman, *The Human Rights Crisis in Kashmir: A Pattern of Impunity*.

²⁴ Bose, *Kashmir: Roots of Conflict, Paths to Peace*.

²⁵ Ouffe Maqbool, "Impact of Conflict on Women in Kashmir," *International Journal of Political Science and Development* 5, no. 3 (2017): 114–22, doi:10.14662/IJPSD2017.017.

determination, but none of the army personnel have ever been charged or punished legally for sexually dishonouring the Kashmiri women.²⁶

A book chapter, *Dynamic Militant Insurgency in Conflicted Border Spaces: Ferghana, the Afghanistan-Pakistan Border, and Kashmir* (2016) written by Simbal Khan analytically reported that the Indian government has had a zero-tolerance policy with regard to Kashmir-centered militant groups and has responded with brutal force to all political mobilization and dissent by Kashmiris. The Indian government has reacted with brutal force to all political movements and rebellion by Kashmiris. India deployed approximately 700,000 military and paramilitary personnel making Kashmir an extensively militarized region. A considerable number of Kashmiri jihadists were forced to move to the area under Pakistani control to save themselves from arrest or killing. But, this led them to carry on their armed movement in the area controlled by Pakistan and Pakistan has supplemented a variety of support to Kashmiri militants that included training camps, and funding for their livelihood.²⁷

Pawan Bali and Shaheen Akhtar, in their research report, *Kashmir Line of Control and Grassroots Peace Building* (2017), point out that both India and Pakistan have frequently been violating the ceasefire announced by them in 2003, and causing massive fatalities. The authors focus less on human rights violations in J&K; instead, they discuss a mechanism for peacebuilding along the LOC and expectations of the local people.²⁸

Rekha Chowdhary in *Terrorism and Movement: A Case Study of Kashmir* argues after terming the armed freedom struggle of the people of IOK as terrorism that armed militancy in Kashmir was backed by the masses in whose name the militants used violence. Since militancy in Kashmir was linked with the freedom movement, so it

²⁶ Massarrat Abid and Ayesha Ashfaq, "Atrocities on Woman Committed by Indian Armed Forces in the Indian Held Kashmir," *Pakistan Vision* 17, no. 1 (2016): 247.

²⁷ Simbal Khan, "Dynamic Militant Insurgency in Conflicted Border Spaces: Ferghana, the Afghanistan-Pakistan Border, and Kashmir," in *The Regional Security Puzzle around Afghanistan*, ed. Helena Rytövuori-Apunen, 1st ed., *Bordering Practices in Central Asia and Beyond* (Verlag Barbara Budrich, 2016), 79–106, doi:10.2307/j.ctvbkjzm0.9.

²⁸ Pawan Bali and Shaheen Akhtar, "Kashmir Line of Control and Grassroots Peacebuilding" (US Institute of Peace, 2017).

enjoyed legitimacy during the initial period. However, the lost the legitimacy it enjoyed for long when it became self-directed and crafted a logic of its own.²⁹

Minhas, Ahmad, and Khan in the article *Seizing Kashmir's Identity: Implications for the Global Peace and Stability* (2019) accounted that India's one-sided action of abrogating Article 370 and seizing identity of the people of Kashmir like Israel has put the regional peace and stability under enormous threat. Moreover, they noted that by revoking the article, which was part of the Indian constitution to ensure that Kashmiris would be given their right to determine their fate through a plebiscite, India not only has robbed Kashmiris of their autonomy but also demonstrated stubbornness towards the world in general and its neighbours in particular besides mocking the global institutions responsible for security and peace such as the UNSC.³⁰ Bruce Graham had also addressed this point in the book *Hindu Nationalism and Indian Politics* (2008). He argued that India could not reject the concept of the plebiscite as long as the Article 370 exists. He concluded that BJP, after coming into power, supported several causes including, promotion of Hindi language. BJP given Hindi unequivocally northern predisposition, and adopted outrageous perspectives in regional strategy, and foreign policy as on account of the Kashmir conflict.³¹

The above literature shows that how the Kashmir conflict is evolved and perceived differently by India, Pakistan and the world's major powers. It is more like a blame game that ignores the underlying Indian brutalities and its effects. Admittedly, a number of studies are available on Kashmir conflict but a rare study is made that critically evaluate major powers response towards the subjected issue. Moreover, the revocation of Indian constitutional articles 370 and 35A has greatly affected the Kashmiri freedom struggle and stability of the region. Keeping in view the revocation of the constitutional articles, the international community has not shown any substantial concern on human rights violations in Kashmir that is mainly due to their huge economic and strategic interests

²⁹ Rekha Chowdhary, "Terrorism and Movement: A Case Study of Kashmir," *Academia.Edu*, 2011.

³⁰ Ahmed Saeed Minhas, Bashir Ahmad, and Masrur Alam Khan, "Seizing Kashmir's Identity: Implications for the Global Peace and Stability," *NDU Journal* 33, no. 1 (2019).

³¹ Bruce Desmond Graham, *Hindu Nationalism and Indian Politics: The Origins and Development of the Bharatiya Jana Sangh* (Cambridge University Press, 2007).

vis-à-vis India. Similarly, biases are evident in available literature as there is complete silence by international community against Indian aggression. Thus, this research bridges this gap.

Hypothesis

Due to a unique combination of economic and strategic interests, the international community, mainly consisting of developed nations, is reluctant to exert its pressure on New Delhi for the peaceful resolution of Kashmir.

Theoretical Framework

The theory of neorealism – which recommends examining the structure of the international system for understanding states’ behaviours rather than examining faults in human nature – is best applicable to this research. This theory has provided a significant contribution to the history of politics and has been a useful theory in the decision making policy as well.

This theory was proposed at the time when many theorists started criticizing the early concepts of classical realism and tried to replace the classical thoughts and ideas of realism with their logic and reasoning. As per Browns and other political theorists, the power was now transforming.³² With the culmination of the Cold War, the concept of international organizations for peace and cooperation began to make its roots strong within the international system. In response to these liberalist approaches, realist proposed an advanced version of realism based on the core assumptions of classical realism widely recognized as neorealism delineated by Kenneth Waltz in his famous work, “*Theory of International Politics*.”³³

Neorealism takes a system-oriented approach to explain the behaviour of state in the global political system and put more emphasis on the international system instead of human nature. They base their argument on the perception that the states behave in a

³² John T Ishiyama and Marijke Breuning, *21st Century Political Science: A Reference Handbook*, vol. 1 (Sage, 2011).

³³ Kenneth N Waltz, *Theory of International Politics* (Reading, Mass: Addison-Wesley Pub. Co., 1979).

certain way because the international system compels them to do so, and the causes of conflicts and wars among the states are lying deep inside the anarchic international security milieu. Waltz explains that the structure of the global political system is an essential factor to explain states affairs that why states behave in the same way, despite having different forms of governments, political ideologies, economic situations, and cultural norms. According to him, the international political system has an influencing power on the states, and they respond and behave according to it.³⁴

Kashmir conflict witnessed massive human rights violations. The UHCR's two recent reports on Kashmir conflict further validate the particular narrative of human rights violations by the Indian armed forces. Application of the theory of neorealism to human rights violation and action conveys a following set of assumptions:

Firstly, humanitarian assistance directed by states is most often determined by self-interest. As in the anarchic international system, states only pursue their self-national interests. Their actions are always per their national interest by neglecting moral or ethical considerations.³⁵ In the case of Kashmir dispute, only those actors got engaged who have their broader interests and stakes attached to it. From the perspective of the role of the international organizations to mitigate the conflict, current humanitarian interventions predominantly depend on military force to shield general masses and aimed at sustainable contours of development, post-conflict dynamics of restoration, and settlement. Nonetheless, both individual states and international organizations remain discriminatory in their choice of skirmishes and watchful to mediate.

Secondly, the international community, rather than individual states, is more suitable to demeanour neutral and impartial humanitarian interventions. NGOs and international organizations can be vulnerable to distinctive actions of the powerful actor, and they too are often biased in their optimal predicaments in order to protect the public interest. Unintentionally or not, international agencies are easy to stray from their pathway of

³⁴ J. David Singer, "International Conflict: Three Levels of Analysis," ed. Kenneth N. Waltz, *World Politics* 12, no. 3 (1960): 453–61.

³⁵ S. Telbami, "Kenneth Waltz, Neorealism, and Foreign Policy," *Security Studies* 11, no. 3 (March 1, 2002): 158–70.

unprejudiced, impartial, and autonomous ways of provision, although being entwined in a realm of international politics, which unavoidably mount humanitarian action. The modules that modern conflict mediators can acquire from the theory of neorealism are, first of all, its central prominence on the self-interested and lucid nature of politics and its major actors: states, international organizations, and corporations.³⁶

In light of the neorealism theory, it becomes clear that unless the advancement of human rights is not in the national interest of the global powers, it would not be rational for them to seek after such objectives. All the major powers are very well aware of India's nefarious actions and policies in occupied Kashmir, its brutality, and aggression in the region but due to their self-interests, i.e., economic, political, military, they cannot go against India. There lies a power politics between states, which means that all major powers are economically, politically, and in the defence, sector connected in trade with India due to which no state is raising its voice for the people of Kashmir with the fear that it could deteriorate their trade relations with India. Besides, neorealism also helps to find the answer to the very question of why the international community picks out to intervene in specific conflicts while ignores others. For example, the UN comparatively responded quickly to the cases of the Ivory Coast and Libya³⁷ but played a minimal role in ending human rights violations in IOK. Most importantly, the conflicting national interests of the US, Russia, Britain, China, and France – which have permanent membership of the UNSC and possess veto power – have made it almost impossible to formulate the objectives of an intervention. Realpolitik still chooses when, where, and how the international community would protect human rights.

Research Methodology

The study employed the explanatory case study methodology through qualitative approach to analyse the facts and figures. Data was collected from secondary sources which include books, journals, and newspapers due to the nature of the pertinent topic.

³⁶ Jeffrey W. Taliaferro, "Security Seeking under Anarchy: Defensive Realism Revisited," *International Security* 25, no. 3 (2000): 128–61.

³⁷ Alex J. Bellamy and Paul D. Williams, "The New Politics of Protection? Côte d'Ivoire, Libya and the Responsibility to Protect," *International Affairs (Royal Institute of International Affairs 1944-)* 87, no. 4 (2011): 825–50.

Whereas official and legal documents, official websites and reports, and audio and video content were also consulted as the nature of study demanded. The overall approach of the research is inductive with an exploratory purpose. The research analyses the facts and figures available in the shape of documents existing as published academic work, press communiqués, official speeches and joint statements of both Pakistani and Indian leaders to evaluate the operational and tactical policies of India, and Pakistan's diplomatic and tactical responsive measures. For getting detailed background of the issue, historical accounts have been used as well as the official and legal documents were consulted. Official reports of UNHCR, Amnesty International, HRW, and other human rights organisations were consulted to document the human rights situation in the Valley while relevant facts from the secondary sources were analysed to find out the leading causes behind the negligence of the international community.

Significance of the Study

Kashmir has been the largest and oldest conflict between neighbouring states, Pakistan, and India and has been studied various times by different scholars and researchers. It is the flashpoint between the two rival countries in South Asia, those who try to maximize their power and sphere of influence. India occupied Jammu and Kashmir in 1947 and has been maintaining its illegitimate rule over the people of Kashmir by applying lethal force. Kashmiris are struggling against Indian rule, while India tries to crush their freedom movement. Thus, this study will describe how the fundamental rights of the people were encroached and curtailed by India. It will also highlight how the masses of Kashmir were subjugated to the belligerent violence carried out by the armed forces. Secondly, this research deeply analyses the amount of violations, also the role of the global community in tackling the situation and standing up for the innocent people of Kashmir. The study aims at drawing the attention of the international community to be aware of its responsibilities, especially the influential global powers.

Thirdly, this research is unique because it will expose the agenda of the international community for being silent on unprecedented havoc wreaked on innocent Kashmiris. Contrary to this, the international community is a great advocate of human rights, but in

the case of human rights violations in Kashmir, they are least concerned. It will try to reveal the reasons and causes because of which the international community is playing a dubious role by prompting Indian stance and negating the rights of freedom and self-determination. Thus this research intends to fill the significant gaps regarding the role of the international community in resolving Kashmir dispute and putting an end to the grave human rights violations in the Valley by critically evaluating the major powers' response towards the dispute and the factors that bar global powers from responding with true spirit.

Delimitation

The research gives an extensive historical background of the Kashmir dispute, but it explicitly emphasizes the post-Burhan Wani murder era – 2016-20. The research primarily includes human rights violations and the role of the international community besides focusing on Pakistan and India's stance over Kashmir, and the freedom struggle of Kashmiri people.

Organization of the Study

Introduction - Theoretical Framework

This chapter extensively elaborates on the theoretical framework of the study. It highlights the critical assumptions of neo-realism, its relevance with the pertinent topic, and provides ontological and epistemological dimensions aligned with the theory.

Chapter-I: History of the Kashmir Dispute

This chapter briefly discusses the history of the Kashmir dispute and the freedom struggle of the indigenous people of Kashmir. Moreover, the impacts of the various factors, including technology, economy, and high literacy rate, have also been discussed in the chapter.

Chapter-II: Human Rights Violations and Renewed Dynamics in Kashmir: 1990s

This chapter entails the renewed dynamics after the eruption of the armed freedom movement in Kashmir, besides presenting an in-depth analysis of various deceitful strategic and political tactics fostered by India and its manipulation by civil, defence and administrative forces in the Valley.

Chapter-III: Politics of Asia-pacific, India's Rise and Changing Dynamics in Kashmir: Post-2000

This chapter analyses the regional politics and power landscape while laying emphasis on the changing dynamics in Kashmir during the post-2000 period. The chapter also discusses the impacts of the abrogation of Indian constitutional articles 370 and 35A over the Kashmiri freedom struggle.

Chapter-IV: Role of the Global Institutions and the World Powers

This chapter analyses the facts that will show what role the international community and global institutions have been playing in mitigating the Kashmir crisis and how they responded to the human rights abuses in the occupied Kashmir and the freedom struggle of indigenous Kashmiris. The chapter also discusses how the international community may be persuaded to be paying attention to the grave human rights violations in IOK.

Chapter-V: Pakistan's Policy on Kashmir and Response Options

The chapter focuses on the responsive measures and combating strategies taken by Pakistan, and analyses the implications of these policy measures vis-à-vis Kashmir conflict and designing the bilateral dynamics of Indo-Pak relations. It would also include the options Pakistan has after the revocation of the special status of Kashmir.

Conclusion Recommendations

This chapter concludes the study, besides entailing findings of the research, way forward and recommendations.

CHAPTER 1

History of the Kashmir Dispute

Occupied Kashmir is geographically located in the South Asian region, with a population of 1300 million. The Valley is sandwiched in Pakistan, India, China, and Afghanistan. Geographically, the territory owns a crucial geostrategic position in the politics of the South Asian region. Economically, it is a weak state, and its per capita income is less than 100 states of the world.³⁸ According to History, the earliest kingdoms existed before 2000 B.C., known as 'Kashmira' in the Sanskrit form, and this name still exists as Kashmir in the Persian version, and now it is universal.³⁹ The Kashmir issue dates back to the imperialist policy of the British, which they made 'divide and rule.' It is said that 'Kashmir is a heaven on earth,' but ironically, this heaven has a sorrowful history and, to date, is suffering at the hands of occupying forces. The two countries, Pakistan and India, have long stood for the ownership of this princely state, and unfortunately, only the Kashmiris sufferer from this tug of war between them. A brief history of this princely state is required to understand the 70 years long conflict named 'Kashmir Issue.'

Kashmir conflict arose back in 1947 when the Indian Sub-Continent was alienated into two states, India and Pakistan. Although Kashmir was a region with a Muslim majority, its people, in their quest for joining Pakistan, initiated the armed struggle against their ruler, Maharaja Hari Singh. However, the Maharaja, gained military aid from India to resist the attack facilitated by the tribal Pashtuns from Pakistan, and finally signed the Accord of Accession with India.⁴⁰

³⁸ K.A. Chitle, "Kashmir," *India Quarterly* 24, no. 1 (1968): 1–5.

³⁹ Rājānaka Jonarāja and Shyam Lal Sadhu, *Medieval Kashmir: Being A Reprint of the Rajataranginis of Jonaraja, Shrivara and Shuka, as Translated into English by JC Dutt and Published in 1898 AD under the Title "Kings of Kashmira"*, vol. 3 (Atlantic Publishers & Dist, 1993).

⁴⁰ Sumantra Bose, "Kashmir: Sources of Conflict, Dimensions of Peace," *Economic and Political Weekly* 34, no. 13 (1999): 762–68.

| Year | 1941 | 1961 | 1971 | 1981 | 2001 | 2011 |
|-------------------------|-----------|-----------|-----------|-----------|------------|------------|
| Total | 2,946,728 | 3,560,976 | 4,616,632 | 5,987,389 | 10,143,700 | 12,541,302 |
| Muslims | 2,133,611 | 2,432,067 | 3,040,129 | 3,843,451 | 6,793,240 | 8,567,485 |
| Hindus | 736,865 | 1,013,193 | 1,404,292 | 1,930,448 | 3,005,349 | 3,566,674 |
| Muslims (Percentage) | 72.41 | 68.30 | 65.85 | 64.19 | 66.97 | 68.31 |
| Hindus (Percentage) | 25.01 | 28.45 | 30.42 | 32.24 | 29.63 | 28.44 |

Table 1: Total population and percentage of Muslims residing in IOK (Source: Census India)

The native population wanted a referendum to decide the future of Kashmir state themselves. But they were inhibited and side-lined after the end of World War II. Deployment of military forces in the Kashmir dishevelled Kashmir into a violent revolt between the Indian state and local Kashmiris, predominately Muslims. The Indian state developed different counter-insurgency strategies to overwhelm the movement. The use of such strategies and divide-and-rule policy created rifts and infighting among the freedom fighters groups.⁴¹

Kashmiris have not self-ruled their state since the time of King ‘Yousuf Shah Chak’ as Mughals defeated him in the 16th century from then it was ruled by Afghans, then by Sikhs. The Treaty of Amritsar held, and it was sold to Dogra King ‘Gulab Singh’. He switched from Sikhs side to British and helped the British to defeat Sikhs in Anglo-Sikhs wars. From then, Dogra continued their expansion and gained control over Buddhist Ladakh and states of Gilgit and Baltistan. Kashmir was separate and landlocked, and it was annexed with the district of Jammu, which was ruled by Maharaja Gulab Singh, who had bought this region from the British.⁴²

1.1 Origins of the Kashmir Dispute

There were almost 600 princely states at the time of partition of the sub-continent ‘a British Colony,’ and rulers were advised to either accede to India or Pakistan. Gulab

⁴¹ Shantanu Chakrabarti, “Evolving Insurgency and India’s Counter-Insurgency Options,” *Connections* 9, no. 2 (2010): 65–78.

⁴² Jonarāja and Sadhu, *Medieval Kashmir: Being A Reprint of the Rajataranginis of Jonaraja, Shrivara and Shuka, as Translated into English by JC Dutt and Published in 1898 AD under the Title "Kings of Kashmir"*.

Singh's great Grandson Hari Singh opted for being independent, but being a Muslim majority area, it had to be part of Pakistan logically, so Pakistan signed a standstill agreement with Maharaja of Kashmir which entailed that Pakistan will not obstruct its communication and trade. But Dogra forces were aided by Hindus and Sikhs who had served in the British army to take control of the situation as an uprising against Dogra initiated in Jammu, and as a result, thousands of Muslims were massacred, and many escaped to Pakistan thus Muslims became a minority in Jammu. In the Poonch sector, the rebels took support from Pashtuns from Pakistan, and they got control over it now it is called Pakistan administered Kashmir. As the Pashtuns reached Kashmir by October 1947, Hari Singh sought help from India and temporarily acceded to India with the agenda of the referendum to be held later on, mentioned in terms of accession.⁴³ Thus delay in making a clear-cut decision and announcement by Hindu Maharaja created this long-rooted conflict since 1947, and from then onwards, the war between the two newly formed countries of India and Pakistan initiated. Indian forces entered Kashmir, and Hari Singh went to a self-inflicted exile to India, but by that time, a provisional government was already formed due to Poonch uprising, and the region was named as Azad Jammu and Kashmir. Pakistan objected Hari Singh's accession to India as he had already signed a standstill agreement with Pakistan, and it was in force. Indian Prime Minister Jawaharlal Nehru at that time promised to hold a plebiscite in Kashmir.⁴⁴

India did not call back its troops, and thus a war was initiated in May 1948. India took this issue to the United Nations, which called to hold a plebiscite. On the other hand, India formed a government with Sheikh Muhammad Abdullah as Kashmir's Prime Minister.⁴⁵ The ceasefire held between India and Pakistan in 1949. The UN took no action, and India forcefully merged the region into Indian Union. India gave Kashmir a semi-autonomous status under Article 370 of its constitution. India lost a beautiful part of Kashmir 'Aksai Chin' in the war against China in 1962.⁴⁶ Furthermore, Pakistan held a deal with China holding over another part of Kashmir named 'Shakasgam'; thus, Kashmir

⁴³ Sökefeld, "Jammu and Kashmir – Boundaries and Movements."

⁴⁴ Cheema, "Pakistan-India Conflict with Special Reference to Kashmir."

⁴⁵ Ibid.

⁴⁶ Zulfqar, "Kashmir: Nature and Dimensions of the Conflict."

was divided into three regions, i.e., Indian Occupied Jammu and Kashmir, Azad Jammu and Kashmir, and China held part of Kashmir.

India maintained that Kashmir is the fundamental part of India, and there is no question of the plebiscite being held; thus, Kashmiri activists continued the strife for the right of self-determination. Many uprisings held in 1963 against Articles 356 and 357 by which India held the legislative power, and protestors were attacked. In 1965, India and Pakistan fought a war over this region. A group of Kashmiri armed wing named the Jammu and Kashmir National Liberation Front (NLF) in Azad Kashmir formed another plebiscite front which aimed to free Kashmir from hands of India.⁴⁷

In 1971, the east wing of Pakistan detached and became a separate state named Bangladesh. The war between Pakistan and India continued and ceasefire held in Simla Agreement, but the fighting continued on line of control.⁴⁸ Muslim United Front declared the elections of 1987 as rigged elections and insurgency increased in the Valley, which was answered by arrests and curfew by the Indian army. Kashmiri independence movement became more of an Islamist ideology. The Kashmiri people came out on the streets, and protests started, and Indian police and army killed many people. Mujahedeen from Sudan, Chechnya, Afghanistan, and Pakistan started fighting along with the rebellions. India sent its military force of about 600,000 to fight against uprisings. Estimated 34,000 people were killed by 1990.⁴⁹

India brought Kashmir under its direct control due to widespread freedom unrest by Muslims, and in such times India did not allow any official from United Nations to visit Kashmir because of the cruelty done by the Indian government as police killed 40 people on 27th February 1990. Refugees started travelling to Pakistan, and India threatened Pakistan for a war. In July 1990, India passed the Jammu and Kashmir Disputed Areas Act, which gave Indian security forces a free hand to kill people in the protests and uprisings. Pakistan ruled out any further talks within foreign secretaries unless India ends

⁴⁷ Matthew J Webb, *Kashmir's Right to Secede: A Critical Examination of Contemporary Theories of Secession* (Routledge, 2012).

⁴⁸ Mehruunnisa Ali, "The Simla and Tashkent Agreements," *Pakistan Horizon* 25, no. 3 (1972): 53–74.

⁴⁹ Puri, "Fundamentalism in Kashmir, Fragmentation in Jammu."

the violations of human rights in Kashmir. India cleverly handled the situation by using its intelligence agencies, which exploited the sectarian differences between the Mujahedeen and made them stand against each other.⁵⁰

In 1997 Pakistan and India's foreign secretaries met for the negotiations on the Kashmir issue. This bore fruit and prime ministers of both states met to resolve this dispute. Pakistan and India agreed to establish a mechanism for enduring dialogue on issues between the two countries. But again, India rejected accepting Jammu and Kashmir as a disputed territory but retained that if Kashmir issue is to be discussed, then it would be Pakistan held Kashmir.⁵¹ India directed state government in Indian occupied Kashmir to renew two special laws. These gave a free hand and immunity to the armed forces. The Armed Forces Special Powers Act and the Disturbed Areas Act were promulgated back in 1990.⁵² The Kashmir dispute is into a never-ending cycle of animosity and hatred between India and Pakistan. Both countries assert the jurisdiction of Kashmir and also claim to give the right of self-determination to Kashmiri people. It is the conflict associated with the security of the South Asian region and is the oldest and unresolved dispute, and it is hindering SAARC to achieve its goals. It is thought to be the only reason why India and Pakistan went Nuclear.

1.2 Eruption of Armed Freedom Struggle in 1989

Since early 1989, IOK has been a battle filed among the brutal Indian armed forces and rebellious Muslim insurgents fighting for the struggle of freedom. At the beginning of the year 1989, the pro-freedom party, Jammu Kashmir Liberation Front (JKLF), was demanding freedom from the occupant India. Its insurgent group became successful in conducting efficient guerrilla warfare incidents, posing a daunting challenge to the Indian forces in the occupied territory.⁵³ To combat insurgency, barbaric Indian armed forces in IOK are involved in flagrant violation of human rights in the form of

⁵⁰ Bose, "Kashmir: Sources of Conflict, Dimensions of Peace."

⁵¹ Schofield, *Kashmir in Conflict: India, Pakistan and the Unending War*.

⁵² Rituparna Bhattacharyya, "Living with Armed Forces Special Powers Act (AFSPA) as Everyday Life," *GeoJournal* 83, no. 1 (2018): 31–48.

⁵³ A. G. Noorani, "Kashmir and a Farical Human Rights Commission," *Economic and Political Weekly* 29, no. 32 (1994): 2053–2053.

rapes of women, torture of youth, kidnappings, extrajudicial executions, indiscriminate attacks killing civilians, shooting of peaceful demonstrators, and executions of detainees. The Indian forces also deployed various forms of gender-based violence such as systematic sexual abuse as weapons of war.⁵⁴

In the mid-1990s, human rights conditions in IOK further deteriorated as Indian forces launched operations such as the ‘Operation Shiva,’ ‘Catch and Kill Campaign’ and the ‘Operation Tiger,’ for launching surprise raids on freedom fighters to assassinate them and also to take pre-emptive actions against the adherents of the insurgent ideology. During such operations and violent armed campaigns, the number of custodial killings and civilians assaults escalated to alarming heights. During the search operations conducted under these operations, the security forces also launched excessive arson attacks, burning of private properties, schools, and workplaces.⁵⁵

Notably, the Indian armed forces caught red-handed in genocidal massacres as validated by the numerous operations conducted during 1990-2001 – Zakoora, Tengpora, Gawakadal, Handwara, Hawl, Kunan Poshpora, Bijbehara, Sopore, Lal Chowk and Kupwara massacres.⁵⁶ On the other hand, India forces have also been accused of mass-rape cases, including the controversial Kunan Poshpora rape case from 1991, where the Indian soldiers, during a massive military operation, raped almost 35 women in Kunan and Poshpora regions of the Kupwara district.⁵⁷

In the first phase of the movement from 1990 to 2001, the Kashmir region had a very violent environment that enforced the other minorities, such as Hindus, to leave the Kashmir. Almost sixty thousand Hindu Kashmiri fled away⁵⁸. The youth initiated an active movement to liberate the Jammu and Kashmir territory from Indian clutches with

⁵⁴ Seema Kazi, “Between Democracy and Nation: Gender and Militarisation in Kashmir” (London School of Economics and Political Science, 2007).

⁵⁵ “US Department of State Country Report on Human Rights Practices 1998 - India” (Washington: United States Department of State, 1999), <https://www.refworld.org/docid/3ae6aa7d8.html>.

⁵⁶ Cabeiri deBergh Robinson, “Between War and Refuge in Jammu and Kashmir:,” in *Body of Victim, Body of Warrior*, 1st ed., Refugee Families and the Making of Kashmiri Jihadists (University of California Press, 2013), 31–66.

⁵⁷ “A Brief Chronology of Kashmir,” *Pakistan Forum* 2, no. 2 (1971): 2–3.

⁵⁸ Nisha Kumar, “The Crisis of Separatism and Democracy in Kashmir,” *Harvard International Review* 13, no. 2 (1990): 40–44.

the help of Pakistan. Moreover, the movement cost huge humans' loss. Likewise, social and economic sufferings increased.⁵⁹ However, the movement started declining in the late nineties due to successive rapid counter-insurgency raids and campaigns by Indian forces, which resulted in the ultimate decline in militancy. Although the violent uprising, initiated in Kashmir in the early nineties, lost its grounds drastically, it was replaced by a peaceful and non-violent movement against the brutality and suppression of the Indian forces in the occupied territory. In this era, multiple insurgents groups emerged with different pro ideologies of pro-Pakistan and independent Kashmir.⁶⁰ Statistical data estimates that since 1989, about 90,000 people were killed in Kashmir of which 70,000 were belonging to the age group of 15-25 years; about 140,000 have been arrested, jailed and tortured; more than 20,000 are missing; more than 21,000 have been physically impaired because of torture, physical injuries and mental breakdowns; more than 10,000 young and older women have been gang-raped and molested by Indian forces; hundreds of thousands of older men have been dishonoured, and more than 100,000 houses and infrastructures have been destroyed.⁶¹

Kashmir is globally recognized and among one of the hoariest conflicts on agendas of the UNSC and the OIC. It has been the vertex point of conflict escalation between Pakistan and India since their inception in the year 1947.⁶² Ever since the partition, Kashmir has been in the state of war and loosed thousands of human lives. Not only has this, but the Indian Occupied Kashmir has been subjected to grave human-rights abuses, such as custodial killings, rape, unlawful arrests, forced disappearances, and torture, that has affected the people of Kashmir both physically and psychologically.⁶³

⁵⁹ Alexander Evans, "The Kashmir Insurgency: As Bad as It Gets," *Small Wars & Insurgencies* 11, no. 1 (March 1, 2000): 69–81, doi:10.1080/09592310008423261.

⁶⁰ Cyrus Samii, "Kashmir: From Persistence to Progress?," *Kashmir: New Voices, New Approaches* (New York: International Peace Academy, 2005), <http://www.ipacademy.org/Programs/Research/ProgReseKas_body.htm>.

⁶¹ Hilal Ahmad Wani, Andi Suwirta, and Joseph Fayeye, "Untold Stories of Human Rights Violations in Kashmir," *International Journal for Educational Studies* 6, No. 1(August 2013): 57

⁶² Tooba Khurshid, "United Nations Security Council Resolutions," *Strategic Studies* 36, no. 4 (2016): 100–122, doi:10.2307/48535976.

⁶³ Syed Amin and A.W. Khan, "Life in Conflict: Characteristics of Depression in Kashmir," *International Journal of Health Sciences* 3, no. 2 (July 2009): 213–23.

The unresolved Kashmir issue has two dimensions: the first is its political dimension regarding the respective 'claims' of both Pakistan and India over the region of Kashmir; the second dimension is going-over the reported incidents of abuses of basic human rights, made by the Indian armed forces and the brutalities of its civil administration in the form of violations of humanitarian laws and fundamental international human rights.⁶⁴

Kashmir conflict is, for sure, a social datum; henceforth, its magnitudes can be easily found in the configuration of the social order of the Kashmir region and on social collectiveness of communal identity. The past revolutions and conflict put a demoralizing impression on the people of Kashmir. There was a huge loss because of Kashmir conflict in terms of extrajudicial murders, anarchy, social and moral values, economic scarcity, collective deviant behaviour, and increasing mental health problems. The conflict exaggerated the masses and exposed them for many new adverse actions in individual mind-set and society

During the period of ferocious armed conflict, all the social classes of Kashmiris agonized, and most of them participated in hostilities resulting in the collapse of the social fabric. For the masses and social groups of the Kashmir region, chances of finding a solution for this on-going conflict is next to nothing as, sadly, they are often used by contractors of this conflict and their interests. Their generations grew up during a security crisis, tortures, and unaccounted arrests. They have been denied their fundamental human rights and have been living with the perceived loss of identity and dignity, and experiences of brutal killings. They are the witness of deaths of their loved ones, which resulted in the loss of confidence in the state, security forces, and people. Every aspect of their psycho-social development was burnt to ashes due to violence and destruction, loss of moral and social values, and disintegration of the basic structure of society.

The militancy in IOK, launched by the paramilitary forces, severely affected each sector of the society and social life. The violence resulted in suffering, and innocent and

⁶⁴ Fozia S. Qazi, "Curfew Diary—Kashmir, 2016," *Women's Studies Quarterly* 46, no. 3 & 4 (2018): 237–60.

ordinary people were killed, injured, and tortured in huge numbers. It was a common practice to abuse and dishonoured the locals, including elders. Young people, including teenagers and children, were brutally tortured, and the majority of local women were teased and harassed and, in some cases, even raped. Structures such as business establishments and residential houses were demolished or burnt, causing loss of valuable properties.⁶⁵

In a nutshell, the militancy of armed forces brought a disastrous and effect in entire Kashmiri society specifically, and it caused mass psychological depression, large-scale economic destruction, educational backwardness, widespread social disorder and inefficiency and destruction of norms and values, which were faced by the vast majority of members of Kashmiri society. The deprivation of necessities led to a high impact to the Kashmiri people. Kashmiri nation struggled and strived for their basic needs and rights of self-determination, and most of their efforts remained none comprising. Their struggle is supported by the indigenous values, which comprise of ideas, habits, beliefs, and customs of Kashmiri people.⁶⁶

1.3 Impact of the Conflict on Kashmiris

Kashmiris have been in a state of despair and disappointment regarding their future status. Out of this despair and being sick of the uncertainty, they resorted to launching armed struggle in 1989 against India for illegally occupying their territory and denying their fundamental rights.⁶⁷ In order to combat the struggle of freedom, India used lethal force against the people of Kashmir. As a result, thousands of Kashmiris were tortured, killed, massacred, raped, and belligerently humiliated.⁶⁸

Statistically, about 70,000 Kashmiri youngsters, a large proportion of which belonged to the age group of 15-25, have been assassinated by occupational armed forces of India.

⁶⁵ Manisa Gahngar, "Decoding Violence in Kashmir," *Economic and Political Weekly* 48, no. 4 (2013): 35–42.

⁶⁶ Ibid

⁶⁷ Hafeez R. Khan, "The Kashmir Intifada," *Pakistan Horizon* 43, no. 2 (1990): 87–104.

⁶⁸ Musarat Javed Cheema, "Pakistan – India Conflict with Special Reference to Kashmir," *A Research Journal of South Asian Studies* 30, no. 1 (2015): 45–69.

Likewise, 40,000 youngsters faced brutal torture during interrogation in jails and interrogation centres; more than 20,000 youngsters are missing as either they are killed or illegally detained; an equal number of young Kashmiris have become physically or mentally disabled as a result of torture, injuries, and psychological break-down; numerous young Kashmiri women subjected to rape and sexual molestation by the barbaric armed forces of India; and senior citizens have been dishonoured.⁶⁹

Each person of Kashmir is sadly living life under shadows of fear. Moreover, educational institutes, including universities, colleges, and schools remained closed because of protracted violence for indefinite periods. In a nutshell, the majority of Kashmiris have been victimized by Indian aggression and deceitful ploys. It is pertinent to highlight that majority of Kashmiri youth have been assassinated in fake encounters, and women were abducted, raped, and molested. From a social perspective, the Indian coercive policies created a substantial economic and social setback by destroying public and private properties, assets, and valuables of livelihood.⁷⁰

1.4 The Pragmatic Shift of the Movement

In 2001, the Indian parliament was attacked by the militants; consequently, the relations between India and Pakistan became more hostile. The 9/11 attacks in the US brought a pragmatic shift in the policy of Pakistan towards Kashmir. The US pressurized Musharraf ban ministration to ban the militant outfits in occupied Kashmir, specifically LET and JET. The drastic shift in the policy resulted in a decrease in militant attacks and operations by the freedom fighters. LET, JET, and other militant wings owned healthy posture in the Kashmir region, but it has weakened the offensive strategy in the Kashmir movement.⁷¹ With the decrease of attacks, it also resulted in other modes of operations, ambush attacks, and car bombings. Also, it provided a space for the Indian military and paramilitary forces to have counter-successive rids operations to the hideouts of militants.

⁶⁹ South Asia Human Rights Documentation Centre, "Ignoring the Disappeared of Kashmir with Impunity," *Economic and Political Weekly* 47, no. 45 (2012): 20–24.

⁷⁰ Mehraj Hajni, "The Kashmir Conflict: A Kashmiri Perspective," *Swords and Ploughshares* 16, no. 1 (2007).

⁷¹ Sohaib Khaliq, "Pakistan's Kashmir Policy in the New Strategic Environment," *IPRI Journal* 12, no. 1 (2012): 46–66.

Indian forces successfully killed approximately 1700 militants in the year of 2016. In 2008, the people of Kashmir held one of the most massive rallies against the Indian brutality and oppression since 1994. Afterward, instead of guns and arms weapons stone, pallet techniques emerged.⁷²

In the first phase of the movement from 1990 to 1996, the Kashmir region had a very violent environment that enforced the other minorities, such as Hindus, to leave the Kashmir. Almost 60,000 Hindu Kashmiri fled away. Indian youth initiated an active movement to liberate the Jammu and Kashmir territory from Indian clutches with the help of Pakistan. Moreover, the movement cost huge humans' loss. Likewise, social and economic sufferings increased. However, the movement started declining in the late nineties due to successive rapid counter-insurgency rids and campaigns by Indian forces, which resulted in an ultimate decline in militancy.⁷³

The main reason for migration was the oppressive movement led by the youth for the liberation of Kashmir state. The presence of militant and the freedom fighters created a sense of insecurity among the other ethnic groups apart from Muslims. The enduring confidence of social and economic assistance helped the Hindus to migrate from the state of Kashmir. From 2000 onwards, the insurgents' groups and militant organizations brought a pragmatic shift in the movement as the Harkat-ul-Mujahideen and Jaish-e-Muhammad proactively got engaged in violence and turmoil.⁷⁴

The LET successive attacks on the forces and attack on the Indian parliament reshaped the insurgent technique of terrorism. The operative methods and idiosyncratic approaches of those wings diluted the core agenda of the movement of Kashmir. Consequently, insurgency and counter-insurgency race resulted in the killings of innocent's people and personal from security forces and military.

⁷² Sadia Fayaz, "Kashmir Dispute between Pakistan and India: The Way Out," *The Dialogue* 11, no. 1 (2016): 65–82.

⁷³ Ibid.

⁷⁴ George Garner, "Chechnya and Kashmir: The Jihadist Evolution of Nationalism to Jihad and Beyond," *Terrorism and Political Violence* 25, no. 3 (2013): 419–34.

But after 2002, the sangria got changed, and the Kashmir movement got a transformation. The local people seem less interested in the campaign of violence and oppression continuity of the Kashmir movement due to the huge loss of human lives during the violent phase from 1990 to 2000. Likewise, the victory of the Democratic Party of Mufti Sayed over the National Conference raised hopes of peace and stability for the people of Kashmir in the future.⁷⁵ This resulted in the reduction of gun culture and Indian forces actively engaged in counter-insurgency, which reduced the militants quite dramatically.

1.5 Comparative Analysis of the Movement

During the insurgency of Kashmir from 1988 to 2000, there were almost 35,000 incidents of violence, which resulted in almost thirty thousand casualties. Thousands of civilians' security forces personal and militants lost their lives, and a binary number of them got injured or handicapped.⁷⁶ In the second phase of the movement, the violence decreased with lesser casualties. In the earlier phase, the state of Jammu and Kashmir has more strikes, protests, and curfew as compare to the second phase of the Kashmir movement.

Despite the violence and turmoil in Kashmir, the social and economic conditions have improved in the Valley in the second phase of the movement. The Jammu and Kashmir literacy rate increased from 55 per cent to 68 per cent from 2001 to 2011. The male literacy increased from 20 per cent to 58 per cent per year according to the consensus of 1988 in Jammu and Kashmir. The state population has increased from 1.01 per cent to 1.25 cror from 2001. The current GDP of Jammu and Kashmir is US 20 billion dollars, and its GDP is ranked now 21st. The GDP growth was reached 14 per cent in 2018, which was 6 per cent in early 1990. The state's gross domestic production was 361940 million INR in 1990, and in 2000 it reached 145700 INR but reached up to 13702 crore INR, which is 20 billion dollars approximately in 2018.⁷⁷ The Indian militancy in Kashmir affected all sectors the society and human social life. The violence resulted in suffering, and Thousands of innocent and common people were

⁷⁵ Khalid Iqbal, "Modi's Kashmir Policy: Penny Wise Pound Foolish," *Defence Journal* 18, no. 6 (2015): 57.

⁷⁶ Ibid.

⁷⁷ Ruhee Rashid and Santosh Kumar Maharashi, "Status of Female Education in Jammu and Kashmir Since 1950," *Washington, American Journal of Educational Research* 3, no. 6 (2015): 731–35.

killed, injured, and tortured. Most of the locals, including elders, were abused and dishonoured repeatedly. Youth were brutally treated, and most of the local children were harassed-tortured, and the majority of the local women were teased, some raped even. Thousands of residential houses and business establishments were burnt or destroyed. Valuable properties were lost. In brief, the militancy brought a devastating and disastrous effect in totality in the entire Kashmiri society especially in the fields related to large-scale economic destruction, widespread social disorder and inefficiency, educational backwardness, mass psychological depression, and destruction of values-norms, which were experienced by the majority of members of the Kashmiri society

The deprivation of necessities led to a significant impact to the Kashmiri people. Kashmiri nation struggled and Strived for their basic needs and rights of self-determination, and most of their efforts remained none comprising, and those Values are defined by societies and comprise of ideas, habits, beliefs, and customs of Kashmiri people. Muslim community identities changed from other identifies (on the bases of religion); hence it can be a foundation of disputation if the transformations between societies and values are not adequately addressed. The population has general exhaustion due to incapacity of the secessionist groups to promote the “Azadi movement” in an impactful way; likewise, the continuous ferocity from both sides also dishevelled the population.

At the beginning of the 20th century, the Kashmir movement deemed and obsoleted the Kashmir movement from violent to less violent phase remained in successive transformation. Earlier the movement was primarily based on the religious ideology of separate homeland for the Muslim majority of occupied Kashmir. The role of religious militants wings and insurgents groups were quite excessive, which anchored the violent notion of movement in the early nineties .the common masses of Kashmir more inclined to jihadi orientation and had a violent approach. The social and economic suppression by the Indian government led the ingenious population to incline towards the freedom fighter wings and political parties who were holding the narrative of ‘AZADI.’

But this narrative was actively repressed by the brutal counter-insurgency tactics of the Indian forces in the region. The rise in the silence of religious orientation in the jihadi movement of Kashmir can be related to the context of response of Indians escalations of violence to suppress the narratives of Muslim ideology and constant threatening pressure to the Muslim community by the Hindu's chauvinist groups in the Indian states. The propelling insecurity of life and Muslim identity in India asserted pressure on the movement of Kashmir. The complication of the dispute was further enhanced by the brutal response to the Kashmir movement campaign, as witnessed by the Muslim and Hindus of the state of Kashmir.

1.6 Nonviolent Method Approach and Freedom Struggle

Approximately there have been almost 200 different methods and ways for nonviolent resistance and actions. The Kashmiri people are excessively using and prating those nonviolent methods. The most common methods to show the respective dissent, numerous methods that are being practiced in the Kashmir movement are protests, public speeches, banners, black colour, and wall chalking. There is a different trend of honouring the martyrs of the movement. They were buried in a specially allocated graveyard. Mock funerals were also offered.

The technique of psychology pressure through hunger strikes is also considered as a vital tool of potting the pressure. Physical techniques are also being opted in the region to keep the momentum of the movement, such as sit-ins, peaceful protests, blocking off the roads, and hindering the government and official events through non-violent means.

1.7 Impact of Social Media

Social media is proactively playing a significant role in the transformation of the movement. Cyberactivism is excessively practiced by the youth of the Kashmir to keep the movement alive. Social media has emerged as a robust platform for the people to depict their anger and grievance. It is also used as a tool to register their protests and resentments against the brutality and oppression without any hindrance by the state. The mobilization of the movement is incorporated through social media applications such as

Google, Facebook, and Twitter. Social media is also helping to depict the brutality by keeping the record of violent pictures, videos, and the literature that is shared on various blogs and websites. It eventually helps to keep the momentum of the movement more vibrant. The other means of nonviolent ways of protesting are music, drama, theatre, and cartoons.

CHAPTER 2

Human Rights Violations and Renewed Dynamics in Kashmir: 1990s

Human rights violation is a hot topic of many newspapers and magazines, but perhaps ‘some human populations’ never counted as ‘humans.’ Although the international community highly emphasized human rights all over the world when it comes to people of Kashmir, the violence and brutality in Kashmir could not draw the international community’s attention to take suitable actions against India. Moreover, major world powers are behaving as an ‘ostrich’ and ‘put their heads in the sand’ by neglecting the human rights violation in Kashmir. December 10 is considered the World Human Rights Day and celebrated all around the world⁷⁸. However, no major power is concerned with the rights of people living in Kashmir. Although major powers make tall and lofty claims for advocating rights for all the people when it comes to practicality, they step back. It has been observed for decades that no power has shown serious concern over the brutality carried out by India in the subjected region. The international community is unable to prevent Indian aggression in IOK that might endanger regional as well as international peace. Here, the question arises that why major powers are keeping ‘criminal silence’ against India’s illegal actions? The answer is quite apparent that for the fulfilment of their own ‘national interests,’ they cannot go against India.

Since India act as a vast market for the industrialized nations, so there has been seen a fundamental transformation of relations of India with other great powers during recent times. The growing economic, political, military, and strategic partnership of India with other countries has resulted in its more strong ties with major world powers. Despite having a historical rivalry with China, India has now managed to develop its relations with it. India has successfully become a strategic partner of the US. India has a long history of strong relations with Russia while she also enjoys quite favourable relations with other permanent members of UNSC – France and the UK.

⁷⁸ United, “Human Rights Day,” *United Nations* (United Nations), accessed April 6, 2020, <https://www.un.org/en/observances/human-rights-day>.

2.1 Armed struggle and Humanitarian Crisis in Kashmir

Post 9/11 era holds immense significance in shaping the contours of the struggle of the Kashmir movement. Strategically, the region entangled into daunting security vulnerabilities due to war against terrorism in the region. The major imperatives such as US invasion in Afghanistan has proven decisive element in determining the outlook of Kashmiri struggle back in Kashmir. One of the major setbacks that Kashmir witnessed was the turnaround of Pakistan's policy vis-à-vis Kashmir crisis. The energy and strength attained by indigenous Kashmiri struggle by the popular assistance of Pakistan became halted whilst providing Indian armed forces to crush the home-grown pro-freedom tendencies. Likewise strained bilateral ties between two neighbouring states mainly due to the accusations on Pakistan of Indian Parliament Attack 2001 and Srinagar bombings 2006 pretexted as terrorism sponsored state.⁷⁹

The attacks on the Indian parliament consequently engulfed the possibilities of war between India and Pakistan. The 9/11 attacks in the US brought a pragmatic shift in Pakistan's Kashmir policy. Coercive US narrative left Pervez Musharraf with no option but to ban the militant outfits in occupied Kashmir, specifically Lashkar-e-Taiba (LET) and Jaish-e-Mohammed (JEM).⁸⁰ The drastic shift in the policy resulted in a decrease in militant attacks and operations by the freedom fighters. LET, JEM, and other militant wings owned healthy posture in the Kashmir region, but it has weakened the offensive strategy in the Kashmir movement.⁸¹

The LET successive attacks on the forces and Indian parliament reshaped the insurgent technique of terrorism. The operative methods and idiosyncratic approaches of those wings diluted the core agenda of the movement of Kashmir.⁸² Consequently, insurgency and counter-insurgency race resulted in the killings of innocent's people and personal from security forces and military. The decrease of attacks also resulted in other modes of

⁷⁹ Rathnam Indurthy and Muhammad Haque, "The Kashmir Conflict: Why It Defies Solution," *International Journal on World Peace* 27, no. 1 (2010): 9–44.

⁸⁰ Rathnam Indurthy, "Musharraf's Regime in Pakistan: The Praetorianism Faces an Uncertain Future," *The Indian Journal of Political Science* 65, no. 2 (2004): 259.

⁸¹ Ryan Clarke, "Lashkar-I-Taiba:" (Strategic Studies Institute, US Army War College, 2010), JSTOR.

⁸² Saroj Kumar Rath, "26/11 Mumbai Attacks: India Is Hamstrung," *World Affairs: The Journal of International Issues* 14, no. 4 (2010): 36–71.

operation, ambush attacks, car bombings, and it also provided a space to the Indian military and paramilitary forces to have counter-successive raids operations to the hideouts of militants. Indian forces successfully killed approximately seventeen hundred militants in the year of 2016.⁸³ In the year 2008, Kashmir witnessed one of the largest rallies against the Indian brutality and oppression since 1994⁸⁴.

History vindicates that rigged elections of 2002 electrified the Kashmir movement to gain a violent momentum. The police actively put down strikes and protests by the Kashmir people. The anarchic environment of Kashmir caused the loss of 300-500 lives as well as economic sufferings, which propped the youth to become part of the militant wing.⁸⁵ Earlier in 1989, the abduction Union Home Minister, Mufti Muhammad Sayeed's daughter⁸⁶, resulted in the raised of conflict among the Indian forces and Kashmiri protesters. The violent Kashmir movement provoked the Muslims from other countries to participate in the freedom fighting against the brutality of the Indian army and other paramilitary forces. The fighters from Pakistan, Afghanistan, and the Middle East actively participated, and the killings in Jammu and Kashmir depict their presence. It also set a new precedent as thousands of Hindus started migration after being victimized at the hands of ethnic violence.⁸⁷

The main reason for migration was the oppressive movement led by the youth for the liberation of Kashmir state. The presence of militant and the freedom fighters created a sense of insecurity among the other ethnic groups apart from Muslims. The enduring confidence of social and economic assistance helped the Hindus to migrate from the state of Kashmir. From 2000 onwards, the insurgents' groups and militant organizations brought a pragmatic shift in the movement. The Harkat-ul-Mujahideen and

⁸³ Lubna Mohiuddin, "Human Rights Violations: A Case Study of Kashmir," *Pakistan Horizon* 50, no. 2 (1997): 75–97.

⁸⁴ Mona Bhan and Nishita Trisal, "Fluid Landscapes, Sovereign Nature: Conservation and Counterinsurgency in Indian-Controlled Kashmir," *Critique of Anthropology* 37, no. 1 (February 22, 2017): 67–92, doi:10.1177/0308275X16671786.

⁸⁵ Ershad Mahmud, "Post-Cold War US Kashmir Policy," *Policy Perspectives* 2, no. 1 (2005): 83–110.

⁸⁶ Navnita Chadha Behera, "Azadi to Jihad: The Doomed Insurgency," in *Demystifying Kashmir* (Brookings Institution Press, 2006), 145–69.

⁸⁷ Alexander Evans, "A Departure from History: Kashmiri Pandits, 1990-2001," *Contemporary South Asia* 11, no. 1 (2002): 19–37.

Jaish-e-Muhammad proactively got engaged in violence and turmoil to endorse freedom of struggle.⁸⁸

However, the equation dramatically changed after 9/11 when Pakistan prioritized domestic counter-insurgency policies instead of focusing on the Kashmir issue. The breathing space allowed Indians to play the cards of revamping the demographic realities of Kashmir. Hindus from other regions of India categorically migrated to Kashmir to avert the chances of the Muslim majority region in terms of plebiscite in the foreseeable future. Moreover, it also allowed Indian leadership to conduct their Kashmir policy effectively through promoting their social acceptance in Kashmir and also ensuring the uncertainties of the masses' rebellion culture.

But after 2002, the sangria got changed, and the Kashmir movement got a transformation. The local people seem less interested in the campaign of violence and oppression continuity of the Kashmir movement due to the huge loss of human lives during the violent phase from 1990 to 2000. Likewise, the victory of the Democratic Party of Mufti Sayeed over the National Conference⁸⁹ raised hopes of peace and stability for the people of Kashmir in the future. This resulted in the reduction of gun culture and Indian forces actively engaged in counter-insurgency, which reduced the militants quite dramatically.⁹⁰

There were almost 1000 active jihadists who were operating in Kashmir in 2008.⁹¹ In 2011, the number declined further to 119, but in 2012, the numbers were again raised to some 300, while some 84 were killed by the Indian forces. The skirmishes between jihadists and Indian forces from 1990 to 2000 destroyed 8000 private dwellings, and till 2002, 4831 shops were destroyed. The counterinsurgent operations in Kashmir by the Indian forces resulted in the abundance of such costly and violent techniques. Currently, the execution strategy is confined to guerrilla warfare. Between 2012 and 2017, killings

⁸⁸ Don Ressler, "Al-Qaida and the Pakistani Harakat Movement: Reflections and Questions about the Pre-2001 Period," *Perspectives on Terrorism* 11, no. 6 (2017): 38–54.

⁸⁹ Shujaat Bukhari and Riyaz Masroor, "Kashmir's First Woman Chief Minister," *BBC News*, April 4, 2016, sec. India, <https://www.bbc.com/news/world-asia-india-30585105>.

⁹⁰ Mohammad Waqas Sajjad and Mahwish Hafeez, "Contextualizing Kashmir in 2010," *Strategic Studies* 30, no. 3/4 (2017): 85–99, <https://doi.org/10.2307/48527682>.

⁹¹ Devyani Srivastava, "Terrorism and Armed Violence in India: An Analysis of Events in 2008" (Institute of Peace and Conflict Studies, 2009).

of jihadists decreased by above 250 per cent while the Indian forces fatalities increased by more than 500 per cent.⁹²

2.2 Human Rights Conditions in Post-Burhan Wani Era

Kashmir conflict took another stride in the aftermaths of the assassination of leading jihadist Burhan Wani in July 2016 armed forces of India⁹³. The incident inculcated a fresh wave of protest in greater ferocity. Apart from the conventional patterns, the freedom struggle gained global recognition through the propagation of social, electronic, and print media tools. It is evident that due to massive global pressure by the civil societies, proponents of perpetual peace, and human rights activists for the first time international community compelled to assess the flagrant violence ensued by the Indian armed forces in the occupied territory. Besides gun culture, the indigenous masses are protesting through soft power tools.

In the backdrop of Burhan's assassination, thousands of Kashmiris protested and condemned the heavy headedness of the security forces of India. In order to prevent such large scale protests, the Indian government imposed curfew in most parts of IOK. Around 200,000 people attended funeral procession and the last rituals of Burhan Wani despite the imposed curfews.⁹⁴ The year 2016 witnessed intensified protracted violence by the Indian forces on the Kashmiris, which wracked unprecedented havoc, with looming threats of war between the two nuclear states and constantly ringing alarm bells for the fragile security architecture of South Asia.⁹⁵

However, the magnitude of repercussions was implicated drastically on the Kashmiris. For instance, pellet guns were used by the security forces of India to hurt innocent unarmed protestors. According to the doctors who treated the injured, based on injuries it was clear that the Army fired with a policy "shoot to kill" as the victims were fired above

⁹² Riaz Wani, "Kashmir: Killing Militants Won't Kill Militancy," *The Diplomat*, accessed October 9, 2019, <https://thediplomat.com/2018/05/kashmir-killing-militants-wont-kill-militancy/>.

⁹³ Basharat Peer, "Kashmir, and the Inheritance of Loss," *The New York Times*, accessed October 9, 2019, <https://www.nytimes.com/2016/07/25/opinion/kashmir-and-the-inheritance-of-loss.html>.

⁹⁴ Ahmer Khan, "A Militant's Funeral Ignites Kashmir," *The Diplomat*, accessed August 11, 2019, <https://thediplomat.com/2016/07/a-militants-funeral-ignites-kashmir/>.

⁹⁵

weight height, and it caused the death of 160 civilians, injured more than 20,000 people and more than 100 were blinded, which include children and young studying girls⁹⁶.

On September 18, 2016, the Indian army base was intruded by armed militants in the town of Uri and killed 18 Indian soldiers.⁹⁷ Pakistan was blamed for the attack by India, and within several hours of the attack, the Indian Army killed four militants in a shootout. As a result of the growing hostility, both states relocated almost 10,000 people alongside the border region to the shelter camps.⁹⁸ The situation further prolonged, and Human Rights Watch appealed in November 2016 to stop setting schools ablaze in IOK as a context to the burning of 25 schools⁹⁹ since a pro-separatist unrest wave, which started in July.

One of the significant turnaround, in which linchpin escalated hostility between the two contending powers, was the Pulwama incident occurred on February 14, 2019. A convoy of Indian paramilitary troops was hit by roadside ambush resulted in killings of 40 jawans.¹⁰⁰ The incident forced India to act coercively with operational and strategic dimensions at large. But the trail of sufferings of innocent Kashmiris remained persistent as many as 275 rape cases were registered in IOK in 2016 besides 1233 cases of molestation, and 157 cases of eve-teasing were registered during the year. In 2017 300 rape cases were registered while 1361 molestation cases and 121 eve-teasing cases were registered in the same year.

Similarly, during 2018, at least 142 cases of rape cases were registered in Kashmir. The data reveals that 667 women kidnapping cases, 35 cases of eve-teasing, and 143 of

⁹⁶ Jon Boone, "Brief Lifting of Curfew in Kashmir Prompts Fresh Violence," *The Guardian*, accessed October 11, 2019, <https://www.theguardian.com/world/2016/aug/29/brief-lifting-of-curfew-in-kashmir-prompts-fresh-violence>.

⁹⁷ "17 Indian Soldiers Killed by Militants in Kashmir," *The New York Times*, accessed December 12, 2019, <https://www.nytimes.com/2016/09/19/world/asia/17-indian-soldiers-killed-by-militants-in-kashmir.html>.

⁹⁸ "India Evacuates Thousands Living in Border Villages," *Dawn*, September 30, 2016, <http://www.dawn.com/news/1287094>.

⁹⁹ Anjana Pasricha, "School Burnings Cause Consternation in Indian Kashmir," *Voice of America*, accessed November 20, 2019, <https://www.voanews.com/east-asia-pacific/school-burnings-cause-consternation-indian-kashmir>.

¹⁰⁰ Mohammed Sinan Siyech, "The Pulwama Attack," *Counter Terrorist Trends and Analyses* 11, no. 4 (2019): 6–10.

domestic assault were registered in the Valley during the year.¹⁰¹ According to the stats, after the killing Wani, about 558 persons were assassinated by the violence led by armed forces in Kashmir; 21183 injured of which 8424 have been injured by pellets; due to use of pellet guns by Indian forces against unarmed Kashmiri protestors, 73 youth lost total eyesight, 207 lost one eyesight while the vision of 1869 youth has been damaged. During these 19 months, Indian forces personnel molested 765 Kashmiri women and detained 827 people under the draconian Public Safety Act.¹⁰²

2.2.1.1 Abrogation of Article 370

India's strategic belligerence continued to haunt Kashmiris through the suppression of political rights. Evidently, on August 5, 2019, the Indian parliament passed a bill of abrogation of Article 370 of the Indian constitution, which undermined the Kashmiris' separate identity.¹⁰³ The political move sparked tension in the entire Valley and across the border in Pakistan. The bilateral relationship between India and Pakistan further strained, and for the first time, Pakistan preferred discontinuation of engagement with Delhi. However, after the suppressive move, Kashmir once again shambled due to the imposition of curfew to date, enforced disappearances, and tortures of population.¹⁰⁴

2.2.1.2 Curfew

This significant change was indeed played a pivotal role in the history of IOK, as it created tension and massive panic in Kashmir. Several events, which added to an already tense environment, include reports of additional troop deployment, asking the domestic tourists and pilgrims of Amarnath to immediately leave Kashmir.¹⁰⁵

¹⁰¹ Abhinav Pandya, "The Future of Indo-Pak Relations after the Pulwama Attack," *Perspectives on Terrorism* 13, no. 2 (2019): 65–68.

¹⁰² "HR Violations, Causalities during Ongoing Uprising," Kashmir Media Service, accessed April 17, 2018, <https://kmsnews.org/news/>

¹⁰³ Khurshid Khan and Pervaiz Iqbal Cheema, "Modi's Kashmir Policy," *Strategic Studies* 37, no. 3 (2017): 1–21.

¹⁰⁴ Institute of Peace and Conflict Studies, "Article 370 and the Reorganisation of Jammu and Kashmir" (Institute of Peace and Conflict Studies, 2019).

¹⁰⁵ Sadiq Shaban, "India Asks Tourists and Pilgrims to Leave Kashmir," *Gulf News*, accessed November 20, 2019, <https://gulfnews.com/world/asia/india/india-asks-tourists-and-pilgrims-to-leave-kashmir-1.65594261>.

2.2.1.3 Mass Detentions

In the aftermath of the abrogation of constitutional Article 370, Indian armed forces further activated the brutal tactics through mass detentions of indigenous populous in the Valley. Statistically, above 3,800 Kashmiri people were detained so far.¹⁰⁶

The people who were detained include leaders of political parties (i.e., pro-independence and pro-India parties), members of civil society, protestors, and lawyers. Omar Abdullah, Farooq Abdullah and Mehbooba Mufti, as all three of them were ex-Chief Ministers of Jammu & Kashmir, have been detained since 5 August.¹⁰⁷

2.2.1.4 Torture of Civilians

After the abrogation of Indian Article 370 on August 5, 2019, at least thirty cases of physical torture were reported from various areas of Srinagar district, including Mansoor Colony in Srinagar District, Gung Bug, Gulshanabad, Tengpora, and Firdosabad, Boatmen's Colony.¹⁰⁸

Many young boys died in police custody after being tortured in several districts, including Kupwara, Pulwama, and Srinagar. On the night of 5 August, Indian armed forces picked 14 individuals from their homes in Nadapora village of Parigam, forcibly stripped their clothes and beat them severely with plastic canes and bamboo sticks, and were forced to sit on top of each other.¹⁰⁹

2.2.1.5 Pellet Guns Causing Blindness and Psychiatric Issues

More than 7000 people in IOK were shot and injured by pellet guns since July 2016, out of which over 200 lost their vision, which includes teenagers and children

¹⁰⁶ "India Revokes Kashmir's Special Status," *Al Jazeera*, accessed September 3, 2019, <https://www.aljazeera.com/news/2019/09/india-revokes-kashmir-special-status-190904143838166.html>.

¹⁰⁷ Ibid

¹⁰⁸ Joe Wallen, "Young Boys Tortured in Kashmir Clampdown as New Figures Show 13,000 Teenagers Arrested," *The Telegraph*, September 25, 2019, <https://www.telegraph.co.uk/news/2019/09/25/young-boys-tortured-kashmir-clampdown-new-figures-show-13000/>.

¹⁰⁹ Damien D Cheong and Neo Loo Seng, "Can Kashmir Turn into Another Marawi? An Assessment," *Counter Terrorist Trends and Analyses* 11, no. 4 (2019): 11–19.

between the ages of 5 to 16 years.¹¹⁰ Out of the total persons blinded by pellets guns, 85 per cent suffered psychological disorders. After the indigenous uprising in the post-Burhan Wani era, 325 victims of the pellet guns have so far been treated for psychological problems at hospitals in Srinagar.¹¹¹

2.2.1.6 Communications Shut Down

The government of India blocked all ways of communication, i.e., mobile phone networks, telephone networks owned by the government, including internet broadband services and private broadband internet services between 4 and 5 August.¹¹² This was the 55th communication shutdown imposed in the Valley¹¹³ that continues to last to date. Kashmiri diaspora, in other parts, the world learned about the lockdown through international media. They were unable to contact their relatives as all means of mass-media were blocked for the longest time.

2.2.1.7 Prayers Forbidden

After the restrictions imposed, people's right to praying and worship were denied by the occupying forces. On the Muslim Eid festival, which was to be celebrated on 12 August, Authorities of IOK barred the citizens of various districts, including Srinagar, from gathering in huge numbers, and they were only allowed to pray in smaller mosques of the area.¹¹⁴

¹¹⁰ Idrisa Pandit, "Kashmir's Children of War: Religion, Politics, and Nonviolent Mobilization," in *Political Muslims*, ed. Tahir Abbas and Sadek Hamid, Understanding Youth Resistance in a Global Context (Syracuse University Press, 2019), 231–58.

¹¹¹ Zahid Rafiq, "Kashmir Pellet Guns Injure Eyes and Minds: Study," April 17, 2019, <https://www.aa.com.tr/en/asia-pacific/kashmir-pellet-guns-injure-eyes-and-minds-study/1455324>.

¹¹² "Over 21,500 Broadband Connections Not Restored by India in Occupied Kashmir," *Dunya News*, August 24, 2019, <https://dunyanews.tv/en/Technology/506338-Lockdown-day-India-restoring-broadband-connections>.

¹¹³ "'Fundamental Right': All You Need To Know About Longest Internet Shutdown In Kashmir," *Outlook*, accessed November 25, 2019, <https://www.outlookindia.com/website/story/india-news-sc-says-internet-fundamental-right-all-you-need-to-know-about-kashmirs-longest-internet-shutdown/345478>.

¹¹⁴ Zeba Siddiqui, "Indian Authorities Lock down Kashmir's Major City on Eid Holiday," *Reuters*, December 8, 2019, <https://www.reuters.com/article/us-india-kashmir/indian-authorities-lock-down-kashmirs-major-city-on-eid-holiday-idUSKCN1V210D>.

2.3 Reports on Human Rights Conditions – The Alarming Situation

Various in-depth reports released by independent human rights bodies have provided human rights situations in IOK since 1989. These organizations include Asia Watch, Amnesty International, and People’s Union for Civil Liberties (PUCL), Jammu Kashmir Coalition of Civil Society, People’s Union for Democratic Rights (PUDR), and the Committee for Initiative on Kashmir (CIK).¹¹⁵ In their reports, these organizations gave details of numerous cases of militancy in Kashmir, security excesses, and the quandary of the people caught.¹¹⁶

The CIK, in its report, gave first-hand accounts of the human rights abuses. The report includes untold incidents of military raids on private properties, the crackdown on peaceful protestors, indiscriminate and unlawful detentions, and bullying of citizens by the security forces. It provided innumerable accounts of physical, psychological, and other forms of torture, extra-judicial killings committed by opening straight fire on nonviolent demonstrations, funeral processions, during fake encounters, search operations, cordon, and crossfire.¹¹⁷

Several other reports, such as the Amnesty International report, “India: Torture, Rape and Deaths in Custody,” and the Asia Watch report, ‘Kashmir under Siege,’ also described in detail the situation of human rights in IOK. Like other reports, they gave concrete examples to explicate the numerous incidents of torture against minors and women, extra-judicial killings, murders in fake encounters, political imprisonment, and illegal detention without trial in IOK.¹¹⁸

2.4 India’s Stance on the Allegations

In her response to the human rights reports, India initially denied the allegations and termed the security excesses as propaganda by Pakistan and the Kashmiri militants’

¹¹⁵ A. G. Noorani, “Kashmir and a Farical Human Rights Commission,” *Economic and Political Weekly* 29, no. 32 (1994): 2053–2053.

¹¹⁶ Josef Korbel and C. W. Nimitz, “The Kashmir Scene Changes,” in *Danger in Kashmir* (Princeton University Press, 1966), 198–248.

¹¹⁷ Noorani, “Kashmir and A Farical Human Rights Commission,” 1994.

¹¹⁸ *Ibid*

groups. Later on, Delhi declared all such allegations fabricated and a way to interfere in her sovereign rights. She maintained that these allegations were levelled against India to defame its security forces. To suppress the voices against this narrative, rights activists from entire India were criticized as traitors.

However, the Indian government realized after being pressurized by the independent human rights groups its propaganda line and the state-sponsored narrative was counter-productive; therefore, it started to give space in media every so often to the actions taken against members of the security forces for their blunders. But such incidents were sporadic and the core account of the Indian government did not change that if there were any human rights violations in Kashmir, they were committed mainly by the Pakistan-backed militant groups.

2.5 OIC-IPHRC Report on Violations of Human Rights in IOK

Independent Permanent Human Rights Commission (IPHRC), established by the OIC¹¹⁹ collected facts and data through first-hand information from human rights victims in IOK while compiling this report. They included first-hand accounts of the eyewitnesses, independent journalists, refugees, members of the Hurriyat Conference, and local political and right activists.

The report also includes the information reported by impartial human rights bodies such as Medecins Sans Frontieres (MSF), Amnesty International, Human Rights Watch (HRW), and Kashmir Media Service (KMS). According to the report, Indian forces brutally killed above 94,000 innocent indigenous people of IOK since 1989. Of these innocent lives, above 7,000 were taken in Indian custody. Moreover, they demolished more than 107,000 structures, widowed more than 22,000 women, orphaned about 105,000 children, and sexually molested above 10,000 women.¹²⁰ The report further describes that more than 7000 people in IOK were shot and injured by pellet guns since

¹¹⁹ Patrick Colm Hogan, "Breaching the Ideological Boundaries:: Three Films Not (Apparently) about Kashmir," in *Imagining Kashmir*, Emplotment and Colonialism (University of Nebraska Press, 2016), 110–31.

¹²⁰ *ibid*

8th July 2016, out of which, over 200 injured persons lost their vision, among which there were teenagers and children between the ages of 5 to 16 years.¹²¹

In addition to that, people of IOK are facing violations of explicit rights granted to all humans, which is against the International human right. Some of them are explained in detail below:

2.5.1 Denied Right of Self-determination

It is reaffirmed in the UN's Charter, International Covenant on Economic, Social and Cultural Rights (ICESCR), and International Covenant on Civil and Political Rights (ICCPR) that individuals are free to decide their political status. Both parties in dispute of Kashmir (i.e., India and Pakistan) concurred to accept the Kashmiris' right to self-determination granted by the UN.

It has been declared in the UNSC resolutions – 47, 51, 80, 91 and 122 – and August 1948 and of January 1949 resolutions of the UN Commission on Pakistan and that the future of the disputed territory would be decided in light of the general will of the indigenous Kashmiris, by an impartial plebiscite under the umbrella of the UN.¹²²

Sadly, Kashmiri people are stripped off of their fundamental rights which make it a serious breach of international law. The International Community should include pressurized India under Article 25 of the UN Charter to make her agree for granting the fundamental rights to Kashmiris as they have been denied this right for over seven decades.

2.5.2 Violation of Right to Life

Article 3 of the “Universal Declaration of Human Rights (UDHR)” awards everyone the right to life, liberty, and security of person. While the International Human

¹²¹ Idrisa Pandit, “Kashmir’s Children of War: Religion, Politics, and Nonviolent Mobilization,” in *Political Muslims*, ed. Tahir Abbas and Sadek Hamid, Understanding Youth Resistance in a Global Context (Syracuse University Press, 2019), 255, doi:10.2307/j.ctv14h55z.14.

¹²² Balraj Puri, “Kashmir Problem Thrives on Denial of Human and Democratic Rights,” *Economic and Political Weekly* 34, no. 14 (1999): 794–95.

Rights Law prohibits depriving anyone of his life arbitrarily no matter whatever the circumstances are. ICCPR, under its Article 6, forbids violating the right to life no matter what the situation is, and ICCPR's Articles 4 & 7 forbid to subject anyone to torture even in the times of heightened security.¹²³

IOK is unquestionably the most heavily militarized territory on the globe, with more than 700,000 Indian troops operating on it. These troops are blatantly using discriminatory laws to blanket immunity on these activities since 1990, which is widely reported as well as criticized by independent media. Draconian laws like Armed Forces Special Power Act (AFSPA)¹²⁴ empower Indian armed forces to shoot people on sight and detain them without getting a warrant or trial. These laws infringe the international norms and basic human rights, which India has not only signed but also ratified.

2.5.2.1 Ethnic Cleansing, Extrajudicial Killings and Fake Encounters

Administration of Azad Jammu and Kashmir (AJ&K) informed the IPHRC delegation that they recovered approximately 617 dead bodies from the waters of Jhelum River, which flows from the IOK.¹²⁵ IPHRC also interviewed people whose siblings were murdered in fake encounters. These people were visiting AJK on special visit visas and they brought along numerous painful stories of human rights violations. They suffered the agony of losing their beloved ones without any chance to report the incident and without any recourse to justice.¹²⁶

These painful stories are not unheard or newly found as, Christ of Heyns, who is UN's Special Rapporteur on arbitrary, extrajudicial or summary executions, noted in a report that gathered evidence confirmed that Indian forces use fake encounters in IOK under the pretext that they attacked the police first. The forces project assassinated persons as violators who were by police in self-defence. The security personnel even use fake

¹²³ Patricia Gossman, "An International Human Rights Perspective," *Asian Affairs* 22, no. 1 (1995): 65–70.

¹²⁴ Navnita Chadha Behera, "The International Arena," in *Demystifying Kashmir* (Brookings Institution Press, 2006), 208–35.

¹²⁵ Emilie M. Hafner-Burton, "The International Human Rights Legal System," in *Making Human Rights a Reality* (Princeton University Press, 2013), 44–66.

¹²⁶ *Ibid.*

encounters in order to get incentives as in the case of the murder of three persons from Baramulla, and the police revealed that the major of the Indian army willingly killed these people to get reward/promotion. The individuals, who were projected as terrorists, were later identified as missing citizens of IOK.¹²⁷

The motive behind all of the extrajudicial killings and murders of innocent people of IOK is the ethnic cleansing of Muslims from the IOK. According to the data available on the reported killings of civilians and freedom fighters, 43642 killings have been reported from 1988-2019, which is a considerable number.¹²⁸

2.5.3 Restrictive and Discriminatory Laws

Upon the detailed study, it is found that the AFSPA and Public Safety Act (PSA) turn out to be discriminatory, promoting impunity in Kashmir. The PSA, being used for the detention of minors, has been termed as lawless law by Amnesty International. The UN Special Rapporteur on extrajudicial, summary or arbitrary executions, International Commission of Jurists, HRW and Amnesty International, urged India to stop the usage of discriminatory laws such as PSA and AFSPA for detaining people, including adolescents.¹²⁹

According to the observations of international rights organizations, PSA is in application only in IOK, and it allows the forces to take anyone into custody for as long as two years without charge or judicial procedure. During the detention, no visits from family members are allowed. For causing further mental distress to already suffering families, arrested people has been sent to jails so as their families could never reach them easily. A worth mentioning example is of Khurram Parvez, a human rights activist, arrested from Srinagar in September 2016 under Public Safety Act for allegedly threatening the public

¹²⁷ Altaf Hussain, “‘Fake Killings’ Return to Kashmir,” *BBC News*, sec. South Asia, accessed November 24, 2019, <https://www.bbc.com/news/10400074>.

¹²⁸ “Jammu and Kashmir Data Sheet,” accessed November 25, 2019, https://www.satp.org/satporgtp/countries/india/states/jandk/data_sheets/index.html.

¹²⁹ Matthew S. Weinert, “The UN Security Council: Making Human for International Peace and Security,” in *Making Human*, World Order and the Global Governance of Human Dignity (University of Michigan Press, 2015), 82–111.

order. He was imprisoned in Jammu's Kot Bhalwal Jail, which is situated some 270KM away from Srinagar.¹³⁰

Another draconian law is the AFSPA, which empowers even a subordinate soldier under its Section 4(a) to allow his subordinates to shoot any Kashmiri whom they think can be a threat to public order. Likewise, AFSPA Section 4(b) permits security personnel to demolish any housing from which, according to their understanding, freedom fighters can make armed assaults or which has been employed as a den by wanted fugitives. This discretion provides an excuse for destroying houses and private property of the citizens of IOK, even places of worship and buildings of educational institutions. Section 4(c) of this law authorizes to use as much force as required for the warrantless arrest of any person under the suspicion that he may commit an offense.¹³¹ As it is evident, these acts are against the spirit of the international law holding India answerable for protection of human rights as given in the Bill of Rights.

On July 1st, 2015, Amnesty International in which the law was blistered for promoting impunity by enabling the Indian armed forces to violate human rights in IOK without any hesitation or fear of trial. The report primarily focuses on AFSPA Section 7, which makes security personnel immune from suit or legal action for human rights abuses. The delegation of IPHRC agrees with the opinion of Mr. Christof Heyns, the UN Special Rapporteur, that powers which were awarded under the AFSPA are far broader than the permissible under emergencies, as safeguards required in the emergency state are absent and the right to life can be denied under this Act.¹³²

Furthermore, military deployment on such a large scale creates an unsafe and hostile setting where exception becomes law, and the use of deadly force is reflected as a basic response to any dispute. India's insistence that the laws and military deployment are not made in an internal armed struggle makes this situation harder to reconcile. This leads to

¹³⁰ "Khurram Parvez," Still Illegally Detained, despite High Court Order for His Release" (International Federation for Human Rights, November 29, 2016), <https://www.refworld.org/docid/583d9aa64.html>.

¹³¹ Mohamad Aabid Bhat, "Preventive Detention in Counter-Insurgencies," *Insight Turkey* 21, no. 4 (2019): 53–69, doi:10.2307/26842778.

¹³² *Ibid*, 33.

the findings of Special Rapporteur that laws like AFSPA are in total opposition to the underlying philosophy of democracy and human rights.

2.5.4 Right to Freedom of Speech

Article 19 of the UDHR Right of Freedom of expression is the fundamental right considered essential for the application of democracy.¹³³ It is granted to the citizens under UDHR's Article 19, which explains that everyone has the right to hold any opinion about anything without interference from others and to receive and deliver information through any medium without any boundaries.

The right to freedom of speech is restricted in the occupied Kashmir as a preventive measure. As a result of this, the movement of political leaders is restricted, causing a hindrance to connecting with masses. It is a periodic and repetitive practice to detain political leaders under the PSA and keep them under unexplained imprisonment. India has frequently been imposing a blanket ban on all communication services, especially the internet. For instance, it imposed digital curfew in 2016 in the Valley¹³⁴ to ban internet connectivity and social media. Due to this blockade, not only that the citizens were unable to communicate with their relatives outside Kashmir, but also they faced financial losses.

Moreover, the people of Kashmir are not allowed to hold and express opinion freely about the political dimension of their lives. The Indian forces brutally torture those who opt to hold peaceful demonstrations, rallies, and gatherings against the illegitimate Indian rule. The Valley is denied the right to freedom of expression as no one is allowed to express its ideas about the future of Kashmir.

¹³³ Sofia Gruskin, "Introduction: Fifty Years of the Universal Declaration of Human Rights," *Health and Human Rights* 3, no. 2 (1998): 3–6.

¹³⁴ *Ibid.*, 28.

2.5.5 Violation of Freedom of Religion

Article 18 of ICCPR¹³⁵ gives every human being the right to freedom of religion and belief. But in IOK, Muslims have been denied this right. The Indian government often imposes unlawful and arbitrary ban on offering Friday prayers, Eid prayers, and holding Muharram processions.¹³⁶

Not only this, but the Indian forces employ coercive methods to disperse and disrupt the religious gatherings, processions, and prayers of Muslims. Only during 2017, movement restrictions and repeated curfews refrained Muslims of IOK to offer Friday prayers at Jamia Masjid Srinagar for about 20 times. Jamia Masjid Shopian also faces an arbitrary ban on congressional Friday prayers.¹³⁷

The situation in IOK is also affected by the rise and actions of far-right Hindu politics, anti-Muslim sentiments of ruling Bhartiya Janata Party (BJP). The Muslims of Kashmir have strong reservations over the rise of ‘Hindutva’ which encourages the ultra-nationalist political leaders to promote aggressive anti-Muslim narratives and violence against Muslims and other minorities of India. Rashtriya Swayamsevak Sang (RSS) was allowed to held armed rallies and walks in Jammu and Kashmir to frighten the Muslims of the area.¹³⁸

2.5.6 Freedoms of Peaceful Assembly and Association

Indigenous people of the occupied territory are not allowed to assemble peacefully and hold political processions. Section 144, which prohibits gatherings of more than four persons, and curfew are the ways through which occupying forces impose combined punishment for the local population and suppresses the civil liberties in

¹³⁵ Robert Drian, “The United Nations Political and Civil Rights,” in *The Mobilization of Shame, A World View of Human Rights* (Yale University Press, 2001), 24–34.

¹³⁶ *Ibid.*, 29.

¹³⁷ “Friday Prayers Still Not Allowed in Srinagar, Life Remains Paralysed in IOK,” *The News*, November 16, 2019.

¹³⁸ Karuna M. John, John Dayal, and Vijayesh Lal, “Human Rights and Freedom of Religion—The Ground Experience:: Interviews with Dr. John Dayal and Rev. Vijayesh Lal,” in *Christianity in India*, ed. Rebecca Samuel Shah and Joel Carpenter, Conversion, Community Development, and Religious Freedom (Augsburg Fortress, Publishers, 2018), 179–97, doi:10.2307/j.ctv550c8n.13.

Kashmir.¹³⁹ In July 2016, IOK faced the lengthiest curfew of 50 days after the on-going curfew of 2019, which sustained to date even after the passage of 100 days.¹⁴⁰

The occupying forces frequently keep the political leadership of the Valley under arrest or house-detention. Aasiya Andrabi, Yasin Malik, Mirwaiz Umer Farooq, and Sed Ali Gillani and some of the leaders who have been kept under arrest very often. Due to long term imprisonment, Yasin Malik's health condition deteriorated, and his wife Mushaal Mullick has blamed Indian forces for giving him slow poison. Another prominent figure, Khurram Parvez, was also illegally detained despite loud calls of his immediate release by the human rights organizations.

2.5.7 Protection against Torture and Inhuman Treatment

International laws such as Geneva Convention regarding Protection of Civilian Persons during War, 1949, and Additional Protocols of 197, and the UN Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment,¹⁴¹ collectively forbid degrading and humiliating conduct such as rape, torture and enforced prostitution. In Kashmir, torture is used as a tool for seeking confessions, including stripping-off naked while victims are in custody. A report by the International Committee of the Red Cross (ICRC) include interviews of 1,296 persons who have been detained by Indian forces under draconian laws, out of which, 681 were tortured during detention while 381 were suspended from the ceiling, 498 were electrocuted, and 304 were sexually molested.¹⁴²

¹³⁹ "What Is Section 144 of CRPC," *The Times of India*, accessed March 27, 2020, <https://timesofindia.indiatimes.com/home/education/current-affairs/what-is-section-144-of-the-crpc/articleshow/74773112.cms>.

¹⁴⁰ Shah Meer Baloch, "Kashmir Travel Restrictions Partly Eased but Phones and Web Still Blocked," *The Guardian*, accessed September 10, 2019, <https://www.theguardian.com/world/2019/aug/10/kashmir-protests-india-curfew>.

¹⁴¹ W. Hays Parks, "THE 1977 PROTOCOLS TO THE GENEVA CONVENTION OF 1949," *Naval War College Review* 31, no. 2 (1978): 17–27.

¹⁴² Dilnaz Boga, "WikiLeaks Cables: Will the World Now Intervene over Torture in Kashmir?," *The Guardian*, December 21, 2010, sec. Global development, <https://www.theguardian.com/global-development/poverty-matters/2010/dec/21/kashmir-wikileaks-torture-western-response>.

2.5.7.1 Rape and Sexual Assaults

Rape is used as a major tool for inflicting combined punishment to Muslim society and a way to seek revelations against male family members, force marchers to accept the government writ, and to break resilience.¹⁴³ Kashmiri women suffer the worst cases of molestation and sexual viciousness. Women raped are ranged from age group from 13 to 80 years, which is indeed an alarming situation. Many incidents of molestation and rape go unreported because of the fear of reprisal the state agencies and fear of social stigma. Most of the time, local police and other law enforcement agencies refuse to report rape complaints against personnel of the Indian troops.¹⁴⁴

2.5.8 Changing Demographic Realities of IOK

After the abrogation of Article 370, under which Jammu and Kashmir were granted limited autonomy,¹⁴⁵ India is supposed to take measures to bring about demographic changes in Kashmir as the revocation has enabled Indian citizens to buy a property and settle in Kashmir. Even before the constitution amendment of August 5, 2019,¹⁴⁶ not only AJ&K leadership but also the civil society expressed concern that occupying forces are trying to change demographic realities of IOK by settling non-state subjects so that Muslim majority character of IOK would be converted into a minority.¹⁴⁷

These allegations and accusations do not seem false as in 2014, it was suggested by a committee of the Indian Parliament that refugees from West-Pakistan should be settled in Kashmir. A follow of this scheme was the decision of the Indian government to set up Sainik (soldier) colonies so that Indian soldiers settle there permanently and lay the groundwork for townships in order to help to settle the displaced and migrated Kashmiri Pandits in the Valley. Camps and other efforts for the settlement of Indian militaries are

¹⁴³ Kazi, "Between Democracy and Nation: Gender and Militarisation in Kashmir."

¹⁴⁴ Farah Qayoom, "'Women and Armed Conflict: Widows in Kashmir,'" *International Journal of Sociology and Anthropology* 6, no. 5 (2014): 161.

¹⁴⁵ S. P. Sathe, "Article 370: Constitutional Obligations and Compulsions," *Economic and Political Weekly* 25, no. 17 (1990): 932–33.

¹⁴⁶ "India Revokes Kashmir's Special Status."

¹⁴⁷ "Exclusive Interview with the President Azad Jammu and Kashmir," *Pakistanpolitico*, accessed March 8, 2020, <http://pakistanpolitico.com/exclusive-interview-with-the-president-azad-jammu-and-kashmir-sardar-masood-khan/>.

the sheer violation of Article 49 of the 4th Geneva Convention, which bans deporting of indigenous people and transferring of people from other regions into the occupied territory.¹⁴⁸

¹⁴⁸ Shamsa Nawaz, “Indian Efforts to Change the Demography of IOK,” *Strategic Studies* 37, no. 2 (2017): 40–57, doi:10.2307/48537545.

CHAPTER 3

Politics of Asia-pacific, India's Rise and Changing Dynamics in Kashmir: Post 2000

The international politics encompass the political relationship among states in such a way that the mutual relationships transcend the boundaries of a state. The theory of power-politics explains the political relationship beyond boundaries for the pursuit of influence and power. Every nation builds and nurtures relationships to secure its national interests, and these relationships are irrespective of any moral, ethical, or human aspects. States are known to behave as rational actors, and in order to achieve to survive them make alliances with other states, especially those who are powerful and can prove beneficiary.¹⁴⁹ The politics of the Asia-pacific region encompass a glimpse of international politics as well as the theory of power-politics.

In the international political scenario, Asia-pacific is considered as a significant component and has confronted several significant issues. This region has been remained a centre of attraction and been dominated by the US, China, and Japan. In the post-World War II era, Asia pacific was dominated by the US. Its dominance further increased in the post-Cold War era. The concept of 'Asia Pacific' was initiated from the 1960-1970s.¹⁵⁰ Nevertheless, it is a fact that all defined regions are merely constructs that are promoted by states in order to suit their purposes.

Asia pacific can be defined as a union of East Asian and the Western Powers of the Pacific region. The Western counties of the pacific include the US, Canada, New Zealand, and Australia. The East Asian part can be segmented into Southeast Asian counties including Burnie, Myanmar, Indonesia, Malaysia, Philippines, Vietnam, Thailand and Singapore which are a member of ASEAN (Association of Southeast Asian

¹⁴⁹ McDougall, Derek. *Asia Pacific in world politics*. Boulder CO: Lynne Rienner Publishers, 2007.

¹⁵⁰ Dirlik, Arif. *What is in a rim?: critical perspectives on the Pacific Region idea*. Rowman & Littlefield Publishers, 1998.

Countries) whereas the other segment in the Northeast Asia which include China, Japan, South Korea, Russia, Magnolia, and Taiwan.¹⁵¹

The western counties of the pacific, especially the US, are known to influence the Asia Pacific region, and that influence somehow increased the post-Cold War era. Before the fall of the Soviet Union, the world was divided into bi-polar politics where two major blocs of the US and Russian Federation existed, and in order to survive, the other countries have to support either of them. But after the fall of the Soviet Union, the US rose as a single super-power, but later, due to the economic and military rise of China, the polar divide occurred again.

China, being an arch-enemy of India and the US, and the direct influence of the US in the Asia Pacific region makes the political scenario of the region very complicated. India is known to shift sides from the US to the Soviet Union back and forth, and China is known to be ‘friend’ of Pakistan, all these occurring highlights that there are no permanent friends or foes in the global politics instead it the interests and agendas of states which are to be secured.

India, which is known as the arch-enemy of China and Pakistan, shares its boundary with both of them, and due to religious, ideological, and boundary conflicts, it has faced retaliation from both Pakistan and China in the past. Despite all these issues, it is a known fact that India emerged as a stronger nation and political ally in terms of military capability, economic condition, and political influence, especially the post-2000 era. In 1870-1970, India was slightly ahead of China in terms of the international markets and per capita, but China surged ahead in terms of per capita growth rate, but still, the Indian per capita growth rate is nearly 4 percent for the last two decades.¹⁵² India is one of the largest populations of the world, and due to its geographical conditions, the US provided support in order to make it a strong ally in the Asian region against China. So after 2000, due to the support of US and informed & planned political decisions, India began to rise as a competitor in Asia.

¹⁵¹ McDougall, Derek. *Asia Pacific in world politics*. Boulder CO: Lynne Rienner Publishers, 2007.

¹⁵² Bardhan, Pranab. *Awakening giants, feet of clay: Assessing the economic rise of China and India*. Princeton University Press, 2012.

If we look back toward the stance of India regarding the Kashmir issue, India has always been quite aggressive, and after the economic boost and getting a strong footing in the international market and politics and alleged Jihadist attacks, its actions became more hostile. At the beginning of the 21st century, India banned Hizbul Mujahideen, which is an alleged freedom-fighting organization. In 2001, the relationship among New Delhi and Islamabad got better, and peace talks were initiated for peaceful resolution of the Kashmir issue. Nevertheless, in December 2001, after the militant attack on the Indian Parliament, things got tensed, and troops from both sides started to have a buildup across the frontier. 300-500 people were killed during the election campaign in 2002. Armed force faced retaliation for militants and protesting civilians from 2005-2008. Lashkar-E-Taiba attacked several places in Mumbai in 2008. In 2010, a young freedom fighter was killed, which erupted protests all over J&K. In 2013, Afzal Guru was hanged for attacking the parliament in 2001. In 2005, BJP formed a coalition government in J&K with PDP. Burhan Wani, another young freedom fighter, was killed in 2016, and protests caused the imposing of curfew for several months. In 2016, militants attacked the Indian Army base in Uri and Indian army retaliated by so-called surgical strikes across LOC. In 2018, BJP broke alliance with PDP in IOK, and assembly was dissolved, and the central rule was declared in 2018. In 2019, the Indian convoy was attacked in Pulwama, and India retaliated by so-called air-strikes in terror camps in the Balakot region, things got tensed, but the tension was released when Pakistan sent back an Indian Air force pilot with honor who was captured when his plane was shot down. In 2019, BJP returned to power in India for the second time, and US President Trump offered mediation for the Kashmir issue between Pakistan and India. India declined the offer, and later, Kashmiri politicians were kept under house arrest, and an inhumane curfew was imposed in Kashmir, and the next day on August 5, India abrogated Article 370 and 35A and forcefully took the right of plebiscite from Kashmiri people.¹⁵³

¹⁵³ “Kashmir Fast Facts,” March 26, 2020, <https://edition.cnn.com/2013/11/08/world/kashmir-fast-facts/index.html>.

3.1 Emerging Trends in Asia-Pacific's Power Landscape

As stated earlier, Asia-pacific has been an essential region in the global political scenario, and it has been directly or indirectly influenced by many countries. As far as the political systems in the Asia-pacific region are concerned, major powers such as the US, Japan, and China has influenced the region in term of power landscape. Japan and the US have their political systems related to liberals vs. democrats. On the other hand, China is known to have an authoritarian political system that works under the Chinese Communist Party. With the global shift of bipolar to unipolar political scenario post-cold war era, the power landscape of the Asia-pacific region also changed up to a great extent.

In the pre-cold war era, the US and Soviet Union were two leading global powers, and the global community was divided into two supporting blocs. However, after the fall of the Soviet Union and the post-cold war era, the US becomes the only world power and dynamics of world politics changed. Although Japan was itself a strong nation, during World War-II, it fell due to nuclear attacks. Later, China rise as a world power and global politics again shifted to a bipolar world.

3.2 Kashmir Dispute and Security and Peace in South Asia

Since the partition of the subcontinent in 1947, Kashmir has been a bone of contention between India and Pakistan. Despite having innumerable peace talks, four major wars, and millions of dollars invested in the arms race, the dispute of Kashmir is still unsolved. Although there were many resolutions passed in United Nations, mediation offered by several personalities and organizations/states, the dispute is not coming to an end, which is affecting the peace and security of the region and also affecting the economic conditions.

Neither of the states is willing to let go of, whereas the people of J&K are being neglected for their basic rights. This does not end here, as the innumerable human rights violations in the Indian Occupied Kashmir (IOK) are causing distress. Whenever civilians are killed in the IOK, the freedom fighter or Jihadist organizations retaliate against the Indian Army. The Indian governments blame the Pakistani government and intelligence

services to provide support to these militant groups, and Pakistan denies all such allegations. As a reaction to Jihadi's actions, India retaliates on the border by ending a ceasefire on the LOC, and tension is increased. Although the people of Kashmir were promised that a plebiscite would be conducted to ask if they want to stay with Pakistan, India or as a separate identity but unfortunately, India is not helping in any way to fulfill those promises.

There will be a tremendous benefit to the region if the relations between India and Pakistan are normalized by finding an acceptable settlement on Kashmir as the Indo-Pak tensions are extremely dangerous as both states are nuclear powers and the world cannot afford to have a nuclear war.

Due to the twisted past between both countries, non-state actors, intervention across the borders and intelligence supported operations always becomes a source of disturbance from either side. Pakistan blames India for carrying out militant operations in Afghanistan to destabilize Baluchistan, and India blames Pakistan for terrorist attacks and militant operations in India and IOK to cause destabilization and anarchy. But at the same time, both countries understand that they need to settle this dispute for their wellbeing and the wellbeing of the region. Since 1947, this dispute fueled three wars and resulted in the loss of human lives, enormous defense budget, and a rise in extremism and an impact on economic growth.

For the region of Kashmir, this conflict is proved to be a disaster and great tragedy in every aspect as it resulted in a massive death toll, human rights violations, population displacement, failed economy, environmental damages, military buildup and physical as well as psychological distress.¹⁵⁴

¹⁵⁴ Jayshree Bajoria, "How the Kashmir Dispute Affects Security in South Asia," Council on Foreign Relations (Council on Foreign Relations, July 13, 2009), <https://www.cfr.org/expert-roundup/how-kashmir-dispute-affects-security-south-asia>.

3.3 Rise of India

India has strengthened its economy, international relations, and its position in international politics by leaps and bounds in the past two decades. Since 2000, due to its effect on economic policies, foreign direct investment, and international relations, especially with the US, India has managed to rise as a global leader. Due to its vast population, cheap labor rates, investment in Information Technology, Industries, and the Educational sector, India has managed to bring in foreign direct investment, and it is now a hub of several multinational brands.

The GDP of India has snowballed in the past two decades, and in some economic measures, India as managed to leapfrog UK and France. According to the data of the IMF, India has become the world's 5th largest economy according to the nominal GDP. The growth of the GDP of India remained highest in the past decade, and India managed to achieve annual growth of 6-7%. This was the main fueling factor of such a sudden rise in urbanization and new technologies, which have improved productivity and efficiency. India was in ninth rank in 2010 according to IMF world economic report but managed to secure fifth place in the list of 2019 by crossing UK, France, Italy, and Brazil. Since 1995, the nominal GDP of India has jumped more than 700%.¹⁵⁵

According to the World Bank, India is seeking its way to find ways and means to make future growth more inclusive and sustainable. It is adjusting its policies related to infrastructure development and social protection to cope up with the issues of poverty as India, despite being the fifth largest economy of the world, still has about one-quarter of the poor people in it. Only 39% population of the rural areas has the facility of sanitation, and half population still defecates in the open. India is coping up with these issues by adjusting the policies to become stronger in terms of economy.

India's rise in the region is not just because of its economic growth but also due to its military strength. Due to Kashmir's issue and tensions on the border of Pakistan and China, India is spending about 2.5% of its GDP on military expenditures, which makes it

¹⁵⁵ Joe Myers, "India Is Now the World's 5th Largest Economy," World Economic Forum, February 19, 2020, <https://www.weforum.org/agenda/2020/02/india-gdp-economy-growth-uk-france/>.

about \$55.9 Billion. In order to compete with the arch-rivals in terms of numbers, India expanded its army, which has about 2,140,000 active personnel and 1,155,000 reserve personnel. It has about 4426 tanks, 5681 armored fighting vehicles, 290 self-propelled artillery, and 292 rocket artilleries. India spends a lot in its Air Force as it has 2216 aircraft out of which it has 323 fighter aircraft, 329 multirole aircraft, 220 attack aircraft, and 725 helicopters. India's naval forces have two aircraft carriers, 11 destroyers, 15 frigates, 24 corvettes, and 15 submarines¹⁵⁶.

3.4 Indo-US Relations

US- India relations started progressing with an astounding pace when the Cold War met an end. A significant part of the asperity that denoted the relationship during the Cold War was because of incidental reasons, for example, India's nearby connections with Moscow, the American mentality toward Pakistan, Washington's approach towards atomic restraint, and so on. Shockingly, there was no respective major contest between the two. Thus, it was simpler to rapidly-produce close connections after the end of the Cold War strategic divide. India's atomic tests in 1998 were just a brief misfortune.

Nevertheless, the relations immediately ricocheted back once Washington perceived the affectability of the atomic issue in India and security challenges it was confronted with and potential India has as a worldwide player. Beginning from President Clinton's visit in mid-2000 to India,¹⁵⁷ relations have seen an astounding turnaround. Right from the election campaign days, President Bush had emphasized the significance of improving relations with Indias.¹⁵⁸ The choice his administration made to “assist India with turning into a significant force to be reckoned with in the twenty-first century” speaks to the great change. Relations are driven by the inherent estimation of every nation to the next and their mutual advantages, for example, the responsibility to majority rules system, countering fear based oppression, and atomic expansion, and saving a

¹⁵⁶ “India vs Pakistan: Comparison Military Strength,” ArmedForces, accessed June 10, 2020, https://armedforces.eu/compare/country_India_vs_Pakistan.

¹⁵⁷ Qutubuddin Aziz, “South Asia after President Clinton’s Visit,” *Pakistan Horizon* 53, no. 2/3 (2000): 27–29.

¹⁵⁸ Robert D. Blackwill, “The India Imperative: A Conversation with Robert D. Blackwill,” *The National Interest*, no. 80 (2005): 9–17.

steady level of influence in Asia. Developing guard and financial participation and almost four million educated, rich Indians are likewise settling on an effect on the dynamic procedure. The greatest and generally significant (and dubious, as well) understanding so far between the two is the July 2005 agreement that incorporates civilian nuclear cooperation.¹⁵⁹

In 2019, when the US trade volume with the world decreased more than one per cent contrasted with last year. Simultaneously, the US-India trade volume increased more than five per cent and touched \$92.08 billion. India, with a \$23.3 billion surplus, kept up its position as the ninth most critical trade partner of the US in 2019.¹⁶⁰

In 2014, when the BJP came into power, and Narendra Modi elevated to the prime minister,¹⁶¹ Indo-US relations got even more durable. President Obama invited Modi to the White House after reversing the visa ban imposed on Modi in the wake of the 2002 Gujrat Muslim massacre that happened when Modi was Gujrat's chief minister.¹⁶² The same year, Modi visited the US as prime minister and reached an agreement with President Obama under which one billion US dollars were provided to India to help her develop environmentally friendly energy alternatives.¹⁶³ Moreover, President Obama gave India the status of major defence partner of the US, a position no other state held.¹⁶⁴ The US renewed and expanded the ten-year defence agreement in 2015,¹⁶⁵ which gave

¹⁵⁹ Mussarat Jabeen and Ishtiaq Ahmed, "Indo-US Nuclear Cooperation.," *South Asian Studies (1026-678X)* 26, no. 2 (2011).

¹⁶⁰ Dipu Raj, "Despite Differences, Indo-US Trade Continue to Swell," *India Today*, accessed April 6, 2020, <https://www.indiatoday.in/diu/story/india-us-trade-deal-gsp-donald-trump-visit-narendra-modi-1649134-2020-02-23>.

¹⁶¹ Jason Burke, "Narendra Modi and BJP Sweep to Power in Indian Election," *The Guardian*, May 16, 2014, sec. World news, <https://www.theguardian.com/world/2014/may/16/narendra-modi-bjp-sweep-power-indian-elections>.

¹⁶² Anwar Iqbal, "US Lifts Visa Ban on Modi, Obama Invites Him to Washington," *DAWN*, May 18, 2014.

¹⁶³ "Modi Meets Obama at White House," *BBC News*, September 30, 2014, sec. India, <https://www.bbc.com/news/world-asia-india-29406179>.

¹⁶⁴ "Obama Signs into Law Bill Declaring India a 'Major Defence Partner,'" *Hindustan Times*, December 24, 2016, <https://www.hindustantimes.com/india-news/obama-signs-618bn-defence-bill-boosting-security-cooperation-with-india/story-tPeP7ljuiLW3x4PIYU15vI.html>.

¹⁶⁵ "The United States and India Sign a 10-Year Defense Agreement and Set the Stage for Increased Defense Cooperation," *Global Policy Watch*, June 11, 2015, <https://www.globalpolicywatch.com/2015/06/the-united-states-and-india-sign-a-10-year-defense-agreement-and-set-the-stage-for-increased-defense-cooperation/>.

India access to US defence technology besides allowing it to enjoy certain doles of being an American ally.

Similarly, when President Trump took office, the bilateral relations further cemented in the economic and defence spheres. During President Trump's visit to India in February 2020, India agreed to buy attack helicopter and other military equipment valued three billion US dollars.¹⁶⁶ Earlier in 2010-14, the US became the second-largest arms supplier to India as the security relationship between the two states developed into a strategic partnership.¹⁶⁷ In 2019, Indian arms imports from the US totalled to about 641million constant (1990) US dollars.¹⁶⁸ India and the US had also signed the Civil Nuclear Cooperation Initiative, a framework that lifts a three-decade US moratorium on nuclear energy trade with India. Under the agreement, India agrees to separate its civilian and military nuclear facilities and place all its civil resources under International Atomic Energy Agency (IAEA) safeguards. In exchange, the United States agrees to work toward full civil nuclear cooperation with India, which was approved by Congress gave in October 2008.¹⁶⁹

3.5 Indo-Sino Bilateral Relations

In the modern world, India and China are regarded as the two largest and most dynamic societies of Asia, and both are emerging in the global political landscape as new trendsetters and introducing new dynamics of international relations.¹⁷⁰ As an American politician William Clay stated that politics is a game in which there are no permanent

¹⁶⁶ Sebastien Roblin, "More U.S.-India Arms Sales Could Follow \$3.5 Billion Helicopter Deal," *Forbes.Com*, accessed May 6, 2020, <https://www.forbes.com/sites/sebastienroblin/2020/02/26/modi-and-trump-sign-35-billion-helicopter-deal-more-could-follow/#ce32d0c23aab>.

¹⁶⁷ "India Was 2nd Largest Arms Importer in 2015-19, Russia's Share of Indian Arms Market Declined," *Hindustan Times*, March 9, 2020, <https://www.hindustantimes.com/india-news/india-was-2nd-largest-arms-importer-in-2015-19-russia-s-share-of-indian-arms-market-declined/story-kHLuqLCHrOppKHkjb5ofsl.html>.

¹⁶⁸ "U.S. Arms Exports, by Country 2019," *Statista*, accessed May 6, 2020, <https://www.statista.com/statistics/248552/us-arms-exports-by-country/>.

¹⁶⁹ Nalini Kant Jha and S. Prabhakar, "India-US Civil Nuclear Deal: Parliamentary Inputs," *Nuclear Synergy. Indo-US Strategic Cooperation and beyond*, New Delhi, 2009, 204–20.

¹⁷⁰ Singh, Swaran. "China-India Bilateral Trade: Strong Fundamentals, Bright Future." *China Perspectives* 2005, no. 62 (2005).

enemies or friends, the only thing which remains permanent is the interests.¹⁷¹ The same theory applies to global politics, where the primary agenda of a state is to protect its interests. Having said that, it is important to highlight the relationship between India and China has been a rollercoaster ride since the independence of China in 1949.

In the early 1950s, the India-China relationship was based upon the concept of peaceful co-existence and was regarded as flowering relations, but this atmosphere was immediately got faded and withered and turned into a hostile environment due to the war of 1962 among these countries. Moreover, the hostility increased due to the closeness of China with Pakistan, which is regarded as the arch-enemy of India. Later in 1988, the Prime Minister of India Rajiv Gandhi visited China, which began a new phase of improved relations, and it gave rise to setting up of Joint Working Group in order to defuse tension and to ensure tranquillity and peace among China and India.

After the demise of the Soviet Union and the end of the cold Cold-war, the relations improved steadily, and in the fields of mutual interests, the relations were strengthened. Apart from the diverse fields of mutual interest, the contentious issue of the boundary also gained some substantial progress but yet it was not sure that when this issue will resolve completely. Although India did not receive the Sino-Pak joint military exercises and military ties in a welcoming manner and China showed concern on the Tibet Policy of China. Yet, both states are well aware of the opportunities and each other's enormous potential, and they kept on deepening the trade and economic ties in their mutual benefit.¹⁷² Both states are cooperating not only in the economic domain but in defence and military spheres as well. In 2006, a memorandum was signed regarding defence exchange by the Indian minister of defence. Since 2008, China is considered the topmost trading partner of India. Furthermore, in 2012 China termed its relations with India as the

¹⁷¹ Clay, William. "Thoughts on the Business of Life." *Forbes*. *Forbes Magazine*. Accessed May 5, 2020. <https://www.forbes.com/quotes/9781/>.

¹⁷² Jain, B. M. "India–China relations: Issues and emerging trends." *The Round Table* 93, no. 374 (2004): 253-269.

most significant cooperation of the century. India is on seventh in the list of top importers of China.¹⁷³

In the context of the institutional framework, China and India are connected through the Joint Working Group, which is the most significant to address their problems. To deal with the issues of trade and commerce, the two states can connect through the Joint Business Council. Likewise, for cooperation in the research and development sector, both have a joint forum for science and technology.¹⁷⁴ The two states are also working closely together to counter trade barriers by arranging regular meetings for their mutual gains. Moreover, China and India have signed a Free Trade Agreement bilaterally with the desire to reduce or limit trade tariffs mutually.¹⁷⁵

Other than trade, the two countries also carried out joint military exercises in 2007. Another anti-terrorist training exercise jointly carried out by India and China in 2008.¹⁷⁶ Both states stated that these exercises could help them in building mutual trust. Since 2009 defence cooperation also set a strong momentum.¹⁷⁷ In light of the cooperation mentioned above between India and China, the two countries seem to have more coordination and enhanced trade mechanism for more mutual advantages. India stated that “two economies are complementary rather than competitive.”¹⁷⁸ Therefore, both states prefer to work for reducing the trust deficit and generate advantageous platforms for cooperation.

It is an accepted fact of modern international relations that economic cooperation and trade construct the most durable and deep ties among the nations. The dedication of China towards economic reconstruction, its high economic growth, and emergence as a

¹⁷³ Farhan Hanif Siddiqi, “India-China Relations in the 21 St Century: Impact on Regional and Global Politics,” *Pakistan Horizon* 65, no. 2 (2012): 59–72.

¹⁷⁴ Swaran Singh, “China-India Bilateral Trade: Strong Fundamentals, Bright Future,” *Open Edition*, accessed May 5, 2020, <https://doi.org/10.4000/chinaperspectives.2853>

¹⁷⁵ *Ibid.*

¹⁷⁶ Rup Narayan Das, “India-China Defence Cooperation and Military Engagement,” *Journal of Defence Studies* 4, no 4 (October 2010): 118.

¹⁷⁷ *Ibid.*, 119.

¹⁷⁸ Li Xia, “China, India vow to deepen cooperation at 6th strategic economic dialogue held in India,” *Asia and Pacific*, September 11, 2019, accessed May 5, 2020, http://www.xinhuanet.com/english/special/2019-09/10/c_138380768.htm

superpower are well-known factors. On the other hand, during those times, the primary priority remains politics, and the lack of long term trade strategy and overlooking the importance of economics is quite evident.¹⁷⁹ But later on, India shifted its policy and began to focus upon its economic conditioning and rose as a competitor of China in the Asian market and gained a firm footing in the global market.

India and China have become the largest developing countries in the world, and they are blessed with material as well as human resources. They both faced similar challenges such as eradication of poverty, bridging the economic disparities between the poor and rich, and the improvement of living standards of their citizens. In 1984, both countries signed the protocol of economic cooperation through which they granted each other the MFN status, which would give them a new lease of life in their trade relationship, but this status was suspended after the India China war in 1962. The same year, the closeness increased among the leadership of the counties, and Joint Working Group was formed for boosting the commerce and trade, and both states agreed to encourage the role of a Joint Business Council in order to foster a higher degree of interaction at the business-to-business (B2B) level. In the 1990s, the leadership of both countries succeeded in signing a trade agreement regarding the avoidance of double-taxes to boost the flow of products and goods for mutual benefit.¹⁸⁰

The year 2017 has proved to be a grim year for the India-China ties as China tried to block the requests of India in the UN, and it did not support India for the membership of Nuclear Supplier's Group. However, the year ended with a positive note due to the visit of the Chinese Minister to New Delhi, and during his meeting with Ajit Doval, both parties acknowledged the importance of maintaining peace at border and better India-China relationship. The countries grew stronger economic ties with the negotiations on the Free Trade Agreement and bilateral Strategic Economic Dialogue.¹⁸¹

¹⁷⁹ Mansingh, Surjit. "India-China relations in the post-Cold War era." *Asian Survey* 34, no. 3 (1994): 285-300.

¹⁸⁰ Jain, B. M. "India-China relations: Issues and emerging trends." *The Round Table* 93, no. 374 (2004): 253-269.

¹⁸¹ Arora, Kashyap, and Rimjhim Saxena. "India-China Economic Relations: An Assessment." *South Asian Voices*, April 30, 2018. <https://southasianvoices.org/india-china-economic-relations-an-assessment/>.

The bilateral trade among China and India has grown from \$38.02 billion to \$71.45 over the past decade. Due to the increased export of China in the year 2011-2012 and 2014-2015, there were hikes in the bilateral economic trade, but in recent years, the trade has been quite stagnant.¹⁸²

While the two countries have had myriad issues related to economic investment in the past, they have begun to address these hurdles in recent years. In 2014, China announced an investment of \$20 billion in India over the next five years, such as in industrial park projects in Gujarat, Haryana, and Maharashtra.¹⁸³ China's foreign direct investment (FDI) into India between April 2000 and June 2017 stood at \$1.67 billion, which is only 0.49 per cent of the total FDI inflows into India over the same period. Still, India's continued emphasis on greater Chinese investment in manufacturing has yielded some results – 60 per cent of Chinese FDI into India from April 2000 to September 2015 went into automobile manufacturing and smartphone company Xiaomi will soon have up to five manufacturing plants in India.¹⁸⁴ Significant private investment from China in Indian start-ups, especially those focused on technology and e-commerce, were also made. In 2017 alone, Chinese companies such as Alibaba, Fosun, Baidu, and Tencent put in \$5.2 billion into 30 Indian start-ups. Chinese conglomerate Alibaba and its affiliates alone have invested about USD 1.7 billion in Indian start-ups such as Paytm and BigBasket.¹⁸⁵

¹⁸² Durdana Najam, "What Can Pakistan Learn from Sino-Indian Ties?," *The Nation*, September 10, 2018, <https://nation.com.pk/10-Sep-2018/what-can-pakistan-learn-from-sino-indian-ties>.

¹⁸³ "China to Invest \$20 Billion in India in next 5 Years, Much Less than Japan's Offer of \$35 Billion | India News - Times of India," accessed May 6, 2020, <https://timesofindia.indiatimes.com/india/China-to-invest-20-billion-in-India-in-next-5-years-much-less-than-Japans-offer-of-35-billion/articleshow/42814025.cms>.

¹⁸⁴ Arun S, "India Seeks More Chinese Investments," *The Hindu*, September 9, 2017, sec. Economy, <https://www.thehindu.com/business/Economy/india-seeks-chinese-investments/article19651557.ece>.

¹⁸⁵ Priyanka Pani, "For Chinese Firms, Indian Start-Ups Are the Golden Goose," *Businessline*, accessed May 6, 2020, <https://www.thehindubusinessline.com/companies/for-chinese-firms-indian-start-ups-are-the-golden-goose/article22936418.ece>.

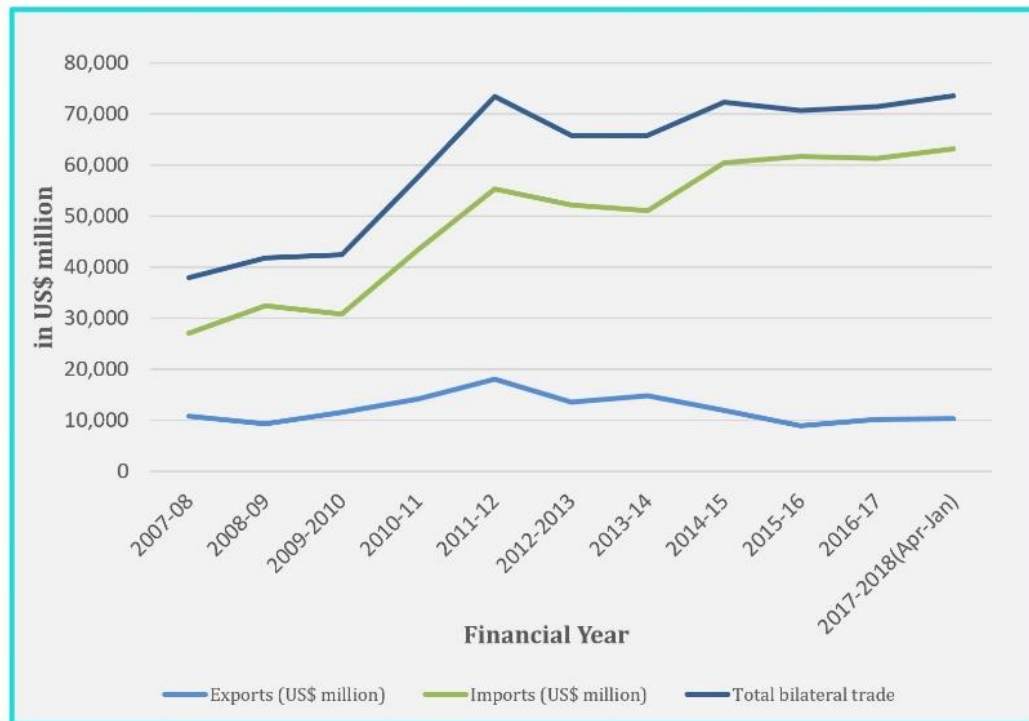


Figure 1: Bilateral trade between China and India from 2007-2017 (Source: South Asian Voice)

The success story, though, has been significant private investment from China in Indian start-ups, especially those focused on technology and e-commerce. In 2017 alone, Chinese companies such as Alibaba, Fosun, Baidu, and Tencent put in USD 5.2 billion into 30 Indian start-ups. Chinese conglomerate Alibaba and its affiliates alone have invested about USD 1.7 billion in Indian start-ups such as Paytm and BigBasket.¹⁸⁶

China has become self-sufficient in the arms race and even become one of the largest exporters of arms to the international market. India is also thriving to be a part of this race, but yet it has not become any near to China in this category.

India has been importing arms from Russia, China, and Taiwan but not seeking help from China due to the arch rivalry of Pakistan-India and Pakistan-China's joint military exercises. India does not import weapons from China. There are several reasons behind it.

¹⁸⁶ Arora, Kashyap, and Rimjhim Saxena. "India-China Economic Relations: An Assessment." South Asian Voices, April 30, 2018. <https://southasianvoices.org/india-china-economic-relations-an-assessment/>.

- Rivalry: This is the foremost and main reason. Since India is building its weapons mainly to rival any Chinese incursions or in case of any war with China (and Pakistan), it does not make much sense to buy from it. Though they both have a good trade going between them which are also on the rise and they, have learnt to live with the border disputes.
- Trust: India is nonaligned and is not a part of NATO or any other alignment. Hence it can buy weapons with whomsoever he wants. There would be trust issues between the two regarding weapon grades sold to India, even not every Chinese cell phones are allowed in India.
- Quality: The grade of weapons produced by China is still not at par with the standard of the west (in most cases) or even Russian made.

3.6 Indo-Russia Relations

India is the major importer of military hardware from Russia. Both states also worked in the sphere of space technology. Their bilateral relations are known to be as “special and privileged strategic partnership”¹⁸⁷ that mainly conducted upon defence cooperation. Both countries are also connected economically through different multinational and regional forums such as BRICS (Brazil, Russia, India, China, and South Africa), the Shanghai Cooperation Organization (SCO), and G20. In 2014, both states jointly negotiated to focus on technology and innovation, energy, and industrial and commerce as the core areas for their trade. Other areas of focus are oil and gas resources, petrochemical ventures, technological development, space and defence cooperation, and information technology, trade-in the above sectors is mutually useful for both states to boost their economies. Although in defence sector, the US has crossed Russia as the top importer of arms to India since 2014, Russia remains a significant supplier of arms and military hardware to India. In 2016, the defence cooperation was restoring by signing various agreements that include the export of S-400 air defence missile to India.¹⁸⁸ The

3 ¹⁸⁷ Nivedita Kapoor, “India-Russia ties in a changing world order: In pursuit of a ‘Special Strategic Partnership’,” *ORF Occasional Paper*, October 22, 2019, accessed May 5, 2020, <https://www.orfonline.org/research/india-russia-ties-in-a-changing-world-order-in-pursuit-of-a-special-strategic-partnership-56877/>.

¹⁸⁸ Ibid.

‘common national strategic rational’ is the major ambition behind their cooperation, and two states could not bear any tensions that hinder their economic growth. In the recent past, the military cooperation between the two states has enormously expanded. In 2005, both states conducted joint military exercises in Rajasthan and Vishakhapatnam.¹⁸⁹

3.7 Indo-French Relations

The bilateral relations of India and France are characterized as economic and commercial relations. The visits of both state leaders and economic reforms helped boost their cooperation. Moreover, due to the increasing desire of France to have its hold in the Asian region (resources) needs an ally for which. For this purpose, France has built its relations with India, and on the other hand, due to the huge market of France, India needs to create its ties strong with France. Furthermore, economic, commerce, and commercial are the fields of interest of both countries’ leadership in order to boost trade and economy. India is an important trade market for France to sell its products due to which it seeks to have joint ventures and economic investments in the country.

India and France have signed Joint Working Group (JWGs) in order to specify components for their bilateral trade such as food and agriculture, roads and infrastructure, information technology and telecommunication, sustainable urban progress, and energy cooperation. In the year 2013, both states mutually agreed to sign an Economic and Financial Dialogue (EFD) bilaterally between the two Finance Ministers.¹⁹⁰ India and France have a Joint Committee for Economic and Technical Cooperation (JCETC) to enhance trade cooperation in the spheres of technology and economy.¹⁹¹ Through this bilateral agreement, both states agreed to intensify their trade cooperation. India and France have signed many agreements to enhance their cooperation some are: agreement regarding Exchange and Reciprocal Protection of Classified or Protected Information”, to enhance maritime cooperation both signed “Joint Strategic Vision of India-France Cooperation in the Indian Ocean Region,” agreement for the provision of mutual logistics

¹⁸⁹ Jyotsna Bakshi, “India-Russia Defence Co-operation,” *Strategic Analysis* 30, no. 2 (Apr-Jun 2006): 461.

¹⁹⁰ “India-France Economic and Commercial Relations,” *Embassy of India*, April 07, 2020, accessed May 5, 2020, <https://www.eoiparis.gov.in/page/india-france-economic-and-commercial-relations-brief/>

¹⁹¹ Ibid.

support between their Armed Forces to enhance defence relations, giving importance to military exercise both states conducted Varuna naval exercise in 2017 and the Shakti army exercise in 2018.¹⁹²

Indian Prime Minister Modi once in the speech at UNESCO platform stated, “*Today in the 21st century, we talk of INFRA. I would like to say that for me it is IN+FRA, which means the alliance between India and France.*”¹⁹³ Moreover, France and India’s strategic partnership has increased by ‘leaps and bounds.’ The most significant factor in that is France supported India in the United Nations Security Council. It depicted France’s firm stance to support India and considered as its steadiest supporter in the United Nations Security Council.¹⁹⁴ Besides economic and commerce, two countries are cooperating in the civil nuclear and defence sector. India and France have signed almost fourteen agreements covering these interactions. Thus France has become increasingly important for India as a ‘strategic partner.’

Besides these countries, India has established its military and strategic ties strong with Israel, especially in the space technology development sector. India has also built its military relations strong with other states such as Singapore, Japan, Italy, and South Africa. In 2008, India signed a defence agreement with Tajikistan.¹⁹⁵ The intention behind its strong relations with Brazil, Mexico, and South Africa is to gain their support as these states support the interest of developing states through different platforms such as WTO, IBSA, and G8+5. India is also working on its economic and strategic relations with Southeast Asian countries. India is establishing its ties strong with all major power to have its greater say in the international system.

¹⁹² “France and India outline many areas of joint cooperation,” French Embassy in London, March 11, 2018, accessed May 5, 2020, <https://uk.ambafrance.org/France-and-India-outline-many-areas-of-joint-cooperation>.

¹⁹³ Rajeswari Pillai Rajagopalan, “A New India-France alliance?,” *ORF*, September 05, 2019, <https://www.orfonline.org/research/a-new-india-france-alliance-55143/>

¹⁹⁴ *Ibid.*

¹⁹⁵ Amina Bibi, “India-Tajikistan Relations: Prospects and Challenges,” *International Journal of Research in Social Sciences* 8, no. 11 (2018): 10–25.

3.8 India-UK Relations

India and the UK share much in common. A long history has united them through culture, language, and legal system. These elements, alongside close ties in education and investment, and 1.45 million individuals of Indian legacy in the UK, imply that the two states have a profound association. India has a bigger multi-faceted and multi-partner relation with the UK concentrating on investment and trade; Indian diaspora; cultural and social relations; innovation and technology; and defence and security. The UK is attempting to give its relation with India more attention than Pakistan, as clear from the Foreign Secretary's statement that India-UK relationship had not got close to its maximum capacity regardless of the degree of the common values. The last two British Prime Ministers had rushed to visit New Delhi, and the FCO had said that the country is "central" to its goals for "Global Britain."

Additionally, the UK-India relationship will grow further after the Brexit because of the far less impact of the customary Labour-driving Pakistani diaspora. Also, two of its main three Cabinet posts – Chancellor of the Exchequer and Home Secretary – are held by British Indians while four Indian-origin MPs of the Conservative party are Cabinet Ministers or participators in Cabinet meetings.¹⁹⁶

Trade relations of India with the UK depend on a long sustained relationship cultivated during British guidelines in India with East India Company as its promoter stage. Because of common trust between the exchanging networks of the two states and encouraged with market openings and opportunities, the relationship got more grounded even after Indian independence. Notwithstanding, with the UK's inclusion in the European Union, India's trade began to get diversified, and its trade volume with the UK started indicating falling patterns.¹⁹⁷

¹⁹⁶ "15 Indian-Origin MPs in New UK Parliament - Times of India," *Times of India*, accessed May 6, 2020, <https://timesofindia.indiatimes.com/world/uk/15-indian-origin-mps-in-new-uk-parliament/articleshow/72550708.cms>.

¹⁹⁷ Shafi, S. M. "India-UK Trade: A phenomenon of sliding scenario." *Australian Journal of Business and Management Research* 1, no. 9 (2011): 37.

In light of the long-nurtured relation between Indian and British peoples created during the British imperialist rule, India's export revenue used to be most elevated with the UK alone. But as time passes after 1973, the UK's portion in India's exports began declining. Over half of India's foreign trade was with the UK, but as India's outside trade began getting topographically expanded, India's exports to the UK began sliding. Following the information from the year 2000 onwards, it is observed that the percentage share of India's exports was 21.56 per cent in 2000-01, which went down to 21.31 per cent in 2001-02 and further plunged to 20.27 per cent in 2004-05.¹⁹⁸

Throughout the history of India-UK relations, the UK has been a significant wellspring of India's imports in different fragments, especially in the capital products circle. During the industrialization process of the state introduced from the previous long stretches of independence, the imports of industrial apparatus from the UK had a significant role in India's transformation as a modern state. Nonetheless, as new import commodities and sources got discovered, the portion of the UK's exports in the imports of India got reduced. It is also observed that India's imports from the UK were 29.77 per cent in the year 2000-01, and the UK was the biggest exporter to India, followed by Belgium. On the other hand, the UK's share in India's imports showed a decrease over time. The UK's share was 24.21 per cent in 2001-02, which dropped to 21.72 per cent in 2003-04. It dropped by almost three per cent in 2004-05, when it contacted record-breaking low of 18.69 per cent.

The UK is viewed as one of the significant providers of arms and security equipment to countries all over the world. India is one of the top three biggest purchasers of the UK-made arms. The UK and Indian military share recorded ties, and regimental connections have a comparable ethos and train well together on a rotational premise. The joint Ajeya Warrior biennial army exercises have been held since 2005 at regiment level; the recent episode was held in the UK in February 2020. The joint naval force Konkan yearly exercises have been held since 2004. They held last toward the end in August 2019 and incorporated destroyers in ship-to-ship passage exercises. Furthermore, the joint aerial

¹⁹⁸ S. M. Shafi, "India-UK Trade: A Phenomenon of Sliding Scenario," *Australian Journal of Business and Management Research* 1, no. 9 (2011): 37.

Indradhanush works out, holding since 2006, incorporate present-day combat aircraft.¹⁹⁹ A Defence Consultative Group (DCG) meeting has occurred every year on a bilateral basis between the high ranking representatives of the Defence Ministry since 1995; most as of late in November 2019. In November 2015, a Defence and International Security Partnership (DISP) was built up; the UK Defence Secretary (Minister) last visited India in April 2017 for the yearly strategic exchange and dialogue. Even though India is the world's second-biggest weapons importer, the securing of arms from the UK stays restricted, concentrating to a great extent on 123 Hawk Advanced Jet Trainer (AJT) from the UK's most prominent defence organization BAE Systems from 2008.²⁰⁰

The BJP's Modi government looks for trend-setting innovation and local production through its prominent 'Make in India' policy. In this undertaking, it has set up two defence mechanical hallways in Tamil Nadu and Uttar Pradesh²⁰¹ and modified the defence procurement methodology in November 2019 to support foreign direct interest in resistance.²⁰² Bilateral talks held in April 2019 on security and defence equipment strengthened the Defence Equipment Cooperation Memorandum of Understanding (DEC MOU), 2007 to distinguish collective security and defence capacity needs and work together on subjects to support long term security cooperation.²⁰³

India, the UK and Northern Ireland inked an agreement on 13 November 2015 for Cooperation in the Peaceful Uses of Nuclear Energy. The extent of collaboration covers the supply of nuclear as well as non-nuclear matter, hardware, transfer of technology, and personnel training for peaceful employments of nuclear energy.

¹⁹⁹ Rahul Roy-Chaudhury, "Boosting India-UK Defence and Military Ties: New Thinking and Emerging Opportunities" (London: International Institute for Strategic Studies, February 5, 2020), <https://www.iiss.org/blogs/analysis/2020/02/sasia-india-uk-defence-and-military-ties>.

²⁰⁰ Ibid.

²⁰¹ "Tamil Nadu Defence Corridor to Formally Launch This Week: Official," *The Economic Times*, accessed May 6, 2020, <https://economictimes.indiatimes.com/news/defence/tamil-nadu-defence-corridor-to-formally-launch-this-week-offical/articleshow/67529547.cms?from=mdr>.

²⁰² Dinakar Peri, "Revised Draft Defence Procurement Norms to Be Ready by November End," *The Hindu*, September 18, 2019, sec. National, <https://www.thehindu.com/news/national/revised-draft-defence-procurement-norms-to-be-ready-by-november-end/article29451325.ece>.

²⁰³ Roy-Chaudhury, "Boosting India-UK Defence and Military Ties."

The UK's energy policy would increase the portion of nuclear energy in the UK's power blend to eliminate coal-based power. So the deal depends on India's developing prerequisite for nuclear power for its low-carbon development technique as well as the UK's technological mastery in this field.²⁰⁴

3.9 Revocation of Article 370 and International Opinion

In the anarchical international system, humanitarian assistance directed by states is most often determined by self-interest. In the case of Kashmir conflict, only those actors got engaged who own their larger interests and stakes attached to it. From the perspective of the role of the international organizations to mitigate the conflict, current humanitarian interventions predominantly depend on military force to shield general masses and aimed at sustainable contours of development, post-conflict dynamics of restoration, and settlement. Nonetheless, both individual states and international organizations remain discriminatory in their choice of skirmishes and watchful to mediate. Secondly, the international community, rather than individual states, is more willing to demeanour neutral and impartial humanitarian interventions. NGOs and international organizations can be vulnerable to distinctive actions of the powerful actor, and they too are often biased in their optimal predicaments in order to protect the public interest. Unintentionally or not, international agencies are easy to stray from their pathway of unprejudiced, impartial, and autonomous ways of provision, although being entwined in a realm of international politics, which unavoidably mount humanitarian action.

At the hour of partition, Maharaja of J&K was unsure of whether to stay free or join India or Pakistan. He inked the instrument of accession with Pakistan and India after the tribesmen from Pakistan invaded his territory in October 1947.²⁰⁵ This instrument restricted the Indian parliament's administrative writ on J&K to foreign relations, defence, and communication. This special status implied that Kashmir would be partially independent, having its flag and constitution. The Indian Constitution, which was adopted in 1950, brought forth Article 370, which gave special status to J&K.

²⁰⁴ "Civil Nuclear Deal with UK." Press Information Bureau GOI, July 21, 2016.
<https://pib.gov.in/newsite/mbErel.aspx?relid=147427>

²⁰⁵ Sökefeld, "Jammu and Kashmir – Boundaries and Movements."

The international reaction to India's abrogation of Article 370 was, to a great extent, muted. The reason is quite evident that India is an undeniably significant country for financial and geopolitical reasons, and barely any country was eager to endanger its interest attached to this emerging power. However, the restraint of the global community is being tried, especially considering prejudicial enactment against Muslims passed in December 2019 that has ignited protests all over India,²⁰⁶ that the leading voices challenging India's moves came from Pakistan and China. But India countered them at international forums by criticising Pakistan for its alleged support to the jihadist in Kashmir, and China for its wretched human rights record in Xinjiang.

Besides, Western capitals keep the noose tightened around India's nose for its human rights record. The US Congress held a conference to look at the human rights condition in Kashmir. A few individuals from the US Senate censured the detainment of a huge number of Kashmiris and encouraged President Donald Trump to respond. From Germany, Angela Merkel resonated this sentiment toward the beginning of November 2019 and expressed that the lockdown of Kashmir and its people could not be sustained. If this pressure from the International community grew, and global criticism of India's human rights violations became more verbal, Pakistan will be standing by to put Kashmir under a perpetual spotlight.²⁰⁷

3.9.1 Kashmir in International Headlines

Immediately after 5th August 2019, when the special status of Indian IOK was removed by the BJP government of India, the international media, print, and electronic both did not react promptly to it. After the successful efforts of the state of Pakistan and the prevailing human rights situation in IOK has impelled the international media's attention and the world community to the grave situation. So far, after many decades, the New York Times has not only published an editorial on Kashmir, but it also has published photos of Indian oppression on its front page. The Washington Post and the

²⁰⁶ "Citizenship Amendment Bill: India's New 'anti-Muslim' Law Explained," *BBC News*, December 11, 2019, sec. India, <https://www.bbc.com/news/world-asia-india-50670393>.

²⁰⁷ "Current Situation in Kashmir Not Good and Not Sustainable, Says Angela Merkel," *The Hindu*, November 1, 2019, sec. National, <https://www.thehindu.com/news/national/german-chancellor-angela-merkel-on-jammu-and-kashmir/article29856547.ece>.

Wall Street Journal are also highlighting the unfolding brutalities of Indian occupying forces on the innocent Kashmiris. Similarly, the Turkish media, the press, and electronic media in many Western countries are covering the news related to Kashmir. Now, the issue of Kashmir is discussed in World parliaments; for instance, many senior US congress members including next presidential candidates have raised their voice for the oppressed people of Kashmir. Forty-Eight members of the House of Common have asked their Prime Minister to take notice of the situation in Kashmir. The French Parliament, for the first time, has discussed the Kashmir dispute.

The New York Times has written an editorial for the first time that the future of Kashmir should be determined by the aspiration of Kashmiri people, this is the demand which is coming forward, and the world will have to take notice in this regard. The dominant elements of American politics have touched the issue of Kashmir for the first time. The 48 MPs of the parliament of the United Kingdom, as well as the Parliament of France, raised their voices that Kashmir conflict should be taken seriously.

Time has come for Pakistan to perform in a transparent way to convince the permanent five members, China has totally on board, and another four are partially convinced. So far Pakistan's diplomacy has been reasonably successful, but it needs to tread carefully and craft diplomatic, and strategic policies in a manner where it can convince the people because it has a just cause as was the creation of Pakistan but to maintain that nation-state of Pakistan, Pakistanis have to act with dignity, honour, and justice.

With this underlining of the Kashmir issue around the global press and electronic media, the moral pressure is building on India to lift all the restrictions and stop the human rights violations. But, apart from the coverage in the international media giants, the world governments are not taking any practical steps to pressurize India to end the siege of Kashmir. These states are only observing India with the economic lens because of its huge consumer market. It is a dire need of the hour to increase further the international pressure on the Indian regime to not only lifts the curfew in Kashmir but also agrees to the permanent solution of the Kashmir dispute.

CHAPTER 4

Role of the Global Institutions and the World Powers

The role of the international community towards a settlement of the Kashmir crisis is very crucial, especially in the wake of recent uprisings in Kashmir where indigenous people of Kashmir are striving to attain freedom whilst India and Pakistan are persistently pursuing their realpolitik goals vis-à-vis Kashmir.

The UN monotonous approach towards Kashmir issue has always been very clear as, during the conflict escalation between Pakistan and India in 2001 and 2002, which could have resulted in a nuclear disaster, the UN only issued statements through its secretary-general asking India and Pakistan to practice restraint and seek peaceful resolutions of their differences and conflicts including the Kashmir dispute.²⁰⁸ The same is the case with the post-Pulwama situation where the increased tensions between the two countries have belled the alarms of nuclear war; however, what the UN did was just releasing statements of expressing concern through its spokesperson. It called on both states to take instant steps for defusing tensions.²⁰⁹

The clear demonstration of the international community elaborates on no concern to react upon the Kashmir crisis. Expectations are considerably vague because the reality stands with the Indian perspective where fabricated evidence appeals more to the international community, especially from the side of the US. Nonetheless, the democracies across the globe play to domestic calories. Pakistan had to join the OIC summit to the human rights council, but unfortunately, the diplomatic front lack of cooperation could not let to raise the Kashmir issue. It is to be noted that 16 votes are obligatory to get a special session on the human rights council henceforth, non-stood up except China. Here, the reality still not conveyed to the public because the media was not allowed to capture the summit. Pakistan needs to step up in its political, diplomatic, and material support in this matter.

²⁰⁸ Claude Rakisits, "Pakistan-China Bilateral Relations 2001-2011," *Security Challenges* 8, no. 3 (2012): 83–102.

²⁰⁹ Zeenat Saberin, "Pulwama Attack: UN Chief Urges India, Pakistan to Defuse Tensions," *Al Jazeera*, February 20, 2019, <https://www.aljazeera.com/news/2019/02/pulwama-attack-chief-urges-india-pakistan-defuse-tensions-190220091805765.html>.

The deep silence of the international community is not unfolding the crisis has their interest seems to be ineffective in the entire region. The policy options of the US are restraint by many of the same predicaments, and quid pro quo, instantaneous, purposeful, and geopolitical in with the US has been involved for some decades. However, the first and foremost concern of the US towards Pakistan is focused upon “DO MORE” policy in Afghanistan and long-term need to enlist strategic support of India in terms of defence cooperation to uphold the pivot towards Asia-Pacific.

Since the Kashmir has almost returned to the pre-1989 point of peaceful struggle for freedom, the global community should go beyond the strategies preventing crisis and damaging limitations to stop it from transiting again into a violent movement. The community must play its obligatory role regarding Kashmir by focusing the aspirations of the Kashmiri people, rather than the differing realpolitik objectives of Pakistan and India towards Kashmir. Even if leaders of both states may seem sincerely interested in normalizing their ties, the international community, especially the US and permanent members of the UNSC, should proactively facilitate the normalization process between India and Pakistan. It also needs to pay more heed to the bad condition of human rights in the Valley and urge India to deal with the uprising in a humanly manner under the UN resolutions.

4.1 Human Rights in IOK and Role of US

In the case of Kashmir, the US has been playing a similar role that the UN has been playing, i.e., moralizing tensions between India and Pakistan. Whenever the tensions between the two states grew to level that belled war alarms, the US dispatched its dignitaries to the region to normalize the relations momentarily and to avert any untoward incident. This stopgap diplomatic practice on the US’s part cannot correctly work in crisis-hit South Asia. What the US diplomacy cannot do, is refraining both nuclear powers from going to war without seeking durable resolution of the underlying conflict between them, i.e., Kashmir issue. The same is the case with the aspirations of the people of Kashmir for freedom. On the other hand, history has shown that India and Pakistan have perpetually been indulging in cross-border conflicts, which often resulted

in conflict escalation like the post-Pulwama situation. Therefore, if the US does not address these issues durably, its policy of short-term-fix will serve no useful purpose, and the fear of conflict escalation and recurrence of the risky situation will continue to haunt the region.

Likewise, America's role in exerting pressure on Pakistan single-handedly for allegedly supporting the militancy in Kashmir – without reciprocally pressuring India to end human rights violations in Kashmir – is not likely to help resolving any of these issues. The US has proved more than once that it has been diplomatically and politically aligned with India in the case of Pakistan-India conflicts as well as the Kashmir issue. In June 2017, the US declared Syed Salahuddin, commander of Hizbul Mujahideen, as a global terrorist.²¹⁰ In August 2017, the US took another such controversial step and declared Hizbul Mujahideen a terrorist organization.²¹¹ Given the fact that Hizbul Mujahideen is a separatist group operating in IOK and struggling to attain freedom from the occupying India, the US position has become crystal clear that it stands with India on the issue of on-going unrest in IOK. Even in the case of the abrogation of Article 370 and 35A, some say that Washington conveyed Pakistan about this move in when Pakistani delegation visited the US in July 2019 and pressurized them not to react strongly.²¹²

The US did not pay heed to the human rights violations in IOK despite the efforts Pakistan made to project these violations committed by the brutal Indian forces in IOK. Instead, the US has made India his blue-eyed child when it saw China emerging as potential regional as well as a global power and Pakistan's close ties with it. A clear example of this could be the decision the US made to lift an eighteen-year ban on importing fruits from India and allowing shipment of Indian mangoes to reach the US in April 2007. On the other hand, importing Pakistani fruits is still banned in the US. As a

²¹⁰ “US Declares HuM Chief Syed Salahuddin ‘Specially Designated Global Terrorist,’” *The Express Tribune*, June 27, 2017, <https://tribune.com.pk/story/1445162/us-declares-hum-leader-syed-salahuddin-specially-designated-global-terrorist/>.

²¹¹ “US Designates Hizbul Mujahideen as a Foreign Terrorist Group,” *The Diplomat*, accessed March 9, 2020, <https://thediplomat.com/2017/08/us-designates-hizbul-mujahideen-as-a-foreign-terrorist-group/>.

²¹² Kunwar Khuldune Shahid, “The End of Article 370: How Pakistan Surrendered Kashmir,” accessed June 15, 2020, <https://thediplomat.com/2019/08/the-end-of-article-370-how-pakistan-surrendered-kashmir/>.

result of ending this ban, Indo-US trade rose to more than \$70 billion in 2010.²¹³ Such actions of the US make a clear political point that India has the full support of Washington in its struggle to overthrow Pakistan's fair stance on Kashmir conflict and divert the world's eyes from the human rights violations and atrocities committed by Indian forces against the people of Kashmir.

The failure of the US to play any substantial role in Kashmir can be better explained by using the neorealist conception of global politics. The reason why Washington preferred to align with New Delhi is the expected support the US can get from India in containing the rising global power, China. Another factor is the rising economic prominence of India and its large market that the US cannot afford to ignore.

4.2 Human Rights Violations in IOK and Stance of China

China has been openly supporting Pakistan on almost every forum regarding the Kashmir issue and has been very vocal about it. The Human rights violations in IOK are not hidden from international media and China, along with other international spectators of human rights, China has been condemning the brutal violations of Human Rights in IOK.

- China extended an invitation to the president of All-Parties Hurriyat Conference Mirwaiz Umar Farooq in 2009. It was his first visited China in an official invitation.²¹⁴ This development was significant for the internationalization of the Kashmir issue.
- China introduced distinct visa rules and policies for IOK, but no policy was adopted regarding the people of AJ&K.²¹⁵ This showed that for China, the official Indian stance that Kashmir is India's integral part is a direct rebuke.
- In 2010, China declined to issue visas to head of Indian army northern command Lt. Gen B S Jaswal, who was deputed in IOK.²¹⁶ Through this, a clear message was sent that China will not greet any official of Indian army serving in IOK.

²¹³ USBureau of Economic Analysis.

²¹⁴ "Hurriyat Chief Mirwaiz Umar Farooq Invited to China," *NDTV*, accessed May 6, 2020, <https://www.ndtv.com/world-news/hurriyat-chief-mirwaiz-umar-farooq-invited-to-china-405424>.

²¹⁵ Syed Waqas Haider Bukhari and Tahira Parveen, "China's Approach towards Kashmir Conflict: A Viable Solution," *Journal of Professional Research in Social Sciences* 1, no. 1 (2014): 14.

- China made huge investments in various energy and power generation initiatives in AJ&K and Gilgit-Baltistan region.²¹⁷ China has a clear-cut different approach towards IOK and AJ&K.²¹⁸

Pakistan and China have enjoyed brotherly relations for decades, while China has always helped Pakistan in internationalizing the Kashmir dispute and exposing India for its brutal policies in IOK. In August 2019, China expressed grave concern over the abrogation of Article 370 and India's brutal actions in IOK. It declared the move, revoking the Article as unacceptable.²¹⁹ Beijing also supported Pakistan to place the Kashmir dispute before the UNSC. It had become possible due to the efforts of China that the UNSC held a consultative meeting on IOK.²²⁰ Despite all the heated rhetoric, neither Pakistan nor India holds the kind of sway that China does at the UNSC. China's chief counterparts, the US and Russia have indicated that they have little appetite for the human rights conditions in IOK. Plus, China has its hands full of Hong Kong on the one hand, while on the other hand, it has a considerable trading volume with India. Therefore, there is little chance of Beijing backing Islamabad's bid to get the UN involved and make potent efforts to stop human rights violations in IOK. Instead, logic and restraint are likely to prevail, at least where China's interests are concerned in Kashmir.

4.3 Role of the United Nations

The UNSC has failed since 1948 in implementing its resolutions on the disputed territory of Kashmir, which recommended that a plebiscite should be held to decide the future of Kashmiris. Due to this failure of the UN, India was given carte blanche for suppressing the quest of Kashmiri people for self-determination.

²¹⁶ "China Denies Visa to Top General in Charge of J&K," *Times of India*, accessed May 6, 2020, <https://timesofindia.indiatimes.com/india/China-denies-visa-to-top-general-in-charge-of-JK/articleshow/6442437.cms>.

²¹⁷ Jonathan E. Hillman and Maesea McCalpin, "The China-Pakistan Economic Corridor at Five" (Washington: Center for Strategic & International Studies, April 2, 2020), <https://www.csis.org/analysis/china-pakistan-economic-corridor-five>.

²¹⁸ Bukhari, Syed Waqas Haider, and Tahira Parveen. "China's approach towards Kashmir conflict: A viable solution." *Journal of Professional Research in Social Sciences* 1, no. 1 (2014): 14.

²¹⁹ Syeda Dhanak, "China Backs Pakistan on Kashmir Issue," *The Nation*, August 19, 2019.

²²⁰ Anwar Iqbal, "UNSC Set to Hold Kashmir Meeting after 50 Years," *Dawn*, August 16, 2019.

The blame game between India and Pakistan on the violation of human rights is a serious concern which the international institution utterly ignored. India, for the sake of her political maneuver, deliberately instigated the law over Jammu and Kashmir. However, those organizations established to eradicate the epidemic of human violations failed to fulfil their responsibilities. The UNOHCHR failed in handling countermeasures by both Pakistan and India as, after the Balakot attack, false news was rolling around the entire media vis-à-vis LOC firing.

The core objective of the United Nations was to maintain peace and stability, and furthestmost important of all is to accomplish international collaboration in determining all global problems and issues, including economic, cultural, social, and most top of all humanitarian. But the truism is that the UN's position with regard to the regularity of its laws for the settlement of disputes is questionable, particularly in the case of Kashmir. The UN monopoly fails to take tangible actions against the atrocities that occurred in Indian Occupied Kashmir and lack of liberal perspective towards loss of lives. During 2018, the UNHCR stressed the Kashmiri outrages, but out of blues, the issue was pressed down.²²¹ An abrupt variation was seen within a year where Article II of the Convention on the Prevention and Punishment of the Crime of Genocide clears under the meaning of crime, and that crime is killing, murder, serious body injuries, and psychological damage.²²² Undoubtedly, it has been evaluated that Indian armed forces have damaged massive of their freedom and are beaten to death. Neither had it implemented the UNSC Article 41, which was about the UNSC's mandate to employ measures other than the use of military force to implement its decisions, nor executed the Article 42, which was about the use of armed forces if the measures provided in the Article 41 stood inadequate in maintaining or restoring international security and peace. Besides, it never made efforts to implement its endorsed principle of 'responsibility to protect' to prevent crimes against humanity, genocide, ethnic cleansing, and war crimes in Kashmir. Instead, the UN has failed to find any resolution to the Kashmir issue, which will transpire with enormous and

²²¹ Ansari.Beenish, "UN's role as a peacemaker in Kashmir," *Daily Times*, September 06, 2019

²²² "Convention on the Prevention and Punishment of the Crime of Genocide" (United Nations, September 12, 1948), https://www.un.org/en/genocideprevention/documents/atrocities-crimes/Doc.1_Convention%20on%20the%20Prevention%20and%20Punishment%20of%20the%20Crime%20of%20Genocide.pdf.

daring circumstances as both are nuclear power countries. If any action is not taken, the UN will be failed like the League of Nations. The most disappointing is that the P5 states override the 193 states due to their veto power in the UNSC and create the imbalance of power in the whole global sphere. In quest of securing their interests, these powers neglect humanitarian concerns, and the UN is bound to go with them as an ineffective body; as evident from the historical event of NATO's bombings on Yugoslavia during the Kosovo War in 1999 before seeking UNSC's permission due to the chances of a veto from China and Russia.²²³ Realism explains this ineffectiveness of the UN that law is nothing but a product of power politics that rules the anarchical global system. Therefore, when the majority of the UNSC members have decided one thing, the UN and fragile institutionalized global system can do anything to prevent this or force them to do otherwise.

4.3.1 The UN Resolutions

Soon after the beginning of the Kashmir dispute, The UNSC adopted two resolutions in January 1948 – 38 and 39 (1948) – under which a commission for Pakistan India, the UNCIP, was established for investigation and mediation. The same year in June, the UNSC adopted another resolution – 47 (1948) – to enlarge the UNCIP, to imposing ceasefire between India and Pakistan and formulating conditions for an impartial plebiscite. UNCIP's truce subcommittee had supervised the Karachi Agreement in July 1949 under which the ceasefire line has been established between India and Pakistan with the consent of the military representatives of both states. The UN also constituted Military Observer Group in India and Pakistan (UNMOGIP) for monitoring the situation along LOC and probe into the alleged LOC violations by any of the two states. The UN also adopted several other resolutions on Kashmir and normalization of Indo-Pak relations and Pakistan including the ones adopted on April 21, 1948; March 14, 1950; March 30, 1951; November 10, 1951; December 23, 1952; January 24, 1957; February 21, 1957; December 2, 1957; September 4, 1965; September 6, 1965;

²²³ Hideaki Shinoda, "The Politics of Legitimacy in International Relations: A Critical Examination of NATO's Intervention in Kosovo," *Alternatives: Global, Local, Political* 25, no. 4 (2000): 515–36.

September 20, 1965; September 27, 1965; November 5, 1965; December 6, 1971; and December 21, 1971.²²⁴

In another resolution unanimously passed in June 1998, after India and Pakistan successfully carried out nuclear tests, the UNSC linked security, peace, and stability in the South Asian region to the peaceful resolution of long-lasting conflicts such as the Kashmir conflict.²²⁵ However, implementation of all the resolutions the UN adopted, have become complicated owing to the Indian oppression and alleged support of Pakistan to the jihadist in Kashmir as Kashmiri people in large number in both IOK and AJ&K have started supporting pro-independence designs. Whereas the course which the UN recommended for settling the Kashmir dispute through the plebiscite only allows the Kashmiris to join one of the two states rather than allowing them to choose a separate state.

4.3.2 The UN and Post-Pulwama Situation

The UN had condemned the deadly Pulwama attack asking India and Pakistan to defuse tensions. It had also responded to the curfew and restrictions imposed in Kashmir soon after the abrogation of Article 370 that ended the special status of Jammu and Kashmir. On August 8, 2019, the UN Secretary-General, while expressing concern that the restrictions imposed in Kashmir by Indian forces may exacerbate the situation of human rights in the region, called on India and Pakistan to practice maximum restraint resolve their difference through peaceful means. The UNSC also held a meeting on December 16, 2019, for discussing the Kashmir issue, its resolution in the light of UNSC resolutions on Kashmir, and the human rights violations in the disputed Valley.²²⁶

On October 29, 2019, the UN OHCHR issued a press communiqué expressing grave concern over the wide range deprivation of the human rights in IOK. It asked India to put

²²⁴ Tooba Khurshid, "United Nations Security Council Resolutions: Status of the People of Jammu and Kashmir," *Strategic Studies* 36, no. 4 (2016): 100–122, doi:10.2307/48535976.

²²⁵ Ibid.

²²⁶ Iqbal, "UNSC Set to Hold Kashmir Meeting after 50 Years."

an end to the curfew that had lasted for more than 100 days and continued to date. It also urged India to fully restore human rights that have been denied for so long.²²⁷

4.3.3 UN's Maiden Human Rights Report on Kashmir

In June 2018, The UN issued its first-ever human rights report on Jammu and Kashmir in which it called for carrying out an international investigation into various human rights violations. The report, consisting of 49 pages, disclosed that Kashmiris have been suffering a conflict for more than seven decades, which have affected their lives severely. It called for addressing on-going as well as previous human rights abuses and deliver justice to the people of Kashmir. The report, which focused mainly on the violations of human rights made by the armed forces of India in IOK from July 2016, recognized that Indian forces have been using lethal force against Kashmiris that resulted in the illegal killings of thousands. It documented that Indian forces killed as many 145 civilians between July 2016 and March 2018. The report noted that discriminating laws such as PSA and AFPSA give Indian forces impunity against trial or prosecution hence embolden them to violate human rights of indigenous Kashmiris without any fear. It also pointed out the impunity against trial for abduction, enforced disappearance, sexual violence, and other kinds of torture. In the report, the UN recommended India to fully respect its obligations for respecting international human rights law and urgently revoke the AFSPA and amend PSA for complying it with the international law for human rights.²²⁸

4.3.4 UN OHCHR Report on Human Rights in Kashmir

In July 2019, the OHCHR issued 43 pages report that covered human rights violations in IOK. According to the UN report, Indian occupation forces killed 100 unarmed protestors in 2016, after Burhan Wani's killing. However, the UN critiqued the APSPA, and Indian forces are empowered to detain unarmed Kashmiris with Indian

²²⁷ "OHCHR | Press Briefing Note on Indian-Administered Kashmir," accessed November 5, 2019, <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25219&LangID=E>.

²²⁸ "OHCHR | First-Ever UN Human Rights Report on Kashmir Calls for International Inquiry into Multiple Violations," accessed January 15, 2020, <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=23198%20>.

security officials to carry out extrajudicial killings of anyone in the Kashmir region. It assists as an umbrella to suppress prosecution of armed forces personnel alleged of human rights violations on civilian courts. This report of the UN recommended to carryout unbiased international investigation in human rights violations in Kashmir.²²⁹

4.4 Role of SCO and SAARC

The Shanghai Corporation Organization (SCO), which added India and Pakistan last year as a member, is now also challenged in the international community. The main objectives of the SCO are trust-building; strengthening peace and stability, counter-terrorism exercise, regional cooperation enhancement, balanced economic, socio-economic and cultural facilities, integration in the global economy, promote human rights, relationship development, peaceful settlement in international conflict, and search for the solution of the problem.²³⁰ Henceforward, the SCO has achieved much dispute resolves and yet having a voice over the Kashmir issue to come to some conclusion by conciliation with six founder states. In the recent Qingdao summit,²³¹ a talk over taking steps into Kashmir abrogation to be looked forward seriously, that would precede the SCO to level up.

South Asian Association for Regional Cooperation (SAARC) has not done much with the escalating tensions between Indian and Pakistan yet tried to minimize the rigidity since the start. The SAARC could not do much to resolve the issue, but was the first one to raise voice after the Pulwama attack and strongly condemned India. Nepal called upon India to exercise the utmost restraint and not to engross in action that would threaten peace and stability in Kashmir²³². The SAARC still has the opportunity to intervene in

²²⁹ *UN Security Council discusses Kashmir, China urges India and Pakistan to ease tensions*, UN News, 16 August, 2019

²³⁰ Eva Seiwert, "India-Pakistan Tensions Test the Shanghai Cooperation Organization's Mettle," *The Diplomat*, March 23, 2020, <https://thediplomat.com/2019/03/india-pakistan-tensions-test-the-shanghai-cooperation-organizations-mettle/>.

²³¹ Awan.Zamir A., *KASHMIR ISSUE MAY BECOME A BIG CHALLENGE FOR SCO*, Geopolitica, November 10,2019

²³² K. Yhome, *India-Pakistan tension: Is there a role for SAARC?*, Observer Research Foundation, March 02, 2019

the recent abrogation law, which will prove to be a successor for the organization where the UN failed to deliver.

4.5 European Union and Kashmir Crisis

In a public document, where concern was expressed over the grave human rights abuses in Kashmir, the European Parliament called for an impartial plebiscite according to the UN resolution 1948. According to the document, the AFSPA and the PSA 1978 grant virtual protection to the armed forces against any kind of violations regarding human-rights, which includes heinous crimes such as rape and enforced/involuntary disappearances. Hundreds of protestors have been blinded by the shotgun pellets fired by Indian security forces and justified as ‘non-lethal’ crowd control measures to cover-up the situation. This report also quoted the very first UN human rights report, which called for the establishment of an inquiry commission regarding multiple human-right violations on both sides of the LOC. The UN High Commissioner for Human Rights Zeid Ra'ad Al Hussein called to curb the unnecessary coercive methods used by armed forces of India in IOK as it resulted in a huge number of injuries and unlawful killings.²³³

4.5.1 EUP Visit to Kashmir

On October 29, the Indian government escorted 27 Members of European Parliament (MEPs) to visit the occupied Kashmir²³⁴, but they visited IOK, not the people of IOK, by making a judgment of no entrance until the curfew is lifted. The visit has been criticized as nothing more, but a PR stunt to project ‘normalcy’ in Kashmir, which failed miserably.

The European Union turned out to be aligned with Indian and damaging Pakistan's stance, ideological positions, and troubling antecedents. Clearly, the EU showed that they are on their national interest that can only be by pledging support with India. Here, India's monopoly wins with the EU and not only with the EU but also with the UN vis-a-

²³³ “Kashmir: 70 Years of Disputes” (European Parliamentary Research Service, July 2018), [http://www.europarl.europa.eu/RegData/etudes/ATAG/2018/625135/EPRS_ATA\(2018\)625135_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/ATAG/2018/625135/EPRS_ATA(2018)625135_EN.pdf).

²³⁴ *Why Europe's far right supports India on the Kashmir issue*, Aljazeera, November 03, 2019

vis Kashmir as “at a glance” report²³⁵ truly demonstrates the realistic alliance of the EU and India.

The ‘hand-picked’ group majorly consisted of far-right parties, often regarded as anti-Muslim. Chris Davies, who is the MEP from the Liberal Democrat party of the UK, stated that after requesting unfettered access to visit anywhere and talk to everyone, his invitation was rescinded. Moreover, while talking to Gaggan Sabherwal from the BBC, he said that he had not been prepared to be a part of a PR stunt for Narendra Modi’s government and pretend that all is well. Despite heavy security and limited visit of the delegation, the desire of the Indian government to showcase normalcy was not successful as the correspondents stated that the markets were shut and roads were deserted, which in-fact was done by Kashmiris as a protest for the wrong portrayal of situation of Kashmir.²³⁶

The visit was condemned by opposition politicians such as Rahul Gandhi and Priyanka Gandhi, as they were sent back from the airport not allowing them to visit, but on the other hand, European MPs were allowed to visit and interfere in the internal matters.²³⁷ The US Senator Chris Van Hollen was refused for permission to visit the region²³⁸, and the UN is not allowed to send fact-finding missions or observers to the Kashmir Valley.²³⁹ The EU has urged the government of India to lift the restrictions imposed, to restore the internet access facility, and to free individuals and politicians who were detained after August 5. A congressional hearing was held by the US on the issue of Kashmir. David Devadas wrote in his article in Wire’s website that most of the elected

²³⁵ *At A Glance*, European Parliament

²³⁶ “Outrage over Right-Wing Euro-MPs’ Kashmir Visit,” *BBC*, accessed November 10, 2019, <https://www.bbc.com/news/world-asia-india-50231022>.

²³⁷ Mausami Singh, “Guided Tour: Opposition Fumes over Kashmir Visit of EU MEPs - India News,” *India Today*, October 30, 2019, <https://www.indiatoday.in/india/story/european-parliament-kashmir-visit-1613909-2019-10-30>.

²³⁸ Joanna Slater, “US Senator Blocked from Visiting Kashmir as Crackdown Enters Third Month,” *Washington Post*, April 10, 2020, https://www.washingtonpost.com/world/asia_pacific/us-senator-blocked-from-visiting-kashmir-as-crackdown-enters-third-month/2019/10/04/63790b18-e6bf-11e9-b0a6-3d03721b85ef_story.html.

²³⁹ Elizabeth Roche, “India Rejects UN Offer to Send Fact-Finding Mission to Kashmir,” *Livemint*, September 13, 2016, <https://www.livemint.com/Politics/JoAmpDp0EuWxdkiSTktDhI/India-rejects-UN-offer-to-send-factfinding-mission-to-Kashm.html>.

members of the European Parliament for the Kashmir visit belonged to racist political groups, and their endorsement could be counter-productive.²⁴⁰

²⁴⁰ David Devadas, “European Delegates May Endorse Govt on Kashmir, But Will It Really Help?,” *The Wire*, November 20, 2019, <https://thewire.in/diplomacy/europeans-kashmir>.

CHAPTER 5

Pakistan's Policy on Kashmir and Response Options

Pakistan has always had an earnest approach towards the right to self-determination of the people of Kashmir, as evident from the provisions laid down in Article 257 of its Constitution regarding the Kashmir state. The provision states that the relationship between the State of Jammu and Kashmir and Pakistan will be determined according to the desires of the Kashmiri people when they decide to accede to Pakistan. On the other hand, India, which had included Article 370 in its constitution as a temporary provision granting special autonomous status to the State of Jammu Kashmir, revoked this status on 5th August 2019. After the abrogation of Articles 370 and 35A by the Modi regime, the situation in Kashmir is worsening with each passing day. Kashmir is facing a brutal form of Indian state terrorism; the people of Kashmir are under curfew, and a communication blackout has been imposed until now. The people of IOK are isolated by the Indian regime from the rest of the world. This curfew, whose end nobody knows, is the second-longest curfew in the history of Indian occupied Kashmir; the first lasted for fifty-three days after the death of Kashmiri freedom fighter Burhan Wani. With the curfew, the communication blockade has forced the Kashmiris to live without the basic amenities of life. These acts of the Narendra Modi regime has transformed Kashmir into a place worse than a prison and a concentration camp, where at least the prisoners have access to food, water, and movement.

The prevailing situation in Kashmir has exposed the duplicity and hypocrisy of not only the defenders of human rights across the globe, but it also has unearthed the underlying indifference of the brotherly Muslim countries for the people of Indian occupied Jammu Kashmir. In this emerging scenario, only Pakistan came forward as the only nation that is making every possible effort to end the miseries of the people of Kashmir. With so many economic and social problems at home and persistent security problems at two of its borders, Pakistan is brilliantly fighting for the Kashmir cause in its capacity. Although there are some shortcomings after the Indian unconstitutional actions of August 5th', but Pakistan exponentially increased its diplomatic offensive against the illegal abrogation of articles of 370 and 35A and extreme human rights violations.

5.1 Pakistan's Responsive Measures and Strategies

Pakistan's approach towards the whole scenario in Kashmir reflects its stance that the unilateral Indian Abrogation of Article 370 and 35A is against its constitution, the constitution of IOK, and above all, a negation of the UNSC Resolutions. By recognizing the LOC as an enduring border would neither resolve Kashmir dispute, nor would it bring peace between India and Pakistan. The two states have been fighting for this land for 70 years now, Pakistan and especially the people of Kashmir will never give their consent to this option. Legally, Pakistan positions at a higher one than India to pursue the Kashmir dispute at the UNSC, ICJ, and UNHCR. This point is very noteworthy for Pakistan as it is in a better place if it approaches the international organization like the United Nations, International Court of Justice, Human Rights Council, and others.

Owing to the evolving internal political situation of the country, the government engagement in local political strife will visibly damage the current debate about Indian occupied Jammu and Kashmir. The ambiance thus created will also provide ample opportunity to the hostile forces for destabilization. Even if the acceptance availed by Maharaja by signing the agreement, there are various clauses of the supposed shown document, which indicate that India has no right over the land of Jammu and Kashmir. The clauses are the following:

- I. Clause-V: "The terms of this Instrument of Accession shall not be varied by any amendment of the Act or of the Indian independence Act, 1947 unless such amendment is accepted by maharaja and by an Instrument supplementary to this Instrument."
- II. Clause VI: "Nothing in this Instrument shall empower the Dominion Legislature to make any law for this State authorizing the compulsory acquisition of land for any purpose."
- III. Clause-VII: "Nothing in this Instrument shall be deemed to commit any way to acceptance of any future constitution of India or to fetter my discretion to enter into an arrangement with the Government of India under any such future constitution."

IV. Clause VIII: “Nothing in this Instrument affects the continuance of the sovereignty in and over this State, or saves as provided by or under this Instrument, the exercise of any powers, authority, and rights now enjoyed as the Ruler of this State or the validity of any law at present in this State.”

There are quite a few UN resolutions on the Kashmir, but the two key United Nations resolutions of March 30, 1951, and January 24, 1957, specifically bind India, Pakistan, and the assemblies of IOK and AJK from captivating any one-sided decision regarding Kashmir. These resolutions also form the basis of plebiscite in Kashmir. According to these resolutions, the final disposition of Kashmir will be complete, rendering to the general will of the indigenous people articulated through a free and fair plebiscite. The resolutions were approved at a critical time when the Indian government was trying to get a bill passed in favour of India by the constituent assembly of Indian occupied Kashmir, revealing IOK as an integral part of India. Both these resolutions are legal even today. Thus there was no prerequisite of Pakistan to ask for a special session by the UN on Kashmir. It was the duty of the UN to keep a check on the implementation of their resolutions.

India wants to contrive the demographics of the Valley to its favour, and there have been continuous warnings by Indians concerning such a move. But inappropriately, Pakistan never took any such cautionary or signals seriously. All this did not happen over-night; the process started at least back in the 1980s. The motivation would be the polls of 2014, and when Modi came in power, the procedure of making a rift among the people of the bleeding Valley on the ethnic lines had started.

5.1.1 A Closed-Door Meeting after a Long Silence

After a hiatus of almost 50 years, the Kashmir dispute was debated at the UNSC on August 16, 2019. Pakistan and China approached the UNSC against India’s unilateral stair. The UNSC debated it in a closed-door meeting with no formal outcome, condemnation of Indian action, and call for the renovation of pre-Aug 5, 2019 status. No formal remarks of Indian excesses or its violations of the UN resolutions on the status of

the disputed nature of the state. This debate did not even ask India to lift the curfew and give the people access to basic needs such as food and medicine. Kashmir was never a bilateral issue. It has always been an international issue as India itself took it to the United Nations on 5th January 1948. So to reflect this debate as some type of success will be a naive move on Pakistan's part.

5.1.2 The G7 Summit, OIC Pessimistic Response

Despite all the human rights violations that occurred in Kashmir, Modi was present in the G7 summit. There had not been any debate concerning the situation in Kashmir. Modi categorically affirmed Kashmir as a bilateral issue when interrogation about the mediation offers by President Trump. Even the OIC's response was also tepid. Every forum has termed this as a bilateral issue. Kashmiri people have always been the principal party in this dispute, and after India took the matter to the UN, it is also now a part of the conflict resolution. Other than that, China is also a part of this conflict as 9000 square miles of the area, including in China. The Simla agreement also declares this in paragraph one of it, that the principle of the Charter of the United Nations will rule the Indo-Pak relations. Nevertheless, leaving aside the perspective of international law and the UN resolutions on Kashmir dispute, Simla Agreement stand scrapped after India took unilateral step of revoking Kashmir's special status by abrogating Article 370 on August 5, 2019. It is India which has violated the Simla Agreement, by altering the situation in IOK unilaterally.

The state of Pakistan is facing a challenging situation currently. The response came from the global community was not up to the expectations of the Pakistani government. The most obvious reason for this is the interests that the major powers have in India. They have economic, political, and strategic interests in India. Intense Indian diplomacy and political commitment have always given India an edge in making its voice heard on international forums, which Pakistan lacks. Lack of study on Kashmir on the part of Pakistan and the adoption of short term policies have always kept Pakistan on the back foot in raising voice for Kashmir.

The way forward now is to create a strong resistance against this unilateral decision of the Indian government to strip away Kashmir from its identity. The Kashmiri people are being punished for their will to become a part of Pakistan. There is a need for mass mobilization in Kashmir. Awareness campaigns should drive, and media needs to be vigilant. Enhancing the diplomatic efforts by all diplomatic missions of Pakistan and lobbying for convincing the global community on Kashmir and the on-going humanitarian crisis over there. All is possible if there is a unified and robust will from the Pakistani and Kashmiri leadership, for bringing a political resolve and commitment away from rhetoric by all mainstream political parties and the government of Pakistan on Kashmir dispute.

5.1.3 Pakistan's Efforts in Diplomatic Domain

Pakistan has acted in the diplomatic domain. Diplomacy is the vanguard in such an issue, but it has its limits. It only creates an environment to do something more in the other domains. Its people are asking a question about what Pakistan can do now. Legally the UN resolution allows the world to help the people fighting for their right of self-determination by providing them medical facilities and other essential commodities. Pakistan need to make people aware of this option so that they can act upon it.

Furthermore, considering the political options for Pakistan, the revocation of the Simla agreement as India has violated the terms of the agreement on various occasions. Other than that, Pakistan can conduct a partial plebiscite according to the UN resolutions in the areas under its control. India has taken proper kinetic actions, and Pakistan has done two things so far.

- a) Firstly, the army chief of Pakistan has visited the forward formations.
- b) Secondly, Pakistan has carried out a missile test. The thing which Pakistan can immediately and legitimately do is to start the training of its jawans and show it. So that it can tell the world that the country is prepared for any untoward situation.

Furthermore, if Pakistani intelligence agencies can confirm that Indians are planning to attack, Pakistan can retaliate, and that would be a defensive attack. Pakistan's Prime Minister and Army Chief have categorically said that they will support the Kashmiris at any cost. India has concentrated a massive force in a small area, and this gives Pakistan a golden opportunity to put pressure on India in military terms. Pakistan might be economically feeble, but its forces are ready at this time. The economy will not affect Pakistan's fighting proficiency today, but it will affect and weaken its forces.

For decades India has invested in a narrative and presented Pakistan as a rogue nation, and India should be given a free hand to deal with Pakistan in its manner. In three cases where despite having substantial legal grounds, Pakistan has been castigated by the international community:

- First, the Kulbhushan Jadhav judgment, despite being a very clear case of espionage Pakistan, could not get the desired judgment.
- Second, the Pulwama incident, which was a direct incursion into Pakistan's mainland, the international community did not come to denounce India's act of aggression. Instead, they waited to assess the situation and kept silent.
- Third, the current development in the Kashmir conflict, India, has completely changed the niche and the nature of the conflict. They have changed the structure of Jammu and Kashmir forever, but still, Pakistan could not manage to gather much response from the international community, which could term India's action as illegal or establishes India's position as illegitimate.

Additionally, the scenario of planning in policy management has always lacked in policy-making mechanism in Pakistan. Even now, Pakistan need to prepare for uncertain situations like what will be doing if the Supreme Court of India annuls this decision. There is another theory in public policy, and according to that, the political problems converge on a point on that it opens a window of opportunity. Pakistan must attain any window of opportunity in the Kashmir issue. Now by revoking article 370, India has presented Pakistan with a window of opportunity. Unfortunately, Pakistani government has not utilized this opportunity. Modi has exposed Pakistan's helplessness in addressing

this issue blatantly on every forum for the last seven decades. The lethargic response by the international world is not surprising. The world has never strongly supported Pakistan's narrative on Kashmir. This might have been the first time that Russia has not overtly supported India in this issue as it has done in the past. The same is the case with the US; if they have not supported Pakistan, they have not even opposed Pakistan as they did in the past. After 72 years of unpleasant dispute, interrupted by three wars and many combats between India and Pakistan, the countless actions of terrorism and increasing human rights abuses, the time has come for a grave exertion to resolution the half-forgotten Kashmir crisis. The international community, controlled by the US and its allies, needs to perform its role in this effort.

5.2 Pakistan's Response to Revocation of Article 370

For a country, its interests and ideology remain on top in its priority list, and Kashmir has been a priority for Pakistan, and there is much sentimental attachment of Pakistani government as well as Pakistani people with the Kashmir. Pakistan has been raising the issue of Kashmir and looking for its peaceful resolution by the commencement of plebiscite in the Kashmir region according to the resolutions passed in the United Nations but due to the retaliation from the Indian government, it has not been possible yet. In response to the revocation of Article 370 and the inhumane lockdown imposed by India in the IOK, Pakistan condemned this action and raised its voice on the international platforms. Despite taking any military actions, Prime Minister Imran Khan delivered a speech in the UN in 2019 which was focused on the human rights violations, abrogation of article 370, settling of Hindu Pandits in IOK to change the demographics, discriminatory actions against Muslims in 'Secular' India, and the effects of the Hindutva politics and how they can affect the future of both countries.²⁴¹ Moreover, Foreign Minister Shah Mehmood Qureshi made international visits to condemn the action of India on international fronts. Through all these actions, Pakistan gracefully put forth its stance and illuminated the global community regarding this burning issue. Pakistani politicians

²⁴¹ "Full Transcript of Prime Minister Imran Khan's Speech at the UNGA," *Business Recorder*, September 27, 2019, <https://www.brecorder.com/2019/09/27/524851/full-transcript-of-prime-minister-imran-khans-speech-at-the-unga/>.

and army personnel have been quite vocal about Kashmir issue and mentioned several times that they have the capacity to take military actions, but since they want peace in the region, the matter should be resolved through table-talk. Pakistan has, by far, been active regarding the Kashmir issue on diplomatic front but has not responded by far in terms of military action. Most probably, Pakistan will continue to support ‘jihadist’ groups, but on the other hand, it can cause further damage by igniting another crisis in the region. The actions such as the Kargil war have proven to be backfired in the past, and they jeopardize the precarious position of Pakistan.

Currently, Pakistan’s economic position is quite unstable, and it took the 13th bailout package from IMF worth \$6 billion in 2019.²⁴² Pakistan needs international investment, and any military confrontation can scare away investors. The most effective response by Pakistan is to keep highlighting the issue on diplomatic platforms rather than taking any military action. Indian Prime Minister Narendra Modi is willing to take risks and is making an internationally unpopular decision by working on ‘Hindutva’ ideology. In such a situation, the best option for Pakistan is to watch the moves of India and take advantage of any self-enforced errors committed by India.

5.2.1 Mobilizing International Diaspora

Showing the unification and harmony with the people of Kashmir Pakistan’s diaspora raised its voice against the atrocities happening in the Valley of Kashmir. They started a protest all over the world and tried to pressurize the international community to take a possible and positive step for the restoration of the rights of the Kashmiri people. The protesters assembled themselves in front of various embassies of diplomatic dealings and raised their voice against the illegal annexation of Indian Occupied Kashmir. Pakistan held the stance that the international community should mark a further exertion to stimulate discussions between India and Pakistan before this latest crisis leads to more conflict and makes any peaceful solution impossible.

²⁴² James Mackenzie, “Pakistan Agrees Another Multi-Billion IMF Bailout,” *Reuters*, May 12, 2019, <https://www.reuters.com/article/us-pakistan-economy-imf-idUSKCN1SI0IB>.

5.2.2 Protest Apprehension over Abrogation of Article 370

Activists from all over the world held protests, raising placards throughout the protest against the continuous oppression of the people of Kashmir. This is not an imaginary conjecture. The primary sufferers of this latest Kashmir disaster are the Kashmiri people, who have seen their liberties and human rights over and over trampled on. But Pakistan has grieved too from the long-running crisis, and its economic growth since freedom has been misleading by bloated military expenditure and its democracy compromised by the army exploiting the apparent threat from India and the division of Kashmir. Nor is it cost-free for India – it finds itself once again in the dock of international opinion, criticized by international human rights organizations, its reputation as the world’s largest democracy tarnished, and its global ambitions dented. The trends of hopelessness among the young generation and their predilection of alleging Pakistan for all the drawbacks are rising.

5.2.3 Pakistan’s Diplomatic Offensive Measures

Pakistan responded with an offensive diplomatic response to the Indian unconstitutional aggression on its jugular vein. In the beginning, the diplomatic efforts were just limited to the telephone diplomacy, but the two visits of the prime minister to the United States brought the Kashmir issue to the international front. In the United Nations General Assembly speech, the Pakistani premier spoke eloquently on the Kashmir dispute. Along with that, his engagements with the world representatives on offshoots of the UNSC session contributed positively to the Kashmir cause. The prime minister of Malaysia, president of Turkey, and the foreign minister of China, condemned the Indian atrocities and called for the peaceful resolution of the issue. These condemnations from a couple of world leaders, the United Nations, the UNHCR, and UNSC, though contributed to the general debate of the resolution of Kashmir dispute, but they have not given any concrete roadmap for peacefully resolving the Kashmir dispute. The gravity of the situation demands the state of Pakistan to move beyond extracting

verbal statements from the world community; it is the high time for improving bilateral relations with all possible partners in the international community.²⁴³

5.3 What Options Pakistan has?

Pakistan has few peaceful options which can be exploited to highlight the Kashmir issue and put forth the stance regarding it. First of all, symbolic acts can be carried by using diplomacy such as expelling the envoy of India and banning Indian movies and television shows in order to demonstrate the downgraded ties with the Indian government. The diplomatic outreach of Pakistan has undoubtedly made a lot of noise across several international platforms including, the United Nations, Organization of Islamic Cooperation, and several other multilateral bodies; it is entirely unclear if all of the efforts have made much difference. The speech of Imran Khan in the UN General Assembly was quite useful, and he warned the chances of a nuclear war but also said that Pakistan wants a peaceful resolution of the matter.

Secondly, Pakistan needs to strengthen the AJ&K government and make it the official representative government of the former Jammu and Kashmir state. This will be useful if India, in another move, barred the representatives of Kashmiri political parties and civil society members from talking about Kashmir abroad. By doing so, Pakistan will also be able to internationalize the Kashmir issue. Besides that, the voice of the people of Kashmir will draw more considerable attention as the world would pay more heed when the Kashmiris tell their story by themselves instead of speaking from a secondary party's mouth. Pakistan can also establish a political office for Indian Kashmiris in Pakistan to provide a platform to the political groups to amplify their propaganda value. In such a way, oxygen can be provided to such political groups and Pakistan can have a chance to bolster them as a suppressed voice and showcase them as exiled people hosted by Pakistan and highlight this on international forums. But such move is not risk-free as India may call out this as interference of Pakistan in India's sovereign affair, and India might open similar channels for the Baloch liberation group. Moreover, the Kashmiri groups looking for Islamabad's support might lose their legitimacy and cast aside as a

²⁴³ Howard B. Scha, *The International Community and Kashmir*, pg1,4, 2008.

terrorist group who are pursuing the agenda of Pakistan. Pakistan can also consider opening offices of the AJ&K government in capitals of the major international powers, where the people of Kashmir can lobby and raise voice for their rights.

Thirdly, Pakistan's ministry of foreign affairs and human rights can set up an exclusive Kashmir wing and Kashmir cell to highlight flagrant human rights violations and take up the matter of the human rights council through building communication with working groups and special rapporteurs. Likewise, "trilateral Kashmir parliamentary bloc" can be frogged inside both houses of the parliament and AJK assembly to make it a constant agenda of routinely assembly proceedings and creating linkages with parliamentarian of other states to highlight the plights of Kashmiri people to bring substantial celerity over Pakistan's position.

Fourthly, because Pakistan can only exercise political and diplomatic options, it is the time for Pakistan to strengthen its relations with the regional as well as the strong international actors, particularly with the P5 countries to acquire support from them to mitigate the tension within IOK. Pakistan should pursue China to side with its position more loudly. China is also having territorial claims in the West-Kashmir along the India-China border. China has condemned India for changing the domestic last, which can alter the territorial sovereignty of China and has stated that such practices would be resisted and are not acceptable at all. Such a strong statement by China is owed to the increasingly muscular foreign policy of China and showcases the partnership with Pakistan and causing displacements in the bilateral ties between China and India.

Fifthly, at the local and international level, Pakistan can establish media cells and publication agencies to accurately disseminate policy papers, reports, newsletters to meet exigencies of its narrative over Kashmir. Also, special transmissions must be telecasted through electronic media to highlight the struggle of freedom and Indian oppression. Hereto, the committee must effectively mobilize its leveraging tools (delegations, civil society, media groups, and lobbies) through conducting international events, seminars, conferences to frame a more convincing and coherent narrative.

5.4 Shortcomings in Pakistan's Strategy after 5th August

The famous Chinese writer Sun Tzu once said that strategy without tactics is the slowest route to victory and tactics without the strategy is the noise before defeat.²⁴⁴ Although Pakistan has been somehow successful in putting forward the case of Kashmir and highlighting the current plight of the Kashmiri people, in Pakistan's retort, there is also visible nonappearance of clarity and strategy. The tactics applied after the August 5th also possess some severe drawbacks. The first being that the issue of Kashmir like the previous governments is being used for local political consumptions. The informal and undocumented meeting of the Security Council of the United Nations, which will not have any legal presence in its proceeding, is not a diplomatic victory for Pakistan. Similarly, the statements about the meeting of the council of the UNHRC and subsequent passing of the resolution did not make any international or national impact.

Efforts like these for internal political consumption are non-productive for the cause of Kashmir. The international community in general and the Indian state, in particular, take notice of these false diplomatic victories and then used it for their objectives. It is the duty and responsibility of the state of Pakistan to ensure that diplomatic humiliations like these only for the sake of local political gains should be avoided at any cost. Kashmir being the Jugular vein of Pakistan needs a dangerous, unambiguous, apolitical, practical, and astute national strategy for its resolution. This window of opportunity provided to Pakistan by the extremist ideologues in New Delhi needed to be capitalized for Kashmir and the broader national interests of the state of Pakistan.

5.5 Indifference to Pakistan's Diplomatic Exertions

In the realms of international relations, importance, and attention to the efforts of an individual nation-state are given based on its bilateral relations with other nation-states of the global community. Pakistan's diplomatic overtures after the illegal annexation of Kashmir by India on August 5th has not made any considerable progress either in the organizations under the control of the United Nations neither in those that are outside UN

²⁴⁴ "Strategy without Tactics Is the Slowest Route to Victory. Tactics without Strategy Is the Noise before Defeat.," *Philosiblog*, May 4, 2011, <https://philosiblog.com/2011/05/04/strategy-without-tactics-is/>.

control. One of the main reasons for this inaction is the lack of substance in Pakistan relations with countries other than known world players. There is an urgent need for improvement and reinvigoration of Pakistan's bilateral relations with the members of the world community, particularly those countries which give immense importance to human rights and trade.

India being the adversary and the aggressor of Pakistan is extremely active in pursuing its bilateral relations before and after its unilateral actions in occupied Kashmir. The foreign minister of India, Jay Shankar, not only visited several countries after they annexed Kashmir, but he also stayed back at the United States after the General Assembly session and engaged many think tanks and media organizations. The Indian foreign minister is leaving no stone unturned in setting a narrative against Pakistan. There has to be some mechanisms and efforts in place to counter the Indian mantra of connecting Pakistan to terrorism and stabilization of its position in Occupied Jammu and Kashmir²⁴⁵.

The foreign office of Pakistan and the diplomatic core around the world need necessary stimulation and reformation for this purpose. The future possibility of passing a resolution on Kashmir in the United Nations and other world bodies will hugely depend on this pre-requisite of improved relations with the world.

5.6 The New Face of Rising India

India, through its cunning diplomatic strategy and tactics, is trying to divert the attention of the international community, but the world community is observing a new face of the Indian regime, the side of India, which the world never saw. The global community no longer knows India because of international personalities like Gandhi and Nehru. India is now in the news as it is taken over by religious and racial extremists. Narendra Modi, the man who, as a Chief Minister oversaw the Pogrom in Gujrat, was barred from entering the United States and the United Kingdom for almost ten years.

²⁴⁵ Mark Lyall Grant, *The International Community Has A Role To Play In Resolving the Kashmir Crisis*, Forbes, Nov 14, 2019.

This Indian regime obsessed with racial superiority looks beyond its borders due to the doctrines and ideologies enshrined in their so-called religious texts, and it is trying to expand its territory accordingly. The Indian state has annexed states like Assam, Tripura, and Manipur after 1947. In 1961, it also captured Goa. Similarly, in 1971, it also tried to absorb the then East Pakistan into its territory. The latest example is that of Jammu and Kashmir.

It must be noted that no matter whether the Congress is ruling in India or the Bharatiya Janata Party, their state policy does not change. So, there must be clarity among the masses and the state of Pakistan about the Indian designs regarding Muslims and Kashmir. This BJP regime has openly admitted its involvement in the breaking of Pakistan, Pakistan though pursuing its interests through diplomatic means should also be prepared for any confrontation after the post-curfew situation in Indian Occupied Jammu and Kashmir. Before that, these expansionist designs with extremist doctrinal grounds should be exposed and identified to the international community with all available means. Nothing productive should be expected from the current Modi regime, and appropriate diplomatic, kinetic and political response should be given to any miscalculations.

5.7 Pakistan's Precarious Internal Situation

India is being taken over by the far-right, and its intentions, actions, and statements depict its seriousness in harming Pakistan and its interests; the internal situation and dynamics in Pakistan also seem volatile. In this precarious situation, the people who were once responsible for defending and fighting for the Kashmir Cause are diverting the attention from Kashmir to their pity politics. Blames and allegations are being made to implicate the Government of Pakistan for compromising on the Kashmir Cause.

The ethnic and sub-national movements owing to their threatening and maligning language are also supported by the mainstream political players. Apart from that, the fragile economy is also diverting attention from the Kashmir dispute. This emerging internal situation will not only seriously impede the state's progress but will also create considerable problems for the effective pursuit of the Kashmir cause. The state must act

to create a national consensus on significant political differences along with providing space and careful attention to the expanding narratives of the so-called human rights movements. Internal impediments like these undermine the national interests and provide favourable ambiance to the enemy of the state to carry out its subversive activities, so along with other efforts, it is indeed an urgent matter for the Government of Pakistan to stabilize its precarious internal political and economic situation. China has fully backed Pakistan in the case of Kashmir. Today China possesses an economy of \$14 trillion, while the US is at the rate of \$22 trillion.

Moreover, Pakistan has to become stronger in economic and diplomatic domains if it wants to win the war of ideology and truth. In this context, the youth of Pakistan can play a decisive role in shaping the destiny of their country. It is time for Pakistan to try the potential again by indulging major powers such as the US, Britain, and Russia to bring the issue after international platforms other than the UN to resolve or contain the dispute.

5.8 Current Possibilities for an International Role

In contradiction to this disheartening six-decade context, the United States and various big countries' responses are decisive to resolve the dispute and to come to a comprehensive approach. Several developments, which happened in the recent period, seem to claim for a more vigorous international approach. Washington would be required to take the lead in any such initiative.

Moscow could utilize its influential role over New Delhi to convince the Indians to be more impending. Beijing could be supportive in the case of Islamabad. Pakistan still opinions China as its most consistent friend amongst the prominent powers even though the Chinese no longer endorse the Pakistani position on Kashmir as the United States does. The European Union may also be approached, and some Muslim states might have some weight with the Pakistanis.²⁴⁶ The smaller South Asian entities should not be counted on. Anxious not to upset either India or Pakistan, they have taken benefit of the

²⁴⁶ Muhammad Tahir Tabassum, *Political Situation in Kashmir and Role of United Nations*, Studies of Changing Societies: Comparative and Interdisciplinary Focus Vol. 1'(2), 2012.

“no-bilateral dispute” endorsement of the rules of the SAARC, which have consistently kept their skulls down on Kashmir. They will continue to do so. Thus, only the US has the amalgamation of political thump, and diplomatic and economic possessions to undertake the heavy lifting desired to influence India and Pakistan to settle the elusive surface line and reach a settlement. It is the time for Pakistan to strengthen its relations with the regional as well as the strong international actors, particularly with the P5 countries to acquire support from them to mitigate the tension within Indian held Kashmir and the people resides within Pakistan and abroad having affiliation with the innocent Kashmiris.

CONCLUSION

Kashmir is under siege, and it is bedewed in the blood of thousands of innocent Kashmiris who sacrificed their lives for the freedom and their rights of self-determination for the past seven decades. Despite the enduring sufferings, the spirits of this nation remained splendid, and it has written a remarkable history of tolerance and determination to attain their rights of self-determination. The global world witnessed that no nation ever suffered more than the ethnic Kashmiris.

Today, laden with massive violence and numerous challenges, Kashmir conflict between India and Pakistan has become one of the daunting challenges for the proponents of regional peace. The role of the international community and great powers merely confined to the rhetoric instead of taking any tangible measures to mitigate the crisis. This duplicity provided India to prolong further its assertive and coercive agenda vis-à-vis Kashmir; as a consequence, the global world is witnessing the intensified genocidal massacre in the Kashmir Valley by the Indian armed forces.

The revamping of the constitution with reference to the Kashmir, has subjugated the fundamental rights of self-determination. The recent reports of UNHCR on human rights violations committed by India in the Kashmir valley demand an explicit action against it, but the entire world is silent over the sensitive matter, which holds a devious drive on deteriorating the contours of regional peace. The current situation of the Valley presents the dismal picture of human suffering. Never-ending genocidal violence through the imposition of curfews, enforced disappearance, fake encounters, molestation and rapes have wreaked unprecedented havoc to the lives of Kashmir people and gradually pushing to the collateral ethnic cleansing. In addition, unrest in the region has shut down the majority of the economic industry, in particular the tourism sector, which remained a significant source of earning for the people.

Deceitful ploys and political gambits by India have further strained the ties between India and Pakistan, and there are very minimal chances of bilateral engagement and political resolve under the chauvinist regime of Modi in the foreseeable future. Over the years, unconsolidated governance patterns, domestic economic constraints, and security

challenges posed by the war on terror remained a major hurdle to foster effective policy over the Kashmir issue. Despite the prioritizing agenda, it has not been able to engage the international community to create an environment for political resolve as per the wishes of Kashmir people.

The imposition and practices of draconian laws posed heinous collages to the existence of majority Kashmir identity in the Valley. The covert strategy of demographic changes to make the Valley a Hindu majority region is flaring up numerous challenges pertaining to religions and ethnic freedom. The political rifts among getting the indigenous pro-freedom parties have also become a major threat to sustaining the struggle of Kashmir. The majority of the youth is disappointed with the leadership. As a result, the rhetoric of gun culture is again on the boil in the region.

‘There is only one solution gun solution gun solution’ has become the fascinating slogan of the Kashmiri youth. Ever since the assassination of Burhan Wani, the indigenous struggle took another stride with greater ferocity. The educated youth of Kashmir seemingly agreed that Jihad is the ultimate way to gain their rights. A notable amount of educated young people are turning up to the jihadist wings for the preservation of struggle. Apart from this, the particular struggle is not now revamped from conventional patterns with dimerized means and tools. The growing social and print media has also allowed the Kashmiris to promote their cause and struggle globally. Kashmiris, across the globe, are raising their voices against the brutality of Indian forces in the Valley. Their plights and miseries hold worldwide recognition amongst the proponents of perpetual peace.

The role of the international community remained dubious and preluded with scepticism. It is somehow unable to comprehend the rhetoric into reality as per its essence. For instance, the UN resolution on Kashmir issue is still waiting for an execution that calls for the determination of rights through conducting plebiscite in the Valley. Likewise, it failed to address the genuine demands of Kashmiri people over the years. Generally, it remained confined to the apparent rhetoric or condemnation or suggestion two parties to de-escalate the conflict rather than playing a proactive role to engage the two nuclear

contending powers to ensure a political resolve. Similarly, great powers like the US, China, and Russia have not been able to play their role to resolve the issue, which may hamper their regional interests as well. Both the regional contours were more often known for its mirror imaging policy towards Washington, but throughout history, it merely contributed in restraints of conflict rather than resolution.

The gruesome situation is pushing the two nuclear states towards escalated hostility. The global world needs to understand the intensity of this conflict, which may jeopardize all the possibilities of peaceful co-existence of the South Asian region through engaging two states into the conventional war. Moreover, the Kashmir issue is more an issue of Kashmiri identity; its ideological nexus has become imperative for the adherent of this particular narrative. So it has become significantly essential to address the matter at earliest; otherwise, the world would be repenting because this conflict has the tenacity to dismantle the interests of all other states in the region.

The way forward now is to create a strong resistance against the unilateral decision of the Indian government to strip away Kashmir from its identity. The Kashmiri people are being punished for their will to become a part of Pakistan. There is a need for mass mobilization in Kashmir. Awareness campaigns should drive, and media needs to be vigilant. Enhancing the diplomatic efforts by all diplomatic missions of Pakistan and lobbying for convincing the global community on Kashmir and the on-going humanitarian crisis over there. All is possible if there is a unified and robust will from the Pakistani and Kashmiri leadership, for bringing a political resolve and commitment away from rhetoric by all mainstream political parties and the government of Pakistan on Kashmir dispute.

Findings of this study are as follow:

- India has fostered a deceitful policy of pretexting rhetoric of “terrorism narrative” and false indictment of “Pakistan’s supporting militancy” to validate its brutal militaristic actions in Kashmir, which prerequisites active combating strategies and resultantly causes severe human rights violations.

- The UN's failure to implement its resolutions on Kashmir gave India carte blanche for suppressing the quest of Kashmiri people for self-determination.
- India claims to be Sino-centric in its policymaking, which is ultimately perceived as offensive measure by Pakistan, and thus in order to be defensive to India, Pakistan makes on the piles of nukes. This increases the arms race between the two arch-rivals, and so it creates an environment of unrest in the region.
- The international powers are reluctant to play their active role in persuading India to end human rights violations in Kashmir as they, in a system governed by power politics, cannot compromise over their economic and strategic interests attached to India.
- The UN failed to find any resolution to the Kashmir issue, which will transpire with enormous and daring circumstances as both the contending countries are nuclear powers. If any action is not taken, the UN will be failed like the League of Nations.
- In the case of Kashmir, the role of the US has remained confined only to normalizing escalated tensions between India and Pakistan sporadically rather than seeking durable resolution of the underlying conflict between them, i.e., Kashmir issue.
- The US is supporting India against Pakistan over the Kashmir dispute, as it has made India a strategic partner to contain China, and sees Pakistan as a staunch ally of swiftly growing China which is aspired to become the world power.
- International institutions have no power in deciding the future of the people of Kashmir as they have no binding power in an anarchical international system where states are unitary actors.
- China has its hands full of Hong Kong on the one hand, while on the other hand, it has a considerable trading volume with India. Therefore, there is little chance of Beijing backing Islamabad's bid to get the UN involved and make potent efforts to stop human rights violations in IOK. Instead, logic and restraint are likely to prevail, at least where China's interests are concerned in Kashmir.

Recommendations:

Conflict management is the pre-condition of the resolution of the Kashmir dispute. To avert the continuation, diffusion, escalation, and intensification of violence, stringent policy measures can be the permissive conditions and proximate causes of which would untimely manage the conflict through de-escalation.

The Role of International Institutions

- International organizations have to play a due role in making a smooth road to the peace process between India and Pakistan through the route of International Law to get the best possible environment to settle the Kashmir dispute. The inclusive dialogue is the better option in this regard.
- The UN must go far beyond third-party mediation to bring both states on the same page, instead of attaching any hopes to bilateral resolution approach, as India has already violated the 1972 Simla Agreement on bilateral relations by abrogating Article 370 and 35A, and refused to hold talks with Islamabad after using the pretext of ‘terrorism.’
- In bringing peace in the south Asian region, international organizations have to take into account the self-determination criteria of Kashmiris and, on the other hand, drive India and Pakistan on the platform where both countries, regardless of their animosity, and egoism, can provide the Kashmiris with their right.
- The UN should implement Article 41 and 42 of its Charter, which, respectively, are about employing measures other than the use of armed force, and the use of armed force if the measures provided in the Article 41 stood inadequate in maintaining or restoring international security and peace to force India and Pakistan for the resolving the Kashmir dispute.
- The UN should also make efforts to implement its endorsed principle of ‘responsibility to protect’ to prevent crimes against humanity, genocide, ethnic cleansing, and war crimes in IOK.

Role of Global Powers

- The US, being the global power, has to take this issue seriously as only it can play a decisive and authoritative role in this regard. India's ambition to become a regional power in South Asia, getting United Nations Security Council's permanent seat, getting membership of Nuclear Supplier Group, are all being hindered due to the unresolved Kashmir dispute. Instead of using India to secure its geostrategic goals in Asia, the US has to play a role in getting India to the negotiations table with Pakistan to address the dispute. The US has to revise its policy and stop selling the arms to India as well as Pakistan so that the arms race can be reduced to a minimum level. Moreover, this would ultimately help the US in getting its goal to keep intact the stability of South Asia as the US cannot afford the instability of Pakistan because of the issue of the future of Afghanistan.
- Russia and China can also be beneficial in solving the Kashmir dispute. Russia, the arms giver to India, can restrict the arms sale to India, and China can take up Pakistan to the negotiations table; thus, the global powers are in an excellent position to seek resolution to this issue.

Bilateral Approaches

- Pakistan and India need to sort out their trust issues first; they need to resume the confidence-building measures, which may include the ratifying of the non-proliferation treaty and arms reduction treaty. Having a round table conference can be one of the options to ease the tension and reduce the arms race in the region. Various points should be opened at LOC for starting cross border trade at a higher level. Both countries need to enhance the investment in their particular parts of Kashmir and improve the governance system so that Kashmir can be economically independent, and therefore it can create the best way to the peace process.
- Conflict resolution is a long psychological phenomenon where the two states are subjected to build confidence upon each other, and for this, both sides have to take specific measures. Both countries have to tackle the terrorism issue collaboratively, and they need to find common ground like a risk reduction treaty or an agreement with the postulate of not engaging themselves to war.

Pakistan's Options

- At the local and international level, Pakistan can establish media cells and publication agencies to accurately disseminate policy papers, reports, newsletters to meet exigencies of its narrative over Kashmir. Also, special transmissions must be telecasted through electronic media to highlight the struggle of freedom and Indian oppression. Hereto, it must effectively mobilize its leveraging tools (delegations, civil society, media groups, and lobbies) through conducting international events, seminars, conferences to frame a more convincing and coherent narrative.
- Pakistan's ministry of foreign affairs and human rights can set up an exclusive Kashmir wing and Kashmir cell to highlight flagrant human rights violations and take up the matter of the human rights council through building communication with working groups and special rapporteurs.
- 'Trilateral Kashmir parliamentary bloc' can be forged inside both houses of the parliament and AJ&K assembly to make it constant agenda of routinely assembly proceedings and creating linkages with parliamentarian of other states to highlight the plights of Kashmiri people to bring substantial celerity over Pakistan's position.
- Pakistan can strengthen the AJ&K government and make it the official representative government of the former Jammu and Kashmir state to internationalize the Kashmir issue, as the world will pay more heed when the Kashmiris tell their story by themselves.
- Pakistan can also establish a political office for Indian Kashmiris in Pakistan to provide a platform to the political groups to amplify their propaganda value.
- Pakistan can only exercise political and diplomatic options, so it should strengthen its relations with the regional as well as the strong international actors, particularly with the P5 countries, to acquire support from them to mitigate the tension within IOK. For the purpose it has to improve its economy.

BIBLIOGRAPHY

- “15 Indian-Origin MPs in New UK Parliament - Times of India.” *Times of India*. Accessed May 6, 2020. <https://timesofindia.indiatimes.com/world/uk/15-indian-origin-mps-in-new-uk-parliament/articleshow/72550708.cms>.
- “17 Indian Soldiers Killed by Militants in Kashmir.” *The New York Times*. Accessed December 12, 2019. <https://www.nytimes.com/2016/09/19/world/asia/17-indian-soldiers-killed-by-militants-in-kashmir.html>.
- “A Brief Chronology of Kashmir.” *Pakistan Forum* 2, no. 2 (1971): 2–3.
- Abid, Massarrat, and Ayesha Ashfaq. “Atrocities on Woman Committed by Indian Armed Forces in the Indian Held Kashmir.” *Pakistan Vision* 17, no. 1 (2016): 247.
- Ali, Mehrunnisa. “The Simla and Tashkent Agreements.” *Pakistan Horizon* 25, no. 3 (1972): 53–74.
- Amin, Syed, and A.W. Khan. “Life in Conflict: Characteristics of Depression in Kashmir.” *International Journal of Health Sciences* 3, no. 2 (July 2009): 213–23.
- Aziz, Qutubuddin. “South Asia after President Clinton’s Visit.” *Pakistan Horizon* 53, no. 2/3 (2000): 27–29.
- Bali, Pawan, and Shaheen Akhtar. “Kashmir Line of Control and Grassroots Peacebuilding.” US Institute of Peace, 2017.
- Baloch, Shah Meer. “Kashmir Travel Restrictions Partly Eased but Phones and Web Still Blocked.” *The Guardian*. Accessed September 10, 2019. <https://www.theguardian.com/world/2019/aug/10/kashmir-protests-india-curfew>.
- Bates, Crispin. *Subalterns and Raj: South Asia Since 1600*. Abingdon: Routledge, 2013.
- Behera, Navnita Chadha. “Azadi to Jihad: The Doomed Insurgency.” In *Demystifying Kashmir*, 145–69. Brookings Institution Press, 2006.
- . “The International Arena.” In *Demystifying Kashmir*, 208–35. Brookings Institution Press, 2006.
- Bellamy, Alex J., and Paul D. Williams. “The New Politics of Protection? Côte d’Ivoire, Libya and the Responsibility to Protect.” *International Affairs (Royal Institute of International Affairs 1944-)* 87, no. 4 (2011): 825–50.
- Bhan, Mona, and Nishita Trisal. “Fluid Landscapes, Sovereign Nature: Conservation and Counterinsurgency in Indian-Controlled Kashmir.” *Critique of Anthropology* 37, no. 1 (February 22, 2017): 67–92. doi:10.1177/0308275X16671786.

- Bhat, Mohamad Aabid. "Preventive Detention in Counter-Insurgencies." *Insight Turkey* 21, no. 4 (2019): 53–69. doi:10.2307/26842778.
- Bhattacharyya, Rituparna. "Living with Armed Forces Special Powers Act (AFSPA) as Everyday Life." *GeoJournal* 83, no. 1 (2018): 31–48.
- Bibi, Amina. "India-Tajikistan Relations: Prospects and Challenges." *International Journal of Research in Social Sciences* 8, no. 11 (2018): 10–25.
- Blackwill, Robert D. "The India Imperative: A Conversation with Robert D. Blackwill." *The National Interest*, no. 80 (2005): 9–17.
- Boga, Dilnaz. "WikiLeaks Cables: Will the World Now Intervene over Torture in Kashmir?" *The Guardian*, December 21, 2010, sec. Global development. <https://www.theguardian.com/global-development/poverty-matters/2010/dec/21/kashmir-wikileaks-torture-western-response>.
- Boone, Jon. "Brief Lifting of Curfew in Kashmir Prompts Fresh Violence." *The Guardian*. Accessed October 11, 2019. <https://www.theguardian.com/world/2016/aug/29/brief-lifting-of-curfew-in-kashmir-prompts-fresh-violence>.
- Bose, Sumantra. *Kashmir: Roots of Conflict, Paths to Peace*. Cambridge: Harvard University Press, 2003.
- . "Kashmir: Sources of Conflict, Dimensions of Peace." *Economic and Political Weekly* 34, no. 13 (1999): 762–68.
- Bukhari, Syed Waqas Haider, and Tahira Parveen. "China's Approach towards Kashmir Conflict: A Viable Solution." *Journal of Professional Research in Social Sciences* 1, no. 1 (2014): 14.
- Burke, Jason. "Narendra Modi and BJP Sweep to Power in Indian Election." *The Guardian*, May 16, 2014, sec. World news. <https://www.theguardian.com/world/2014/may/16/narendra-modi-bjp-sweep-power-indian-elections>.
- Butt, Ahsan I. "India's Strategies against Separatism in Assam, Punjab, and Kashmir, 1984–1994." In *Secession and Security*, 83–124. Explaining State Strategy against Separatists. New York: Cornell University Press, 2017.
- . *Secession and Security: Explaining State Strategy against Separatists*. New York: Cornell University Press, 2017.
- Chakrabarti, Shantanu. "Evolving Insurgency and India's Counter-Insurgency Options." *Connections* 9, no. 2 (2010): 65–78.

- Cheema, Musarat Javed. "Pakistan – India Conflict with Special Reference to Kashmir." *A Research Journal of South Asian Studies* 30, no. 1 (2015): 45–69.
- . "Pakistan-India Conflict with Special Reference to Kashmir." *South Asian Studies* 30, no. 1 (2015): 45.
- Cheema, Pervaiz Iqbal. "State of HR Violations by Indian Security Forces in IJK: Background and Current Situation." *NDU Journal* 30, no. 1 (2016).
- Cheong, Damien D, and Neo Loo Seng. "Can Kashmir Turn into Another Marawi? An Assessment." *Counter Terrorist Trends and Analyses* 11, no. 4 (2019): 11–19.
- "China Denies Visa to Top General in Charge of J&K." *Times of India*. Accessed May 6, 2020. <https://timesofindia.indiatimes.com/india/China-denies-visa-to-top-general-in-charge-of-JK/articleshow/6442437.cms>.
- "China to Invest \$20 Billion in India in next 5 Years, Much Less than Japan's Offer of \$35 Billion | India News - Times of India." Accessed May 6, 2020. <https://timesofindia.indiatimes.com/india/China-to-invest-20-billion-in-India-in-next-5-years-much-less-than-Japans-offer-of-35-billion/articleshow/42814025.cms>.
- Chitle, K.A. "Kashmir." *India Quarterly* 24, no. 1 (1968): 1–5.
- Chowdhary, Rekha. "Terrorism and Movement: A Case Study of Kashmir." *Academia.Edu*, 2011.
- "Citizenship Amendment Bill: India's New 'anti-Muslim' Law Explained." *BBC News*, December 11, 2019, sec. India. <https://www.bbc.com/news/world-asia-india-50670393>.
- Clarke, Ryan. "LASHKAR-I-TAIBA:" Strategic Studies Institute, US Army War College, 2010. JSTOR.
- "Convention on the Prevention and Punishment of the Crime of Genocide." United Nations, September 12, 1948. https://www.un.org/en/genocideprevention/documents/atrocities-crimes/Doc.1_Convention%20on%20the%20Prevention%20and%20Punishment%20of%20the%20Crime%20of%20Genocide.pdf.
- "Current Situation in Kashmir Not Good and Not Sustainable, Says Angela Merkel." *The Hindu*. November 1, 2019, sec. National. <https://www.thehindu.com/news/national/german-chancellor-angela-merkel-on-jammu-and-kashmir/article29856547.ece>.
- Devadas, David. "European Delegates May Endorse Govt on Kashmir, But Will It Really Help?" *The Wire*, November 20, 2019. <https://thewire.in/diplomacy/europeans-kashmir>.

- Dhanak, Syeda. "China Backs Pakistan on Kashmir Issue." *The Nation*. August 19, 2019.
- Drian, Robert. "The United Nations Political and Civil Rights." In *The Mobilization of Shame*, 24–34. A World View of Human Rights. Yale University Press, 2001.
- Evans, Alexander. "A Departure from History: Kashmiri Pandits, 1990-2001." *Contemporary South Asia* 11, no. 1 (2002): 19–37.
- . "The Kashmir Insurgency: As Bad as It Gets." *Small Wars & Insurgencies* 11, no. 1 (March 1, 2000): 69–81. doi:10.1080/09592310008423261.
- "Exclusive Interview with the President Azad Jammu and Kashmir." *Pakistanpolitico*. Accessed March 8, 2020. <http://pakistanpolitico.com/exclusive-interview-with-the-president-azad-jammu-and-kashmir-sardar-masood-khan/>.
- Fayaz, Sadia. "Kashmir Dispute between Pakistan and India: The Way Out." *The Dialogue* 11, no. 1 (2016): 65–82.
- "Friday Prayers Still Not Allowed in Srinagar, Life Remains Paralysed in IOK." *The News*. November 16, 2019.
- "Full Transcript of Prime Minister Imran Khan's Speech at the UNGA." *Business Recorder*, September 27, 2019. <https://www.brecorder.com/2019/09/27/524851/full-transcript-of-prime-minister-imran-khans-speech-at-the-unga/>.
- "'Fundamental Right': All You Need To Know About Longest Internet Shutdown In Kashmir." *Outlook*. Accessed November 25, 2019. <https://www.outlookindia.com/website/story/india-news-sc-says-internet-fundamental-right-all-you-need-to-know-about-kashmirs-longest-internet-shutdown/345478>.
- Gahngar, Manisa. "Decoding Violence in Kashmir." *Economic and Political Weekly* 48, no. 4 (2013): 35–42.
- Garner, George. "Chechnya and Kashmir: The Jihadist Evolution of Nationalism to Jihad and Beyond." *Terrorism and Political Violence* 25, no. 3 (2013): 419–34.
- Gossman, Patricia. "An International Human Rights Perspective." *Asian Affairs* 22, no. 1 (1995): 65–70.
- . *The Human Rights Crisis in Kashmir: A Pattern of Impunity*. Washington: Human Rights Watch, 1993.
- Graham, Bruce Desmond. *Hindu Nationalism and Indian Politics: The Origins and Development of the Bharatiya Jana Sangh*. Cambridge University Press, 2007.

- Gruskin, Sofia. "Introduction: Fifty Years of the Universal Declaration of Human Rights." *Health and Human Rights* 3, no. 2 (1998): 3–6.
- Hafner-Burton, Emilie M. "The International Human Rights Legal System." In *Making Human Rights a Reality*, 44–66. Princeton University Press, 2013.
- Hajni, Mehraj. "The Kashmir Conflict: A Kashmiri Perspective." *Swords and Ploughshares* 16, no. 1 (2007).
- Hillman, Jonathan E., and Maesea McCalpin. "The China-Pakistan Economic Corridor at Five." Washington: Center for Strategic & International Studies, April 2, 2020. <https://www.csis.org/analysis/china-pakistan-economic-corridor-five>.
- HOGAN, PATRICK COLM. "Breaching the Ideological Boundaries:: Three Films Not (Apparently) about Kashmir." In *Imagining Kashmir*, 110–31. Emplotment and Colonialism. University of Nebraska Press, 2016.
- "Hurriyat Chief Mirwaiz Umar Farooq Invited to China." *NDTV*. Accessed May 6, 2020. <https://www.ndtv.com/world-news/hurriyat-chief-mirwaiz-umar-farooq-invited-to-china-405424>.
- Hussain, Altaf. "'Fake Killings' Return to Kashmir." *BBC News*, sec. South Asia. Accessed November 24, 2019. <https://www.bbc.com/news/10400074>.
- "India Evacuates Thousands Living in Border Villages." *Dawn*, September 30, 2016. <http://www.dawn.com/news/1287094>.
- "India Revokes Kashmir's Special Status." *Al Jazeera*. Accessed September 3, 2019. <https://www.aljazeera.com/news/2019/09/india-revokes-kashmir-special-status-190904143838166.html>.
- "India Was 2nd Largest Arms Importer in 2015-19, Russia's Share of Indian Arms Market Declined." *Hindustan Times*, March 9, 2020. <https://www.hindustantimes.com/india-news/india-was-2nd-largest-arms-importer-in-2015-19-russia-s-share-of-indian-arms-market-declined/story-kHLuqLCHrOppKHkJb5ofsI.html>.
- Indurthy, Rathnam. "MUSHARRAF'S REGIME IN PAKISTAN: THE PRAETORIANISM FACES AN UNCERTAIN FUTURE." *The Indian Journal of Political Science* 65, no. 2 (2004): 259–82.
- Indurthy, Rathnam, and Muhammad Haque. "The Kashmir Conflict: Why It Defies Solution." *International Journal on World Peace* 27, no. 1 (2010): 9–44.
- Institute of Peace and Conflict Studies. "Article 370 and the Reorganisation of Jammu and Kashmir." Institute of Peace and Conflict Studies, 2019. JSTOR.

- International, Amnesty. “‘Denied’: Failures in Accountability for Human Rights Violations by Security Force Personnel in Jammu and Kashmir.” Amnesty International London, 2015.
- Iqbal, Anwar. “UNSC Set to Hold Kashmir Meeting after 50 Years.” *Dawn*. August 16, 2019.
- . “US Lifts Visa Ban on Modi, Obama Invites Him to Washington.” *DAWN*. May 18, 2014.
- Iqbal, Khalid. “Modi’s Kashmir Policy: Penny Wise Pound Foolish.” *Defence Journal* 18, no. 6 (2015): 57.
- Ishiyama, John T, and Marijke Breuning. *21st Century Political Science: A Reference Handbook*. Vol. 1. Sage, 2011.
- “Isolate Nations Which Nurture, Peddle and Export Terrorism: Indian Foreign Minister at UNGA.” *Dawn*. September 26, 2016.
- Jabeen, Mussarat, and Ishtiaq Ahmed. “Indo-US Nuclear Cooperation.” *South Asian Studies (1026-678X)* 26, no. 2 (2011).
- “Jammu and Kashmir Data Sheet.” Accessed November 25, 2019. https://www.satp.org/satporgtp/countries/india/states/jandk/data_sheets/index.html.
- Jha, Nalini Kant, and S. Prabhakar. “India-US Civil Nuclear Deal: Parliamentary Inputs.” *Nuclear Synergy. Indo-US Strategic Cooperation and beyond, New Delhi*, 2009, 204–20.
- John, Karuna M., John Dayal, and Vijayesh Lal. “Human Rights and Freedom of Religion—The Ground Experience:: Interviews with Dr. John Dayal and Rev. Vijayesh Lal.” In *Christianity in India*, edited by Rebecca Samuel Shah and Joel Carpenter, 179–97. Conversion, Community Development, and Religious Freedom. Augsburg Fortress, Publishers, 2018. doi:10.2307/j.ctv550c8n.13.
- Jonarāja, Rājānaka, and Shyam Lal Sadhu. *Medieval Kashmir: Being A Reprint of the Rajataranginis of Jonaraja, Shrivara and Shuka, as Translated into English by JC Dutt and Published in 1898 AD under the Title " Kings of Kashmira"*. Vol. 3. Atlantic Publishers & Dist, 1993.
- “Kashmir: 70 Years of Disputes.” European Parliamentary Research Service, July 2018. [http://www.europarl.europa.eu/RegData/etudes/ATAG/2018/625135/EPRS_ATA\(2018\)625135_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/ATAG/2018/625135/EPRS_ATA(2018)625135_EN.pdf).
- Kazi, Seema. “Between Democracy and Nation: Gender and Militarisation in Kashmir.” London School of Economics and Political Science, 2007.

- Khaliq, Sohaib. "Pakistan's Kashmir Policy in the New Strategic Environment." *IPRI Journal* 12, no. 1 (2012): 46–66.
- Khan, Ahmer. "A Militant's Funeral Ignites Kashmir." *The Diplomat*. Accessed August 11, 2019. <https://thediplomat.com/2016/07/a-militants-funeral-ignites-kashmir/>.
- Khan, Hafeez R. "The Kashmir Intifada." *Pakistan Horizon* 43, no. 2 (1990): 87–104.
- Khan, Khurshid, and Pervaiz Iqbal Cheema. "Modi's Kashmir Policy." *Strategic Studies* 37, no. 3 (2017): 1–21.
- Khan, Simbal. "Dynamic Militant Insurgency in Conflicted Border Spaces: Ferghana, the Afghanistan-Pakistan Border, and Kashmir." In *The Regional Security Puzzle around Afghanistan*, edited by Helena Rytövuori-Apunen, 1st ed., 79–106. Bordering Practices in Central Asia and Beyond. Verlag Barbara Budrich, 2016. doi:10.2307/j.ctvbkjzm0.9.
- "Khurram Parvez Still Illegally Detained, despite High Court Order for His Release." International Federation for Human Rights, November 29, 2016. <https://www.refworld.org/docid/583d9aa64.html>.
- Khurshid, Tooba. "United Nations Security Council Resolutions." *Strategic Studies* 36, no. 4 (2016): 100–122. doi:10.2307/48535976.
- . "United Nations Security Council Resolutions: Status of the People of Jammu and Kashmir." *Strategic Studies* 36, no. 4 (2016): 100–122. doi:10.2307/48535976.
- KORBEL, JOSEF, and C. W. Nimitz. "The Kashmir Scene Changes." In *Danger in Kashmir*, 198–248. Princeton University Press, 1966.
- Krepon, Michael. "Looking Back: The 1998 Indian and Pakistani Nuclear Tests." *Arms Control Today* 38, no. 4 (2008): 51.
- Kumar, Nisha. "The Crisis of Separatism and Democracy in Kashmir." *Harvard International Review* 13, no. 2 (1990): 40–44.
- Mackenzie, James. "Pakistan Agrees Another Multi-Billion IMF Bailout." *Reuters*, May 12, 2019. <https://www.reuters.com/article/us-pakistan-economy-imf-idUSKCN1SI0IB>.
- Mahmud, Ershad. "Post-Cold War US Kashmir Policy." *Policy Perspectives* 2, no. 1 (2005): 83–110.
- Majid, Abdul, and Mahboob Hussain. "Kashmir: A Conflict between India and Pakistan." *South Asian Studies* 31, no. 1 (2016): 149–59.

- Maqbool, Ouffe. "Impact of Conflict on Women in Kashmir." *International Journal of Political Science and Development* 5, no. 3 (2017): 114–22. doi:10.14662/IJPSD2017.017.
- Masroor, Shujaat Bukhari and Riyaz. "Kashmir's First Woman Chief Minister." *BBC News*, April 4, 2016, sec. India. <https://www.bbc.com/news/world-asia-india-30585105>.
- Minhas, Ahmed Saeed, Bashir Ahmad, and Masrur Alam Khan. "Seizing Kashmir's Identity: Implications for the Global Peace and Stability." *NDU Journal* 33, no. 1 (2019).
- "Modi Meets Obama at White House." *BBC News*, September 30, 2014, sec. India. <https://www.bbc.com/news/world-asia-india-29406179>.
- Mohiuddin, Lubna. "Human Rights Violations: A Case Study of Kashmir." *Pakistan Horizon* 50, no. 2 (1997): 75–97.
- Najam, Durdana. "What Can Pakistan Learn from Sino-Indian Ties?" *The Nation*. September 10, 2018. <https://nation.com.pk/10-Sep-2018/what-can-pakistan-learn-from-sino-indian-ties>.
- Nawaz, Shamsa. "Indian Efforts to Change the Demography of IOK." *Strategic Studies* 37, no. 2 (2017): 40–57. doi:10.2307/48537545.
- Noorani, A. G. "Kashmir and A Farcical Human Rights Commission." *Economic and Political Weekly* 29, no. 32 (1994): 2053–2053.
- . "Kashmir and A Farcical Human Rights Commission." *Economic and Political Weekly* 29, no. 32 (1994): 2053–2053.
- "Obama Signs into Law Bill Declaring India a 'Major Defence Partner.'" *Hindustan Times*, December 24, 2016. <https://www.hindustantimes.com/india-news/obama-signs-618bn-defence-bill-boosting-security-cooperation-with-india/story-tPeP7ljiLW3x4PIYU15vI.html>.
- "OHCHR | First-Ever UN Human Rights Report on Kashmir Calls for International Inquiry into Multiple Violations." Accessed January 15, 2020. <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=23198%20>.
- "OHCHR | Press Briefing Note on Indian-Administered Kashmir." Accessed November 5, 2019. <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25219&LangID=E>.
- "Outrage over Right-Wing Euro-MPs' Kashmir Visit." *BBC*. Accessed November 10, 2019. <https://www.bbc.com/news/world-asia-india-50231022>.

- “Over 21,500 Broadband Connections Not Restored by India in Occupied Kashmir.” *Dunya News*, August 24, 2019. <https://dunyanews.tv/en/Technology/506338-Lockdown-day-India-restoring-broadband-connections>.
- Pandit, Idrisa. “Kashmir’s Children of War: Religion, Politics, and Nonviolent Mobilization.” In *Political Muslims*, edited by TAHIR ABBAS and SADEK HAMID, 231–58. Understanding Youth Resistance in a Global Context. Syracuse University Press, 2019.
- . “Kashmir’s Children of War: Religion, Politics, and Nonviolent Mobilization.” In *Political Muslims*, edited by TAHIR ABBAS and SADEK HAMID, 255. Understanding Youth Resistance in a Global Context. Syracuse University Press, 2019. doi:10.2307/j.ctv14h55z.14.
- Pandya, Abhinav. “The Future of Indo-Pak Relations after the Pulwama Attack.” *Perspectives on Terrorism* 13, no. 2 (2019): 65–68.
- Pani, Priyanka. “For Chinese Firms, Indian Start-Ups Are the Golden Goose.” *Businessline*. Accessed May 6, 2020. <https://www.thehindubusinessline.com/companies/for-chinese-firms-indian-start-ups-are-the-golden-goose/article22936418.ece>.
- Parks, W. Hays. “THE 1977 PROTOCOLS TO THE GENEVA CONVENTION OF 1949.” *Naval War College Review* 31, no. 2 (1978): 17–27.
- Pasricha, Anjana. “School Burnings Cause Consternation in Indian Kashmir.” *Voice of America*. Accessed November 20, 2019. <https://www.voanews.com/east-asia-pacific/school-burnings-cause-consternation-indian-kashmir>.
- Peer, Basharat. “Kashmir, and the Inheritance of Loss.” *The New York Times*. Accessed October 9, 2019. <https://www.nytimes.com/2016/07/25/opinion/kashmir-and-the-inheritance-of-loss.html>.
- Peri, Dinakar. “Revised Draft Defence Procurement Norms to Be Ready by November End.” *The Hindu*. September 18, 2019, sec. National. <https://www.thehindu.com/news/national/revised-draft-defence-procurement-norms-to-be-ready-by-november-end/article29451325.ece>.
- Puri, Balraj. “Fundamentalism in Kashmir, Fragmentation in Jammu.” *Economic and Political Weekly* 22, no. 22 (1987): 835–37.
- . “Kashmir Problem Thrives on Denial of Human and Democratic Rights.” *Economic and Political Weekly* 34, no. 14 (1999): 794–95.
- Qayoom, Farah. “Women and Armed Conflict: Widows in Kashmir.” *International Journal of Sociology and Anthropology* 6, no. 5 (2014): 161.

- Qazi, Fozia S. “Curfew Diary—Kashmir, 2016.” *Women’s Studies Quarterly* 46, no. 3 & 4 (2018): 237–60.
- Rafiq, Zahid. “Kashmir Pellet Guns Injure Eyes and Minds: Study,” April 17, 2019. <https://www.aa.com.tr/en/asia-pacific/kashmir-pellet-guns-injure-eyes-and-minds-study/1455324>.
- Rai, Bina. “Evaluation the Failure of Defence, Diplomacy and Democracy in Jammu & Kashmir: It’s Impact on Indo-Pak Relations.” *Research Journal of Social Sciences* 10, no. 4 (2019).
- Raj, Dipu. “Despite Differences, Indo-US Trade Continue to Swell.” *India Today*. Accessed April 6, 2020. <https://www.indiatoday.in/diu/story/india-us-trade-deal-gsp-donald-trump-visit-narendra-modi-1649134-2020-02-23>.
- Rakisits, Claude. “Pakistan-China Bilateral Relations 2001-2011.” *Security Challenges* 8, no. 3 (2012): 83–102.
- Rashid, Ruhee, and Santosh Kumar Maharashi. “Status of Female Education in Jammu and Kashmir Since 1950.” *Washington, American Journal of Educational Research* 3, no. 6 (2015): 731–35.
- Rassler, Don. “Al-Qaida and the Pakistani Harakat Movement: Reflections and Questions about the Pre-2001 Period.” *Perspectives on Terrorism* 11, no. 6 (2017): 38–54.
- Rath, Saroj Kumar. “26/11 Mumbai Attacks: India Is Hamstrung.” *World Affairs: The Journal of International Issues* 14, no. 4 (2010): 36–71.
- Robinson, Cabeiri deBergh. “Between War and Refuge in Jammu and Kashmir:” In *Body of Victim, Body of Warrior*, 1st ed., 31–66. Refugee Families and the Making of Kashmiri Jihadists. University of California Press, 2013.
- Roblin, Sebastien. “More U.S.-India Arms Sales Could Follow \$3.5 Billion Helicopter Deal.” *Forbes.Com*. Accessed May 6, 2020. <https://www.forbes.com/sites/sebastienroblin/2020/02/26/modi-and-trump-sign-35-billion-helicopter-deal-more-could-follow/#ce32d0c23aab>.
- Roche, Elizabeth. “India Rejects UN Offer to Send Fact-Finding Mission to Kashmir.” *Livemint*, September 13, 2016. <https://www.livemint.com/Politics/joAmpDp0EuWxdkiSTktdhI/India-rejects-UN-offer-to-send-factfinding-mission-to-Kashm.html>.
- Roy-Chaudhury, Rahul. “Boosting India-UK Defence and Military Ties: New Thinking and Emerging Opportunities.” London: International Institute for Strategic Studies, February 5, 2020. <https://www.iiss.org/blogs/analysis/2020/02/sasia-india-uk-defence-and-military-ties>.

- S, Arun. "India Seeks More Chinese Investments." *The Hindu*. September 9, 2017, sec. Economy. <https://www.thehindu.com/business/Economy/india-seeks-chinese-investments/article19651557.ece>.
- Saberin, Zeenat. "Pulwama Attack: UN Chief Urges India, Pakistan to Defuse Tensions | India News | Al Jazeera," February 20, 2019. <https://www.aljazeera.com/news/2019/02/pulwama-attack-chief-urges-india-pakistan-defuse-tensions-190220091805765.html>.
- Samii, Cyrus. "Kashmir: From Persistence to Progress?" Kashmir: New Voices, New Approaches. New York: International Peace Academy, 2005. <http://www.ipacademy.org/Programs/Research/ProgReseKas_body.htm>.
- Sathe, S. P. "Article 370: Constitutional Obligations and Compulsions." *Economic and Political Weekly* 25, no. 17 (1990): 932–33.
- Schofield, Victoria. *Kashmir in Conflict: India, Pakistan and the Unending War*. New York: Bloomsbury Academic, 2003.
- Seiwert, Eva. "India-Pakistan Tensions Test the Shanghai Cooperation Organization's Mettle." *The Diplomat*, March 23, 2020. <https://thediplomat.com/2019/03/india-pakistan-tensions-test-the-shanghai-cooperation-organizations-mettle/>.
- Shaban, Sadiq. "India Asks Tourists and Pilgrims to Leave Kashmir." *Gulf News*. Accessed November 20, 2019. <https://gulfnews.com/world/asia/india/india-asks-tourists-and-pilgrims-to-leave-kashmir-1.65594261>.
- Shafi, S. M. "India-UK Trade: A Phenomenon of Sliding Scenario." *Australian Journal of Business and Management Research* 1, no. 9 (2011): 37.
- Shahid, Kunwar Khuldune. "The End of Article 370: How Pakistan Surrendered Kashmir." Accessed June 15, 2020. <https://thediplomat.com/2019/08/the-end-of-article-370-how-pakistan-surrendered-kashmir/>.
- Shinoda, Hideaki. "The Politics of Legitimacy in International Relations: A Critical Examination of NATO's Intervention in Kosovo." *Alternatives: Global, Local, Political* 25, no. 4 (2000): 515–36.
- Siddiqi, Farhan Hanif. "India-China Relations in the 21 St Century: Impact on Regional and Global Politics." *Pakistan Horizon* 65, no. 2 (2012): 59–72.
- Siddiqui, Zeba. "Indian Authorities Lock down Kashmir's Major City on Eid Holiday." *Reuters*, December 8, 2019. <https://www.reuters.com/article/us-india-kashmir/indian-authorities-lock-down-kashmirs-major-city-on-eid-holiday-idUSKCN1V210D>.
- Singer, J. David. "International Conflict: Three Levels of Analysis." Edited by Kenneth N. Waltz. *World Politics* 12, no. 3 (1960): 453–61.

- Singh, Mausami. "Guided Tour: Opposition Fumes over Kashmir Visit of EU MEPs - India News." *India Today*, October 30, 2019. <https://www.indiatoday.in/india/story/european-parliament-kashmir-visit-1613909-2019-10-30>.
- Siyech, Mohammed Sinan. "The Pulwama Attack." *Counter Terrorist Trends and Analyses* 11, no. 4 (2019): 6–10.
- Slater, Joanna. "US Senator Blocked from Visiting Kashmir as Crackdown Enters Third Month." *Washington Post*, April 10, 2020. https://www.washingtonpost.com/world/asia_pacific/us-senator-blocked-from-visiting-kashmir-as-crackdown-enters-third-month/2019/10/04/63790b18-e6bf-11e9-b0a6-3d03721b85ef_story.html.
- Sökefeld, Martin. "Jammu and Kashmir – Boundaries and Movements." *Contemporary South Asia* 23, no. 3 (July 3, 2015): 251–65. doi:10.1080/09584935.2015.1060948.
- Sonowal, Bhabani, and Dipa Dube. "Reparative Approach towards Victims of Armed Conflict: Global Experiences and Lessons for India." *BRICS Law Journal* 6, no. 1 (2019).
- SOUTH ASIA HUMAN RIGHTS DOCUMENTATION CENTRE. "Ignoring the Disappeared of Kashmir with Impunity." *Economic and Political Weekly* 47, no. 45 (2012): 20–24.
- Srivastava, Devyani. "Terrorism and Armed Violence in India: An Analysis of Events in 2008." Institute of Peace and Conflict Studies, 2009.
- "Strategy without Tactics Is the Slowest Route to Victory. Tactics without Strategy Is the Noise before Defeat." *Philosiblog*, May 4, 2011. <https://philosiblog.com/2011/05/04/strategy-without-tactics-is/>.
- Taliaferro, Jeffrey W. "Security Seeking under Anarchy: Defensive Realism Revisited." *International Security* 25, no. 3 (2000): 128–61.
- "Tamil Nadu Defence Corridor to Formally Launch This Week: Official." *The Economic Times*. Accessed May 6, 2020. <https://economictimes.indiatimes.com/news/defence/tamil-nadu-defence-corridor-to-formally-launch-this-week-offical/articleshow/67529547.cms?from=mdr>.
- Telbami, S. "Kenneth Waltz, Neorealism, and Foreign Policy." *Security Studies* 11, no. 3 (March 1, 2002): 158–70.
- "The United States and India Sign a 10-Year Defense Agreement and Set the Stage for Increased Defense Cooperation." *Global Policy Watch*, June 11, 2015. <https://www.globalpolicywatch.com/2015/06/the-united-states-and-india-sign-a-10-year-defense-agreement-and-set-the-stage-for-increased-defense-cooperation/>.

- United. "Human Rights Day." *United Nations*. United Nations. Accessed April 6, 2020. <https://www.un.org/en/observances/human-rights-day>.
- "Update of the Situation of Human Rights in Indian-Administered Kashmir and Pakistan-Administered Kashmir from May 2018 to April 2019." Office of the United Nations High Commissioner for Human Rights, July 8, 2019. https://www.ohchr.org/Documents/Countries/IN/KashmirUpdateReport_8July2019.pdf.
- "U.S. Arms Exports, by Country 2019." *Statista*. Accessed May 6, 2020. <https://www.statista.com/statistics/248552/us-arms-exports-by-country/>.
- "US Declares HuM Chief Syed Salahuddin 'Specially Designated Global Terrorist.'" *The Express Tribune*, June 27, 2017. <https://tribune.com.pk/story/1445162/us-declares-hum-leader-syed-salahuddin-specially-designated-global-terrorist/>.
- "US Department of State Country Report on Human Rights Practices 1998 - India." Washington: United States Department of State, 1999. <https://www.refworld.org/docid/3ae6aa7d8.html>.
- "US Designates Hizbul Mujahideen as a Foreign Terrorist Group." *The Diplomat*. Accessed March 9, 2020. <https://thediplomat.com/2017/08/us-designates-hizbul-mujahideen-as-a-foreign-terrorist-group/>.
- Wallen, Joe. "Young Boys Tortured in Kashmir Clampdown as New Figures Show 13,000 Teenagers Arrested." *The Telegraph*, September 25, 2019. <https://www.telegraph.co.uk/news/2019/09/25/young-boys-tortured-kashmir-clampdown-new-figures-show-13000/>.
- Waltz, Kenneth N. *Theory of International Politics*. Reading, Mass: Addison-Wesley Pub. Co., 1979.
- Wani, Riaz. "Kashmir: Killing Militants Won't Kill Militancy." *The Diplomat*. Accessed October 9, 2019. <https://thediplomat.com/2018/05/kashmir-killing-militants-wont-kill-militancy/>.
- Webb, Matthew J. *Kashmir's Right to Secede: A Critical Examination of Contemporary Theories of Secession*. Routledge, 2012.
- Weinert, Matthew S. "The UN Security Council:: Making Human for International Peace and Security." In *Making Human*, 82–111. World Order and the Global Governance of Human Dignity. University of Michigan Press, 2015.
- "What Is Section 144 of CRPC." *The Times of India*. Accessed March 27, 2020. <https://timesofindia.indiatimes.com/home/education/current-affairs/what-is-section-144-of-the-crpc/articleshow/74773112.cms>.

Zulfqar, Saman. "Kashmir: Nature and Dimensions of the Conflict." *Journal of Current Affairs* 1, no. 1-2 (2016): 51-65.