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THESIS:

The issue of Kashmir, implications in the international arena

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Declaration

I hereby declare that this master's thesis is own work, and it does not contain other people's work without it being stated and that the bibliography contains all the literature that I have used in writing the thesis, and that all references refer to this bibliography. I understand that any violation of these rules will be considered cheating and will have legal consequences.

Acknowledgment

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ABSTRACT

The aim of this research is to investigate the history of the seven-decade long conflict of Kashmir, a disputed region between Pakistan and India, and possible solutions to it. With this research we would like to prove that the resolution of the everlasting issue of Kashmir, could bring peace to Pakistan and India, and beyond.

The research's aim is also to show different opinions on the resolution of the issue, resolution options to this date, international factors on how they can exert their efforts on resolving the issue.

As part of this research we used two main resources Victoria Schofield and Alastair Lamb, prominent historians, writers and scholars of Kashmir. In this context we also had an opportunity to look up to UN charters, resolutions, remarks of international leaders on the issue and how they can contribute to the solution of the problem.

We conducted interviews with journalist, non-profit organisation authority and entrepreneurs with Kashmiri origin on their opinions over the Kashmiri issue in general and their opinions about the latest developments.

Further we also conducted a survey with Kashmiri's, Pakistani's, Indian's and many other international participants on what they think of the future of Kashmir and its independence.

Key words: Kashmir, Pakistan, India, UN, independence, China, Russia, Turkey, US, UK

ABSTRAKT

Qëllimi i këtij hulumtimi është të hetojë historinë e konfliktit të gjatë shtatë dekadash të Kashmirit, një rajon i diskutueshëm midis Pakistanit dhe Indisë, dhe zgjidhjet e mundshme për të. Me këtë hulumtim dëshirojmë të vërtetojmë se zgjidhja përhershme e çështjes së Kashmirit, mund të sjell paqe në Pakistan dhe Indi, dhe më gjerë.

Qëllimi i hulumtimit është gjithashtu të tregojë mendime të ndryshme për zgjidhjen e çështjes, opsionet e zgjidhjes deri më sot, faktorët ndërkombëtarë se si ata mund të japin përpjekjet e tyre për zgjidhjen e çështjes.

Si pjesë e këtij studimi ne kemi përdorur dy burime kryesore Victoria Schofield dhe Alastair Lamb, historianë, shkrimtarë dhe studiues të shquar për çështjen e Kashmirit. Në këtë kontekst ne gjithashtu patëm mundësi të shikojmë statutet dhe rezolutat e OKB-së, vërejtjet e liderëve ndërkombëtarë për çështjen dhe si ata mund të kontribuojnë në zgjidhjen e problemit.

Kemi kryer intervista me gazetarë, autoritete organizatave joqeveritare dhe sipërmarrës me origjinë nga Kashmiri për mendimet e tyre mbi çështjen Kashmirit në përgjithësi dhe mendimet e tyre për zhvillimet e fundit.

Për më tepër, ne gjithashtu kemi kryer një anketë me qytetarë të Kashmirit të të dyja anëve, Pakistanit, Indisë, dhe shumë pjesëmarrës të tjerë ndërkombëtarë në lidhje me atë se çka mendojnë për të ardhmen e Kashmirit dhe pavarësinë e tij.

АБСТРАКТ

Целта на ова истражување е да се испита историјата на седумдеценискиот долг конфликт на Кашмир, спорниот регион помеѓу Пакистан и Индија и можните решенија за истиот. Со ова истражување би сакале да докажеме дека решавањето на вечниот проблем на Кашмир, може да донесе мир за Пакистан и Индија и пошироко.

Целта на истражувањето е исто така да покаже различни мислења за решавање на проблемот, опции за решавање на овој проблем, меѓународни фактори за тоа како тие можат да вложат напори за решавање на проблемот.

Како дел од ова истражување, ние искористивме два главни ресурси Викторија Шофилд и Алестар Ламб, истакнати историчари, писатели и научници на Кашмир. Во овој контекст, исто така имавме можност да разгледаме статuti и резолуции ООН, забелешки на меѓународните лидери за прашањето и како тие можат да придонесат за решавање на проблемот.

Ние спроведовме интервјуа со новинари, претставници на непрофитни организации и претприемачи со потекло од Кашмири за нивните мислења во врска со Кашмирскиот проблем воопшто и нивните мислења за најновите настани.

Понатаму, исто така спроведовме анкета со граѓани од Кашмир, Пакистан, Индија и многу други меѓународни учесници во врска со тоа што мислат за иднината на Кашмир и нејзината независност.

Клучни зборови: Кашмир, Пакистан, Индија, ООН, независност, Кина, Русија, Турција, САД, Велика Британија

Table of Contents

Declaration	3
Acknowledgment	4
ABSTRACT	5
ABSTRAKT	6
АБСТРАКТ	7
List of Figures.....	10
FIRST CHAPTER: Territorial Conflicts: The Case of Kashmir in International Relations	11
1.1 Conflict Resolution Opportunities: Comparative Aspects	11
1.2 Political dilemmas about partition and independence.....	15
1.3 International consequences of the conflict of Kashmir	17
SECOND CHAPTER: The History of the Conflict of the Kashmir	19
2.1 Great Britain’s withdrawal from the Indian subcontinent	19
2.2 Formation of India and Pakistan.....	22
2.3 Partition of Kashmir between India and Pakistan	22
THIRD CHAPTER: Indo-Pakistani Wars over Kashmir	25
3.1 The first war over Kashmir – 1947-1948.....	25
3.2 The second war over Kashmir – 1965	27
3.3 The third war over Kashmir – 1999	28
3.4 New millennium	29
FOURTH CHAPTER: Conflict resolution efforts to date	32
4.1 The Role of the United Kingdom.....	32
4.2 The Role of China	33
4.3 The Role of Turkey, Russia and other parties.....	34
FIFTH CHAPTER: Opportunities for conflict resolution	38
5.1 Mutual agreement without changing the status of Kashmir	38
5.2 Awarding Kashmir either to India or Pakistan	41
5.3 The independence of Kashmir as a separate state	43
5.3 Other solutions.....	44
SIXTH CHAPTER: Interviews and Survey	48
6.1 Interviews	48

6.1.1 Muzzammil Ayyub Thakur Director of The Justice Foundation - Kashmir Institute of International Affairs	48
6.1.2 Majid Mirza Hussain - Entrepreneur	54
6.1.3 Muhammad Faysal – Journalist for TRT World	57
6.2 Survey	60
Conclusion	70
BIBLIOGRAPHY.....	71
APPENDIX	79

List of Figures

Figure Number	Subject
Figure 1	The map of disputed Kashmir with the bordering countries
Figure 2	Map of the partition of India (1947)
Figure 3	The gender of the participants of survey
Figure 4	The age of the participants of survey
Figure 5	The education level of the participants of survey
Figure 6	The employment status of the participants of survey
Figure 7	The origins of the participants of survey
Figure 8	Should Kashmir be an independent country?
Figure 9	If independence doesn't happen, what is your opinion how should be the future of Kashmir?
Figure 10	Which International Powers should interfere in order to have a result in this dispute?

FIRST CHAPTER: Territorial Conflicts: The Case of Kashmir in International Relations

1.1 Conflict Resolution Opportunities: Comparative Aspects

The issue of the region Kashmir (not to be confused with the union territory of India, Jammu and Kashmir) is one of the oldest territorial disputes in the world, being unsolved for nearly a century, yet until recent times the least discussed conflict.

Having in mind the complexity of the region, the involvement of the global powers that possess nuclear weapons like, India, Pakistan, and China, makes the dispute very difficult to solve.

United Nations (UN) in the past seven decades, have played a crucial role in maintaining peace in the region after the very first “Brexit” in the history, “British Raj Exit” from the Subcontinent, but it failed to give an answer to long-running desire for independence of the people of Kashmir. In this manner, UN Security Council also adopted several resolutions where it asks from the parties to solve the problem, moreover asks for organizing a plebiscite, that is going to help decide the accession of Kashmir either to Pakistan or India.

On the fate of Kashmir and its people, also the first prime minister of India Jawaharlal Nehru (1947) has expressed himself. On broadcasting on 2nd November 1947, regarding the issue, he stated that:

“We have declared that the fate of Kashmir is ultimately to be decided by the people. That pledge we have given, and the Maharaja has supported it not only to the people of Kashmir but the world. We will not and cannot back out of it. We are prepared when peace and law and order have been established to have a referendum held under international auspices like the United Nations. We want it to be a fair and just reference to the people, and we shall accept their verdict. I can imagine no fairer and juster offer”. (Extracts from Nehru's Broadcast)

The renowned historian and writer on Kashmiri issue Alastair Lamb (1994) points out that the morning of 27 October 1947, which to many Kashmiri still today is remembered as

Kashmir's Black Day, was the day when Indo-Pakistani dispute on Kashmir has started. He indicates that, on that specific day Indian Army started landing at Srinagar airfield. According to him despite the involvement of the United Nations as a would-be mediator, has persisted unresolved the issue for some forty-five years. (Lamb 1994)

“What provoked the Indian arrival? Did the Indians have any right to be there at all? What was the international status of the State of Jammu and Kashmir? (now union territory of India, after the move of the latter on revoking the special status of Jammu and Kashmir) What did the Kashmiri people think about it all?” (Lamb 1994, p.1)

He argues that three Indo-Pakistani wars, in 1947-48, 1965 and 1971, over Kashmir, have provided no final answers to the afore mentioned questions and many others. Lamb (1994) claims that the Indo-Pakistani war of 1971 which gave East Pakistan, today Bangladesh, its independence, was also fought because of Kashmir, as a secondary issue. The third Indo-Pakistani war over Kashmir, however, happened in the district of Kargil of Indian administered Kashmir, in 1999, which is naturally missing in the work of Lamb, written in 1994.

He further explains that the Indian administered or occupied portion of the Kashmir, is controlled by at least 400,000 men, in an attempt to suppress all traces of popular resistance to the oppressive rule of New Delhi.

Today, as of 2019, there are at least 700,000 deployed Indian soldiers in Indian Kashmir, as reported by Aljazeera (Fareed 2019). As per many Indian sources, the reports on this much men are false. They further uphold the idea of having as much as troops possible in the region.

Even the maximum surge level deployment of Indian security personnel in J&K (Vats 2019), considering the geographical, population and political aspects is quite reasonable.

As per the comparative aspects of the issue of Kashmir, there are lots of reports that the issue resembles the Palestinian one.

In Kashmir, the Indian prime minister Narendra Modi wants Israeli settler-style demographic change and Pakistan wants a new intifada to explode. But the Israel-Palestine conflict analogies - and their dangerous consequences - go even further. (Shahid 2019)

Is Kashmir becoming Palestine? (2019), a video made by Turkish State Broadcasting Channel in English, TRT World, explains the last move of India on revoking the article 370, the special status of its state Jammu Kashmir.

“On August 5th India revoked Kashmir’s semi-autonomy, deployed thousands of additional armed forces, confined 4 million people to their homes and cut them off from each other and the outside world by blocking their internet, cell phones, and landlines. People started to draw parallels between Israel and Palestine and India and Kashmir. But are the two that similar? Both Kashmiris and Palestinians were promised self-determination by the UN in 1948. Palestinians were meant to get a state of their own and Kashmiris were meant to have a referendum to decide whether they wanted to be part of Pakistan or India, but neither happened and both Palestinians and Kashmiris have been struggling for independence ever since”, the reporter has drawn attention to the resemblance between Kashmir and Palestine.

The reporter further explains that since 1967, Israel has occupied the West Bank and more than 60 percent of it is under Israeli military control. According to the video, more than 600,000 Israelis have also settled in the West Bank or Palestinian Land, which is illegal according to the UN.

Explaining the revoking of the article 370, the reporter says that it means that Indians from anywhere in India can now buy a property and settle in Kashmir, which before was not possible because of the ‘semi-autonomous’ status of Jammu and Kashmir. According to the video, Kashmiris say that the settlers may be used to alter the demography of Muslim-majority Kashmir to a Hindu majority. “So, the idea that Kashmir could be becoming similar to the West Bank isn’t that far off”, says the reporter.

In this context, soon we may come across with Indian settlements, like the Israeli settlements, which brought into being after the Israeli occupation of West Bank in 1967. Indian citizens from different parts of the country, furthermore the ones who live abroad now may move to Jammu and Kashmir, claiming it is and Indian land, or having in mind its economical backwardness throughout the years may buy cheaper houses, which clearly can alter the demographic structure of Muslim-dominant population of the region.

In an article Beauchamp (2018) explains what the settlements are and what they can cause: Settlements are communities of Jews that have been moving to the West Bank since it came under Israeli occupation in 1967. Some of the settlers move there for religious reasons, some because they want to claim the West Bank territory as Israeli land, and some because the housing there tends to be cheap and subsidized. Settlements are generally considered to be a major impediment to peace.

While India's sudden decision to revoke Kashmir's autonomy has inflamed tensions with neighbouring Pakistan, critics say the move could also drastically alter the demographic composition of the disputed territory itself - and some have warned it could come to resemble Israeli settlement in the West Bank. (Parker 2019)

She further explains that, by stripping Kashmir of its special status, the government of India abrogated a law that permitted Kashmir to limit land ownership and permanent residency to natives of the country's only Muslim majority state. Parker (2019) found that "Analysts say the change could bring about a profound transformation of Kashmir's population that would exacerbate unrest there".

On the other hand, many argue that giving independence to Kashmir may have a domino effect in India and beyond. There are lots of different identities in India, that may copycat the possible Kashmiri independence.

"There is one word, which every senior Indian government politician dreads. It begins with S: secessionism." (Harding 2000)

Harding (2000) asserts that ever since India achieved its independence from Britain, different ethnic groups within the subcontinent have demanded independence. He explains that besides Kashmir, also Punjab is a place where insurgencies have occurred. However, Park indicates that Kashmir, is the closest to gain its independence from New Delhi.

He claims that an uprising provoked by Pakistan against Indian rule in the valley of Kashmir has been going on for more than 10 years. (Harding 2000) In an article for The Guardian titled "India feels threat of Balkanisation" Luke Harding observes that "Pakistan feels it was cheated out of Kashmir at Partition. India insists that Kashmir is an integral part of the Indian state. To let it go, so the thinking goes, would lead to India's inexorable Balkanization."

Balkanisation is a geopolitical term for the process of fragmentation or division of a region or state into smaller regions or states that are often hostile or uncooperative with one another. (Balkanisation 2019)

Balkanisation happened few times in the history, in the region which gave the name to this political phenomenon, the Balkans, a region in south-eastern Europe. Some of the countries that split off made it without bloodshed, some others were witness' of the most catastrophic human-made disasters of the history. Firstly, it started with one country, afterwards a copycat showed up, and later it had a domino effect.

The importance of the issue of Balkanization of the Indian Sub-Continent can be seen also in the letter of Lord Mountbatten to Earl of Listowel, dated 8 August 1947. "Mountbatten was most unreceptive to the idea of Kashmir remaining independent". (Schofield 1996, p131)

According to Schofield (1996, p131) "The Indian Dominion, consisting nearly three-quarters of India, and with its immense resources and its important strategic position in the Indian Ocean, is a Dominion which we cannot afford to estrange for the fate of the so-called independence of the States. I have no doubt that you will agree with me that we should leave no stone unturned to convince the Indian Dominion that although we had to agree to the plan of partition, we had no intention to leave it balkanized or to weaken it both internally and externally", Lord Mountbatten wrote to Earl of Listowel.

1.2 Political dilemmas about partition and independence

In the means of partition or independence of Kashmir the author of the book "The Birth of a Tragedy", Alastair Lamb, gives three possible solutions to the Kashmir issue, which are in fact also political dilemmas of the issue of Kashmir.

According to him, the first solution is if Jammu and Kashmir preferred to be part of Pakistan, "then the new inter-Dominion boundary would be that which today separates Ladakh

from Himachal Pradesh, with Pakistan extending eastward right up to the western border of Tibet where it crossed the Indus". (Lamb 1994, p.168)

The second solution as per Lamb (1994) is if Jammu and Kashmir, preferred to be part of India, "one consequence would be that the new border would be removed far to the west following the line of the River Jhelum to the east Rawalpindi and then extending along the edge of the old North-West Frontier Province all the way to Afghanistan, with which country India would be in direct territorial contact". (p.168)

A final solution is if Jammu and Kashmir became independent between the borders of India and Pakistan will be established a new sovereign country. "The two new Dominions would now be cut off from direct contact with crucial point in Central Asia where both China and Russia either touched or closely approached Indian Subcontinent". (Lamb 1994, p.168)

The author on the one hand explains the plain and simple solutions to the problem but on the other hand explains between the lines that any solution at this point means a casualty for both parties, namely India and Pakistan.

In the first and second scenario, either Pakistan or India, are losing territory, which according to them is unacceptable, just because they claim that Kashmir is theirs. However, an independent Kashmir, besides the territorial loss, deprives India and Pakistan, from Central Asia, which otherwise means also a new strategy for Russia and China.

Throughout their struggle, Schofield (2010) explains that the Kashmiri activists regretted the unwillingness of the rest of the world to assist to attract them in what they perceived to be a 'just' cause. She, somehow, compares the Afghans struggle against Soviet Union during the 1980s with the inability of Kashmiri's to attract concrete international support.

"The Kashmiris were also conscious of the subcontinent's past history, in which Britain played its own imperial role. At the height of the insurgency, their optimistic belief that they had only to create enough trouble in the valley to attract international support did not materialize". (Schofield 2010, p. 189-190)

Whereas, according to Edward Desmond (1995) no country did not want to risk their agenda with India when the Kashmiri issue was brought forward. "Especially when it was clear that New Delhi had no intention of backing down". (Desmond 1995, p.8)

He makes clear that the efforts of Kashmiris for independence fell victim to the agendas of other countries that didn't want to quarrel with parties concerning the issue.

1.3 International consequences of the conflict of Kashmir

The conflict of Kashmir in general has caused disturbance and chaos in the region of Central Asia. Besides, the insurgency has led to thousands of families to migrate from their lands.

In this context (Aliju 2019) Ex-prime minister of Nepal, Madhav Kumar Nepal, explains that the Kashmir issue has an impact on India-Pakistan relations, so it must be solved appropriately by debating.

When asked "How do you comment the move of India on revoking the special status of Kashmir? What kind of implications it would cause in the region and beyond?" Nepal clearly didn't have the intention to interfere in the domestic affairs of Pakistan and India. He further alluded that any interference might cause new problems in the region.

Nepal explained that the only way of resolving the problem is through dialogue. "Without the proper dialogue the things are not going to be settled. So we hope, as a neighbour, Nepal is a neighbouring country, Nepal is member country of South Asian Association for Regional Cooperation (SAARC), as a part of the South Asia platform we need to see and find the solution of the problem. It is the problem between India and Pakistan and same is about India and Nepal, the same about India and other countries of SAARC region. That's why it becomes very difficult for us, the Nepali people to keep ourselves busy in detail about all these issues because we have our own issues with the SAARC region, especially India".

SAARC member states are Afghanistan, Bangladesh, Bhutan, India, the Maldives, Nepal, Pakistan and Sri Lanka.

Regarding a possible war between to nuclear powers, like Pakistan and India, he stated that the war and tension is not solution, but we must have dialogue, confidence and solutions based on win-win principle.

We can clearly see from this example is that, the issue of Kashmir has only one reliable option. India and Pakistan with mutual agreement shall give an opportunity to Kashmiri's to decide their future by an international guaranteed plebiscite.

SECOND CHAPTER: The History of the Conflict of the Kashmir

2.1 Great Britain's withdrawal from the Indian subcontinent

According to Encyclopaedia Britannica (2019) Kashmir, a region taken into its entirety, including both Indian and Pakistani administered sides, is in the north-west of the Indian subcontinent. To the northeast it bordered with Uyghur Autonomous Region of Xinjiang, whereas to the east Tibet Autonomous Region, both regions of China. Kashmir in the south is bounded by the Indian states Himachal Pradesh and Punjab, in the south by Pakistan and in the northwest by Afghanistan. [See figure 1]

The region, with a total area of around 222,200 square kilometres, has been disputed between India and Pakistan since the partition of the Indian subcontinent in 1947, when the Brits withdraw from there. The northern and western parts of it are administered by Pakistan and include three main areas: Azad Kashmir, Gilgit, and Baltistan, the last two part of a territory called the Northern Areas. Whereas the parts administered by India are the southern and south-eastern regions, which constitute the union territory of Jammu and Kashmir.

The Indian- and Pakistani-administered portions are divided by a "line of control" agreed to in 1972, with the Simla Agreement. In addition, China became active in the eastern area of Kashmir in the 1950s and has controlled the north-eastern part of Ladakh (the easternmost portion of the region) since 1962.

With the Indian Independence Act 1947, which received royal approval on 18th July 1947, British India was partitioned into two new independent states, India and Pakistan on the 15th of August the same year.

Lamb (1991) explains that prior 15 August 1947 the population of the Princely States were not asked whether they would like to join either side, because the large majority of these states were autocracies. "The Rulers exercised powers which varied from mildly limited by constitutional checks to absolute in a manner which would have seemed excessive even in Europe before the French Revolution, the question of accession was in practice decided by the

Rulers and their close advisers without anything remotely resembling a plebiscite". (Lamb 1991, p. 83)

The author furthermore explains that in this direction, Jammu and Kashmir was no exception. He states that Maharaja Sir Hari Singh did not ask his subjects when he gave his decision in October 1947 to join India. "Subsequently it has never been ratified as such by a free and fair popular vote". (p. 83)

How the British failed India and Pakistan? (2019), a video story made by Vox, is explained how in atmosphere of civil unrest, Britain announced their withdrawal from India and the Viceroy of India at the time, Lord Mountbatten had to broker a deal between the Indian leader Jawaharlal Nehru and Pakistani leader Muhammed Ali Jinnah and to organize Britain's exit from India, the very first Brexit in the history.

According to this video, Nehru and Jinnah agreed to the partition of India along religious lines. A British lawyer named Cyril Radcliffe, often criticized because of his unawareness of the topic, who had never been to India was given less than 40 days to draw up the new border based on outdated maps and census data. Radcliffe kept the region with the Muslim League's political base in India instead of including it within the border of Pakistan. And his borders also left most economic centres like Delhi, Bombay, and Calcutta within India, leaving the future of Pakistan at an economic disadvantage.

Lamb (1991) argues that Britain fought over 300 years to build their empire in the subcontinent. "They dismantled it in just over seventy days in 1947". (Lamb 1991, p. 101)

If we try to explain in a nutshell the developments that caused Great Britain's withdrawal from the Indian subcontinent and how Kashmiri rights were ignored, we can clearly see that the complicated British rule on this land has reflected also to its partition, troubled and sophisticated. It is uncertain to this day why especially Radcliffe, often pretended to be blind, has been chosen to draw the borders of the newly independent states, which in result caused death of hundreds of thousand and migration of millions.

The Disputed Area of Kashmir



Figure 1: The map of disputed Kashmir with the bordering countries (Central Intelligence Agency, 2002)

2.2 Formation of India and Pakistan

Between 14 and 15th of August 1947, has marked the origins of the partition of India, which resulted with the independence of India and Pakistan. Due to Radcliffe's borders, millions of Indians and Pakistanis had to swap their lands and cause the largest mass migration in human history of some 10 million. "As many as one million civilians died in the accompanying riots and local-level fighting, particularly in the western region of Punjab which was cut in two by the border". (Bates 2011)

Lamb (1991) argues that Britain was in no position to have control of the subcontinent, assuming that she no longer had the economic conditions, so decided to end this 'partnership' in the context of 'it is never too late'. "If so, then the more rapidly this were done the better. In a crisis one could not take into account every long-term consequence. It followed that if it were good to get out of India by June 1948, it might well be preferable, at least from the British point of view, to get out rather earlier." (Lamb 1991, p 101)

He points out that (Lamb 1991) Lord Mountbatten announced an earlier date of withdrawal, 15 August, a symbolic day for them, as the second anniversary of the end of the war with Japan. He concludes that "even though he may on his own initiative have accelerated somewhat the timetable". (p 101)

2.3 Partition of Kashmir between India and Pakistan

In the video story "The conflict in Kashmir, explained" (Vox 2019) it tells that Kashmir is one of the most strategic places in the world, where three powerful countries collide: India, Pakistan and China. This region is at the centre of a brutal conflict over the disputed borders.

Kashmir with its Muslim majority population and ruled by a Hindu monarch decided to join India, which caused rebellion of Kashmiris, which later was joined by Pakistanis. The

decision of Kashmir's Maharaja to be part of India, sparked the first Indo-Pakistani war in Kashmir.

The UN Security Council brokered a ceasefire in 1949, which established the line that divided the disputed land of Kashmir.

One of the most important problems in the context of partitioning Kashmir, was the Boundary Commission's head Cyril Radcliffe, who had never been in the subcontinent and his total ignorance of Indian affairs. (Lamb 1991)

"Radcliffe arrived in New Delhi on 8 July 1947 and the final award was ready and in the hands of the Viceroy's staff on 12 August 1947, following a preliminary version on 8 August" (p 104) explains Lamb (1991) drawing attention to the fact that he had barely one month to draw what today is been called the boundaries that caused deaths of hundreds of thousands.

"It was hurriedly drawn up by a British lawyer, Cyril Radcliffe, who had little knowledge of Indian conditions and with the use of out-of-date maps and census materials. Communities, families and farms were cut in two, but by delaying the announcement the British managed to avoid responsibility for the worst fighting and the mass migration that had followed". (Bates 2011)

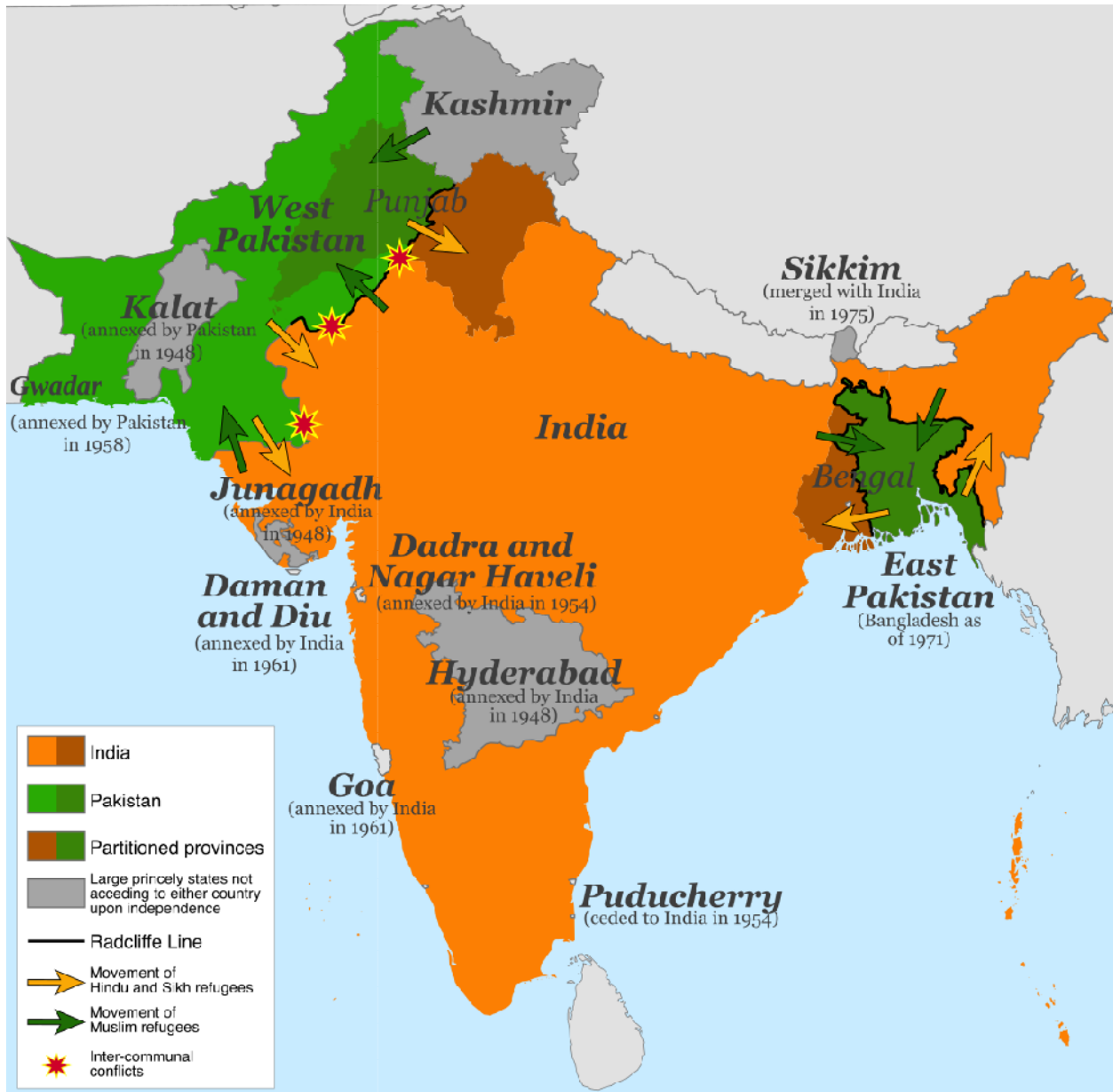


Figure 2: Map of the partition of India (1947). (Wikipedia, 2017)

THIRD CHAPTER: Indo-Pakistani Wars over Kashmir

3.1 The first war over Kashmir – 1947-1948

In this chapter we will examine all three wars over Kashmir fought between Pakistan and India. Besides we will reveal the latest developments, namely from the new millennium, where India revoked the special status of its state, Jammu and Kashmir, now Union Territory, which sparked outrage among the Kashmiri's and internationally.

After the independence of Indian subcontinent on 15 August 1947, Kashmir signs Standstill Agreement with Pakistan. (Kashmir: Nuclear Flashpoint, n.d.) As it is known at that time the Princely States are encouraged to join either Dominion – newly independent state – Pakistan or India, based on geography, race, religion and the wishes of the people.

According to the information on Kashmir Library, the Maharaja of Kashmir firstly denies acceding to either side and wants to remain independent. Nevertheless, he ignores the wishes of 75 % majority Muslim regions people and on 26 October signs the Instrument of Accession (IOA) following the invasion by some tribesmen from Pakistan. (Kashmir: Nuclear Flashpoint, n.d.)

“The Indian army enters the state on 27 October to repel the invaders. On 27-28 October, Pathan tribesmen engage in looting and killing a large number of people in Baramula, which results in the exodus of over 10,000 residents. There are also charges of atrocities by the Indian army. Sheikh Abdullah endorses the accession as ad-hoc which would be ultimately decided by a plebiscite and is appointed head of the emergency administration. Pakistan disputes that the accession is illegal given the Maharaja acted under duress and that he has no right to sign an agreement with India when the standstill agreement with Pakistan is still in force. In November 1947, India proposes that Pakistan withdraw all its troops first, as a precondition for a plebiscite, which Pakistan rejects on the grounds that the Kashmiris may not vote freely given the presence of Indian army and Sheikh Abdullah's friendship with the Indian Prime Minister, Jawaharlal Nehru. Pakistan proposes simultaneous withdrawal of all troops

followed by a plebiscite under international auspices, which India rejects. Pakistan sends regular forces to Kashmir and the first war over Kashmir breaks out.” (Kashmir: Nuclear Flashpoint, n.d.)

Further in the information that Kashmir Library has given, on 1 January of 1948, India reports to the United Nations (UN) Security Council the issue of Kashmir. A UN supervised ceasefire agreement came to an agreement on 1 January 1949.

Lamb (1991) indicates that during the end of 1947, Indian troops secured their position over Srinagar, while on the other hand the ongoing Indo-Pakistani talks over peace failed.

“Already, with the onset of the winter of 1947-8 the military situation in Jammu and Kashmir was fast approaching a stalemate, the State being effectively cut in two by an elastic but impenetrable battle-front.” (Lamb 1991, p. 161)

According to New World Encyclopaedia, the first war was split in 10 stages, each containing different confrontations and operations.

“Following the end of the war and the ceasefire, India had managed to acquire two thirds of Kashmir while Pakistan had a third of the region. The Indians retained control of the relatively wealthy and populous Kashmir Valley, and a majority of the population. The number of casualties in the war are estimated at 2,000 for both sides”. (New World Encyclopedia 2018)

United Nations Military Observer Group in India and Pakistan, an ex-peacekeeping mission of the UN for the region, on its web site reports that the Security Council in January 1948 adopted resolution 39, which allowed the establishment of United Nations Commission for India and Pakistan (UNCIP) with a duty to analyse and reconcile the dispute between two countries.

Further Security Council in April 1948 expanded the UNCIP with a new resolution, 47.

“In July 1949, India and Pakistan signed the Karachi Agreement establishing a ceasefire line to be supervised by the military observers”. (India-Pakistan Background, n.d.)

3.2 The second war over Kashmir – 1965

Lamb (1991) explaining the pre-second war between Indian and Pakistan, conveys the message of the then president of Pakistan, Ayub Khan in 1960, who was thinking some sort joint Indo-Pakistani defence arrangement.

Although he explains that the attitude of Pakistan during the Sino-Indian crisis was not fully unfriendly towards India, he says that after few years a war broke out again between two ex-Dominions.

“Yet in 1965 India and Pakistan went to war for a second time over title to the State of Jammu Kashmir, a war which not only affected the disputed territory but overflowed both by land and in the air (and, even, from the sea) into metropolitan India and Pakistan”. (Lamb 1991, p 247)

One of the reasons, he indicates (Lamb 1991), in fast descensions of Indo-Pakistani relations is that there is great evidence that from 1963 onwards wanted to incorporate all of Jammu and Kashmir parts to India, thus ex parte to close the issue of Kashmir, which for Pakistan this was unacceptable.

“It would have required very clear signals Indeed from New Delhi to Cancel the effects of this impression, and these were not forthcoming”. (Lamb 1991, p 247)

On the other hand, according Pariona 2019, the Indo-Pakistani War of 1965 was sparked after several events. “First, in 1956, India regained control over the Rann of Kutch region in the Indian state of Gujarat. Then, in January of 1965, Pakistan sent troops to patrol an Indian-controlled region, believing the local population wanted to be out of Indian control. This move was followed by attacks on both sides in April of the same year. With tensions high, Pakistan launched Operation Gibraltar in August of 1965 and began invading the Indian state of Jammu and Kashmir. India responded with a full military attack in West Pakistan”. (Pariona 2019)

She further observes that this war only lasted for 17 days but resulted in thousands of deaths.

“The war was the largest grouping of troops since independence and the largest tank battle since World War II. The United Nations mandated an end to the war after the US and the

Soviet Union initiated peace talks. Both India and Pakistan, however, claimed to have won the war and felt that the US and Britain had not supported their positions. This led both countries to create stronger ties to the Soviet Union and China. In January 1966, India and Pakistan signed the Tashkent Declaration, a peace treaty, in which they agreed to return conquered territories, remove troops, and return to the borders established in 1949". (Pariona 2019)

As we explained before that the second Indo-Pakistani war was fought even in the sea, (India-Pakistan Background, n.d.) claims that the navies of both India and Pakistan did not play a crucial role in the war of 1965.

"On September 7, a flotilla of the Pakistani Navy carried out a bombardment of the coastal Indian town and radar station of Dwarka under the name of Operation Dwarka, which was 200 miles (300 km) south of the Pakistani port of Karachi. There was no immediate retaliatory response from India. Later, the Indian fleet from Bombay sailed to Dwarka to patrol off that area to deter further bombardment", it is explained for several occasions. (India-Pakistan Background, n.d.)

As per military equipment of India and Pakistan, during the second war over Kashmir, Newsweek (1965) published a table of which country supplied what kind and how many arms to both warring countries, which clearly indicates the role of these countries and their interest over Kashmir.

3.3 The third war over Kashmir – 1999

The Indo-Pakistani War of 1999, also known as the Kargil War, took place between May and July.

"It began when Pakistan sent troops across the Kashmir border to join rebels in the Indian district of Kargil. India retaliated with a significant military response. The Indian army, together with the Air Force, recaptured the majority of the Kargil district. Facing international opposition, Pakistan was forced to withdraw its invasion over the rest of the district. Many

countries criticized Pakistan for starting the conflict, and its already weak economy suffered further due to the threat of decreased international trade". (Pariona 2019)

Analysing the outcomes of the first, second and third war and the documents and facts that we provided in this sub heading we can clearly see the role of UN on the dispute is clearly effective, whereas it is not as effective as it should be on the level of resolving the issue in everlasting aspect.

3.4 New millennium

Today, India and Pakistan's relations continue to be tense. According to many sources (Pariona 2019), the Line of Control, or the border between Pakistan and India is second most dangerous border in the world after the one between South and North Korea.

"The India-Pakistan border is 1,800 miles of heavily guarded and extremely dangerous land. It is so heavily guarded that it is the only border seen from space due to the high voltage flood lights on the Indian side". (Pariona 2019)

Having in mind that both India and Pakistan were heavily arming themselves with nuclear arms in the end of the 1990s (Pariona 2019) even the smallest skirmishes along the Line of Control or any other place that may concern Kashmir, are met with fear in the international public opinion.

"Military members from both countries continue violence across the border, with incidences in 2011, 2013, 2014, and 2015. Recently, civilians and security forces have been involved in increasing violent conflict throughout the Kashmir Valley, beginning full force in July of 2016". (Pariona 2019)

According to non-governmental think thank organisation Council on Foreign Relations, the Kashmir conflict that reawaken in the last period, has a significant impact on United States interests. The status of the conflict according to the organization's web site (Global Conflict Tracker, 2019) is worsening.

“In February 2019, an attack on a convoy of Indian paramilitary forces in Indian-controlled Kashmir killed at least forty soldiers. The attack, claimed by Pakistani militant group Jaish-e-Mohammad, was the deadliest attack in Kashmir in three decades. Two weeks later, India claimed to have conducted air strikes targeting a terrorist training camp inside Pakistani territory. Pakistan retaliated a day later with air strikes in Indian-administered Kashmir. The exchange escalated into an aerial engagement, during which Pakistan shot down two Indian military aircraft and captured an Indian pilot; the pilot was released two days later”. (Global Conflict Tracker, 2019)

Following these developments according to many sources India deployed several thousands of additional troops in Jammu and Kashmir, after the move on revoking the special status of its state, later called Union of Jammu and Kashmir.

“India-administered Kashmir remains under lockdown, with internet and phone services intermittently cut off and thousands of people detained”. (Global Conflict Tracker, 2019)

As per United States, regional stability is important, since according to them (Global Conflict Tracker, 2019) the epicentre of terrorism and religious extremism is South Asia.

Amnesty International India in 2019 published a report titled “Tyranny of a ‘lawless law’ – Detention without charge or trial under the J&K Public Safety Act” there are many thousands examples how individuals in Indian administered Kashmir, Jammu and Kashmir have been placed in administrative detention under Public Safety Act, 1978.

Amnesty International characterise these detentions as “without charge or trial, often on vague grounds and without due diligence, in blatant disregard of their fair trial rights”. (Amnesty International India 2019, p. 4)

On the other hand a report released by the Association of Parents of Disappeared Persons founded in Kashmir states that the lock down of the Indian government in Jammu and Kashmir has “egregiously affected” daily lives of the people (Mir 2019), however, less than a month before the aforementioned report Indian government (Khaliq 2019) claimed that all restrictions were lifted from Kashmir.

"Indian authorities should immediately release detained Kashmiris who have not been charged with a recognizable offense," Human Rights Watch (HRW) said in a statement. (Khaliq 2019)

The UN failed one more time to give a solution, other than condemning and being deeply concerned. "Latest restrictions imposed on Indian-administered Kashmir are deeply concerning and will exacerbate the human rights situation", stated in their statement. (BBC 2019)

The main victims of this latest Kashmir crisis (Grant 2019) are the Kashmiri's, who have seen their freedoms and human rights once again crushed. In this context, the author says that both Pakistan and India suffered economically in the effort of trying to save what's left of Kashmir to them.

"Pakistan has suffered too from the long running crisis – its economic development since independence has been distorted by bloated military spending and its democracy compromised by the army exploiting the perceived threat from India and the division of Kashmir. Nor is it cost free for India – it finds its itself once again in the dock of international opinion, criticised by international human rights organisations, its reputation as the world's largest democracy tarnished and its global ambitions dented". (Grant 2019)

FOURTH CHAPTER: Conflict resolution efforts to date

4.1 The Role of the United Kingdom

As we before mentioned the Time correspondent Edward Desmond's statement in 1995, "No country was willing to risk its entire agenda with New Delhi over the Kashmir cause", we can clearly reassure in this chapter that, even though there are countries that might somehow engage themselves as intermediary between New Delhi and Islamabad and try to solve the issue of Kashmir, still having in mind all the development in the past seven decades we can clearly say that there will be no solution if both parties do not agree on the issue.

We all know that if we talk about Kashmir, it is impossible to forget United Kingdom and its attention on this matter.

The former British prime minister David Cameron, speaking on a visit to Pakistan, (Wade 2011) has apologised for his country's historical contribution to many conflicts of the world, including the tension between India and Pakistan over Kashmir. "I don't want to try to insert Britain in some leading role where, as with so many of the world's problems, we are responsible for the issue in the first place", he commented answering a question about Kashmir.

However, many historians in Britain are not in the same opinion as Cameron. They comment it as "typical of the UK's schizophrenic relationship with former colonies where it is both proud and embarrassed about its past" and "it is naïve". (Kirkup and Hope 2011)

"It's a valid historical point that some problems stem from British foreign policy in the 19th and 20th centuries, but should we feel guilty about that? I fail to see why we should. Some of these problems came about because these countries decided they did not want to be part of the British Empire. They wanted independence. They got it. They should sort out their problems instead of looking to us", says Sean Gabb, of the campaign group Libertarian Alliance.

Others (Osborne 2011) blame Cameron as sloppy and poorly informed, stating that "the Prime Minister's mea culpa over the conflict in Kashmir is neither welcome nor wise".

As per efforts on the resolution of the conflict there have been many developments. Members of the British Parliament on August 2017 visited Pakistan administered Kashmir, where they met the president of Azad Jammu and Kashmir, Masood Khan.

“We are in talks with other countries to get the Kashmir issue resolved. We have people from 28 countries in our parliament and we want to represent Kashmiris,” said the delegation leader asserting that Kashmiris will achieve their independence one day. (Tribune 2017)

Former Senior Adviser to British Prime Ministers Mark Lyall Grant (2019) on the other hand indicates that international community, led by the United States and the United Kingdom, needs to play a role in effort to resolve the Kashmir Crisis.

He asserts that from this conflict the wider international community is also affected, adding that could have national security implication in United Kingdom, having in mind that the predominantly Pakistani's in there are originating from Pakistan administered Kashmir. (Grant 2019)

“I believe that the international community has a strong interest in helping to resolve the Kashmir crisis. The U.K. has a particular responsibility—when the British partitioned India in 1947, in their haste to leave the subcontinent, they failed to tackle the well-known differences over Kashmir, thus creating an explosive bone of contention between India and Pakistan that has plagued the region ever since”. (Grant 2019)

4.2 The Role of China

Michael Yahuda Emeritus Professor of International Relations at London School of Economics and Political Science in 2002 for BBC stated that China is involved in a triangular relationship with Pakistan and India, on the other side is a silent third party over the Kashmir dispute.

“Beijing has traditionally supported Pakistan against India, but now in the post-Cold War era the Chinese have distanced themselves somewhat from Pakistan in order to cultivate better relations with India. Nevertheless, China has a strategic interest in the survival of Pakistan and it will not want to see it drawn into a war which it cannot win, nor will it want to see its government humiliated”. (Yahuda 2002)

According to him China’s approach towards Indo-Pakistani relation is determined by three considerations, thus border issues, geopolitics and international strategy.

In this direction we also have to have in mind that China controls a part of Kashmir, Aksai Chin, which it gained after she fought India in 1962, which is a disputed border between India and China. On the other hand, there is a border agreement that Pakistan and China agreed over a section of Pakistani administered Kashmir, which is not accepted by Indians.

“In the 1965 Indo-Pak war China went so far as to threaten to open a second front against India... They have not joined Islamabad in calling for an international settlement of the Kashmiri issue but have implicitly sided with New Delhi in calling for dialogue between the two”. (Yahuda 2002)

4.3 The Role of Turkey, Russia and other parties

Needles to say, except India, Pakistan and China, the conflict of Kashmir closely concerns the international community, including Russia, United States, Turkey and others.

Howard B. Schaffer, on his paper *The International Community and Kashmir* (2008) enumerates few countries that had effort in the past on resolving the conflict of Kashmir, namely America, Britain, and the Soviet.

“Two U.S. presidents became personally engaged. In the late 1950s, Dwight D. Eisenhower weighed in to promote U.S. supervised India-Pakistan negotiations on a basket of crucial issues including Kashmir. The Indians rejected this intervention. Eisenhower’s successor,

John F. Kennedy, concluded that India's defeat by the Chinese in the 1962 border war put a settlement within reach. The failure of Indian and Pakistani negotiators to make any progress in six rounds of discussion in which the United States and Britain became increasingly involved proved him wrong". (Schaffer 2008, p. 15)

According to him, Soviet Russia first dealt with the issue in 1966 when brokered an agreement in Tashkent, ending the second war over Kashmir, between India and Pakistan.

The Secretary of the Communist Party of the Soviet Union, Nikita Khrushchev nearly 75 years ago declared that Kashmir will be an integral part of India (Kumar 2019) when he visited the capital of Jammu and Kashmir. "In the Security Council Resolutions of the United Nations (UN) in 1957, 1962 and 1971, Russia was the only country which vetoed the West-sponsored resolutions seeking UN interventions in Kashmir". (Kumar 2019)

"The Security Council considered the volatile situation surrounding Kashmir on Friday, addressing the issue in a meeting focused solely on the dispute, within the UN body dedicated to resolving matters of international peace and security, for the first time since 1965". (UN News 2019)

Kumar (2019) citing Indian experts assumes that the Russian proximity with China, after the Western sanctions, may change its standpoint on Kashmir. He states that China's support to Pakistan, does not mean that will be followed by Russia.

There have been many other efforts to solve the crisis, but as we stated before most of the times third parties urged that the issue has firstly to be solved bilaterally, between India and Pakistan.

Other country of interest in this context, that has never had any crucial role in the past but may somehow contribute to the resolution of the conflict. Turkey as a friendly nation to Pakistan, and a country that does not have any open issues with India, is among the countries that clearly can benefit to recuperate the Indo-Pakistani relations.

Addressing the 74th General Assembly, the President of Turkey Recep Tayyip Erdogan said that (Duz 2019) a solution to the Kashmir issue, which has persisted for 72 years, can only be found through dialogue.

“In order for the Kashmiri people to look at a safe future together with their Pakistani and Indian neighbours, it is imperative to solve the problem through dialogue and on the basis of justice and equity, not through clashes”, said Erdogan.

On the other hand, the prime minister of Pakistan Imran Khan (Yuruk 2019) thanked Erdogan for his stance on Kashmir stating that “We are very thankful that the president has taken a very principled stance”.

However, the Ministry of External Affairs (MEA) of India (Mohan 2019) said that the Indian government does not regret Turkey's statements on Kashmir at the United Nations General Assembly (UNGA), asking from Turkey to get a briefing before making statements and that Kashmir is internal matter of Kashmir.

President of Pakistan administered Kashmir, Sardar Masood Khan, in an exclusive interview for Anadolu Agency (Ozturk 2019) suggested that Turkey should lead the way on making moves on solving the issue.

“My suggestion is that Turkey should demonstrate leadership, in establishing a humanitarian corridor to the Indian-occupied Jammu and Kashmir”, stated Khan explaining the humanitarian diplomacy that Turkey have pursued lately.

He points out that in this context (Ozturk 2019) Turkey can do conferences where the issue can be explained, create context for Kashmir – “a narrative that is not known in the West”, and can pursue formal and informal diplomacy.

“Formal diplomacy would be facilitation and mediation between India and Pakistan and mediation vis a vis Kashmiris for the resolution of the dispute.... And then informal diplomacies, humanitarian diplomacy, where you send this message to the world, to the people of Jammu and Kashmir primarily that you care for their welfare, and that you would continue to pay attention to the situation. I think that civil society organizations here are very vibrant”, explains Khan.

Turkey also was home of a two-day international conference on Kashmir, (Khaliq 2019) organized jointly by Pakistan’s Lahore Center for Peace Research and Turkey’s Institute of Strategic Thinking.

In this conference the speakers asked for avoiding recurrence of situation like Kashmir, by forming a security alliance established jointly by Turkey, Malaysia, Iran and Pakistan.

“Speakers said the security alliance would help them to raise their issues of concern, more forcefully at the world forums. They also rejected idea of maintaining status quo on the issue of Jammu and Kashmir and called for a meaningful dialogue between India and Pakistan for the resolution of the dispute, which is eating vitals of South Asia”, was the main outcome of the conference where participants demanded from India to end the blockade in Jammu and Kashmir and allow international human rights organizations and observers to visit Kashmir.

FIFTH CHAPTER: Opportunities for conflict resolution

5.1 Mutual agreement without changing the status of Kashmir

In the past 7 decades there have been lots of opportunities in the context of resolving the conflict in the region, including the engagement of the United Nations, as the primary peacekeeper and mediator.

In this chapter we are going to examine the opportunities that could bring an infinite peace in the region. One of the most precise authors in this matter is Alastair Lamb. He on his book *Incomplete Partition – The Genesis of the Kashmir Dispute (1947-1948)* published in 1997 explains the nature of the conflict resolutions in 6 different points.

If we evaluate the previous experiences, there are four ways that can solve the issue of Kashmir. Mutual agreement without changing the status of Kashmir, in other words the current Line of Control between Pakistan and Kashmir becomes international border. Not to forget Aksai Chin, in Chinese possession becomes also their sovereign region. The second and third solution, as a matter of fact is only applicable through a plebiscite. If the population of the whole Kashmir decides accession of either to Pakistan or India.

And the fourth option, is also applicable via plebiscite. That is the independence of Kashmir as a separate state, which is also uttermost desire of the Kashmiris, according to the first survey (Bradnock, 2010, p. 20) and the resolutions of United Nations. (United Nations Security Resolutions 47)

Lamb (1997) states that with the blessing of all concerned, the issue could be removed from the United Nations and discussed by India and Pakistan in some form of bilateral negotiation.

He further explains that the entire State could be portioned between India and Pakistan. After all, it could be argued convincingly enough that the whole problem had emerged as a consequence of the process of partitioning the provincial portions of the old British Indian Empire into Muslim and non-Muslim majority areas.

Jammu and Kashmir, despite being Princely State and thus not covered expressly by the remit of those implementing the 1947 Partition, was also perfectly capable, on simple demographic grounds, of being partitioned in just this way; and, had it been an integral part of provincial British India, no doubt it would have been so partitioned along with the Punjab. This solution had obvious advantages which both India and Pakistan on occasion admitted; but, alas, never simultaneously. (Lamb 1997)

There was also, of course, the question of who, after the Transform of Power on 15 August 1947, would actually do the partitioning. The British had gone. Such geopolitical surgery certainly did not look like an obvious United Nations Chapter Six Article 35 operation. (Lamb 1997)

“The Security Council may investigate any dispute, or any situation which might lead to international friction or give rise to a dispute, in order to determine whether the continuance of the dispute or situation is likely to endanger the maintenance of international peace and security”. (United Nations 1945: UN Charter Art. 34)

“Any Member of the United Nations may bring any dispute, or any situation of the nature referred to in Article 34, to the attention of the Security Council or of the General Assembly. A state which is not a Member of the United Nations may bring to the attention of the Security Council or of the General Assembly any dispute to which it is a party if it accepts in advance, for the purposes of the dispute, the obligations of pacific settlement provided in the present Charter”. (United Nations 1945: UN Charter Art. 35)

The future of the State could be decided by a reference to the people through a plebiscite or, indeed, a series of plebiscites. The result might well be the permanent acceptance by the International Community of Indian or Pakistani control over all the State, or even over different parts of it (since the method of decision by plebiscite did not inherently preclude some of form of partition). There had been much talk of plebiscites during the course of 1947, not only in the context of Jammu Kashmir but also, earlier, of Junagadh and, earlier still, at the time of the Transfer of Power, over the North West Frontier Province and Sylhet. The concept, therefore, possessed an established pedigree in the Subcontinent. (Lamb 1997)

It might be decided, tacitly if not explicitly, that the cease-fire line, such as was secured after 1 January 1949, should become the permanent Indo-Pakistani border. If a cessation of hostilities was all that emerged from the United Nations reference, then, indeed, this was the most likely outcome. The line where the fighting stopped in the State of Jammu and Kashmir would join that growing family of other lines where a similar process had occurred to turn a temporary truce into a de facto permanent international boundary. On the whole, throughout 1948 this was the outcome which all those concerned with Kashmir at the United Nations hoped would not emerge from their deliberations. (Lamb 1997)

It must be repeated that any or all these solutions, given the limitations of a United Nations reference under Chapter Six, could only be proposed or recommended by the Security Council or any other organ of the United Nations: implementation required the consent of the parties directly concerned, which in 1948 meant India and Pakistan. (Lamb 1997)

Other attempt on resolving the issue by mutual agreement was made in 1962. The first round of talks over Jammu and Kashmir between India and Pakistan was held at the end of December 1962. (Schofield 2010) During this, and subsequent meeting various proposals were put forward. Whereas India suggested the ceasefire line should become the international boundary, with a few minor realignments around Ponch, the Pakistanis wanted to draw the boundary far to the east, giving themselves the whole state with the exception of south-eastern Jammu. Out of total area of over 84,000 square miles India was to be left with less than 3,000 square miles.

Schofield (2010) further explains that after the second round of talks came the official signing of the Sino-Pakistan Border Agreement, which soured an already tense atmosphere. Zulfikar Ali Bhutto, who had taken over as foreign minister in January 1963 after the death of Muhammed Ali Bogra, went to Beijing to meet with his Chinese counterpart, Chen Yi, for the ceremony on 2 March 1963. Although the Pakistanis claimed to have gained 750 square miles of land, the Indians believed that they ceded 2,700 square miles of what they regarded as 'Indian' (because it was Kashmiri territory).

After six rounds of talks, which were held intermittently until May 1963, and in which Bhutto and Swaran Singh, the Indian foreign minister, were the principal negotiators, a joint

communique was issued which stated that with regret no agreement could be reached on a settlement of the Kashmir dispute. (Schofield 2010)

Schofield (2010) also informs that two sides during the talks discussed the possibility of partitioning Kashmir but this suggestion was rejected.

Accordingly, we also must keep in mind that it is essential to include China in any talks between the parties concerning the issue of Kashmir, since China is controlling Aksai Chin, a region within the greater Kashmir, following the 1962 war between China and India. One more region, controlled by China is after the Sino-Pakistan Agreement, signed in 1963.

Having in mind the latest developments in the region, a bilateral negotiation between Pakistan and India is far from reality. Another problem in this context is a partition of Kashmir between India and Pakistan based on national or religious basis is unrealistic. We have seen bad examples in the history when millions migrated from both sides in order to 'purify' ethnically homogeneous India and Pakistan.

5.2 Awarding Kashmir either to India or Pakistan

Theoretical solutions at the United Nations were then, according to Lamb (1997), as of today they may still remain, limited to few options, some of which were extremely unrealistic (and even more so today).

One of the possibilities according to him is awarding the entire state of Jammu and Kashmir to either India or Pakistan. "In many ways this was the outcome, provided it produced desired result (to India for the Indians and to Pakistan for the Pakistanis), which the two new Dominions favoured. Both Indian and Pakistani leaders from the outset came to believe that their case in Kashmir was so good that what the United Nations ought to do was to hand a State over lock, stock and barrel to their country". (Lamb 1997, p. 249-250)

But he states that under Article 35 of the United Nations Charter the Security Council there was not much possibility, besides offering a compromise which going to be accepted and put into effect. (Lamb 1997)

“The roots of the Kashmir dispute are deep’, concluded the third and final report of United Nations Commission for India and Pakistan (UNCIP), which made three visits to the Sub-continent between 1948-49”. (Schofield 1996, p. 162)

“Strong under currents, political, economic, religious – in both Dominions have acted, and do act, against an easy and prompt solution. It is imperative that a settlement of the Kashmir issue be reached”, stated the UNCIP report. (UNCIP report, June 1948- December 1949)

Schofield (1996) further explains that the assistance that Pakistan gave to tribesmen who invaded Jammu and Kashmir according to Indians was hostile act.

“Pakistan, accordingly, was regarded as having no locus standi (authorization) in Kashmir. Since India was responsible for the security of the state, the problem of demilitarization had to take into account the importance of leaving in the state sufficient Indian and state forces to safeguard the state’s security. From an Indian perspective, the plebiscite, to which Nehru had agreed, would be to confirm the accession which was, in all respects, already complete. As the UN commission reported: ‘The cardinal feature of India’s position is her contention that she is in Kashmir by right, and that Pakistan cannot aspire to equal footing with India in the contest.’” (Schofield 1996, p.163)

Pakistan was illegally in Kashmir and had no rights in the matter. The Azad forces should be disbanded and disarmed because they constituted forces which were in the revolt against the government of the states. (Schofield 1996)

The Pakistani position was based on the contention that the accession of the State of Jammu and Kashmir to India was illegal and, therefore, there was no basis whatsoever for India’s contention that the legality of the accession was ‘in fact and law beyond question’. The state of Jammu and Kashmir had executed a Standstill Agreement with Pakistan on 15 August 1947 which debarred the state from entering in any kind of negotiation or agreement with any other country. (Schofield 1996)

Furthermore, Pakistan maintained that the Maharaja of Jammu and Kashmir had no authority left to execute an Instrument of Accession on 27 October 1947 because the people had successfully revolted, had overthrown his government and had compelled him to flee from Srinagar, the capital. The act of accession was brought about by violence and fraud and as such it was invalid from the beginning. The Maharaja's offer of accession was accepted by the Governor-General of India, Lord Mountbatten, on the condition that as soon as law and order had been restored, the question of the accession the state would be decided by a reference to the people. (Schofield 1996)

Pakistan also believe that the Azad movement indigenous and spontaneous, as a result and repression and misrule by the Maharaja's government. The tribal incursions were likewise spontaneous and arose as the result of reports of atrocities and cruelties perpetrated on the Muslim people of Kashmir and East Punjab. The entry of Pakistani forces in Kashmir was necessary in order to protect its own territory from invasion by Indian forces, to stem the movement of large numbers of refugees driven before the Indian army into Pakistan, and in order to prevent the government of India from presenting the world with a fait accompli by taking possession of the entire state by force. (Schofield 1996)

5.3 The independence of Kashmir as a separate state

The entire State could be recognized as independent, and the two external contending parties, India and Pakistan, could be advised, even requested, to withdraw (perhaps even under a Chapter Seven reference to the Security Council of the United Nations from the newly recognized sovereign state). In some respects, this was a logical proposal. After 15th August 1947, with the lapse of Paramountcy, it could indeed be argued that the State of Jammu and Kashmir had become independent. As we shall see, however, there were enormous practical difficulties in the way of this particular solution. (Lamb 1997)

Lamb (1997) notes with satisfaction that both India and Pakistan desire that the question of the accession of Jammu and Kashmir to India or Pakistan should be decided through the democratic method of a free and impartial plebiscite.

Another of Pakistan's proposals, supported by Britain, was to inter-nationalize the valley so that Indian troops could be withdrawn and replaced by forces of other countries; after six months the wishes of the people were to be ascertained. (Schofield 2010)

In this manner, besides the mutual agreement between the conflicted parties, Pakistan and India, we need international consensus, moreover China's consent on the regions that she has control over.

Solving one of the oldest conflicts in the world will be a very hard task. Firstly, a possible international conference where, firstly, all religious groups, especially Muslims, Hindus, Buddhists and Sikhs, living the broader Kashmir, will participate, should be organized. On this conference is crucial ensure the participation of the countries engaged in the lasting conflict, Pakistan and India. Participation of other countries of interest like Russia, China, USA, Turkey and United Nations, is at most encouraged.

5.3 Other solutions

British public service broadcaster, BBC, published 7 scenarios that may somehow solve the Kashmiri problem, on their "In Depth" program, titled "The Future of Kashmir?". (n.d.)

The first scenario according to BBC, is The Status quo. "Currently a boundary - the Line of Control - divides the region in two, with one part administered by India and one by Pakistan. India would like to formalize this status quo and make it the accepted international boundary. But Pakistan and Kashmiri activists reject this plan because they both want greater control over the region". (BBC, n.d.)

This plan may not work, because India claims that Kashmir entirely belongs to itself, nevertheless with some changes it may accept as international border the Line of Control. However, on the other hand Pakistan refuses to accept the Line of Control as an international border. Everything aside this option may ignore the will of Kashmiri's and their struggle for independence.

Further, another scenario is, Kashmir joins Pakistan. "Pakistan has consistently favoured this as the best solution to the dispute. In view of the state's majority Muslim population, it believes that it would vote to become part of Pakistan". (BBC, n.d.)

This plan is also weak having in mind the Hindus that are living in Jammu and Buddhist in Ladakh, that have never shown any desire to join Pakistan. This may cause an outrage among them.

The third scenario is, Kashmir joins India. "Such a solution would be unlikely to bring stability to the region as the Muslim inhabitants of Pakistani-administered Jammu and Kashmir, including the Northern Areas, have never shown any desire to become part of India". (BBC, n.d.)

In this context, as in the previous one, we have to consider the desire of the Muslims of region that have never had shown any interest on being part of India.

The fourth scenario is Independent Kashmir. "The difficulty of adopting this as a potential solution is that it requires India and Pakistan to give up territory, which they are not willing to do. Any plebiscite or referendum likely to result in a majority vote for independence would therefore probably be opposed by both India and Pakistan. It would also be rejected by the inhabitants of the state who are content with their status as part of the countries to which they already owe allegiance". (BBC, n.d.)

As we have seen in the previous chapters an independent Kashmir may lead to "Balkanisation" in the region.

Kashmiri's say that their country to be is larger than at least 68 countries accepted by United Nations in the aspect of geography and is more populous than 90 other countries.

The fifth scenario is, a smaller Independent Kashmir. "An independent Kashmir could be created from the Kashmir Valley - currently under Indian administration - and the narrow strip

of land which Pakistan calls Azad Jammu and Kashmir. This would leave the strategically important regions of the Northern Areas and Ladakh, bordering China, under the control of Pakistan and India respectively. However, both India and Pakistan would be unlikely to enter into discussions which would have this scenario as a possible outcome". (BBC, n.d.)

The sixth scenario is, Independent Kashmir Valley. "An independent Kashmir Valley has been considered by some as the best solution because it would address the grievances of those who have been fighting against the Indian Government since the insurgency began in 1989. But critics say that, without external assistance, the region would not be economically viable". (BBC, n.d.)

Explaining what a country of this size can do it says: "With an approximate land mass of 1,800 square miles (80 miles long, 20 to 25 miles wide) it is much larger than Monaco and Liechtenstein – but only one-tenth of the size of Bhutan. Whether or not the rest of the state retained its current political affiliations, many Kashmiris therefore believe that the valley could be viable in its own right. In terms of livelihood, the valley could sustain itself through tourism, handicrafts and agriculture. But an independent Kashmir Valley would also need to retain good relations with its neighbours in order to survive economically. Not only is the region landlocked, but it is snowbound during winter. An independent Kashmir Valley would have the advantage of giving neither Pakistan nor India a victory out of their longstanding dispute".

According to the text, this scenario might be accepted by Pakistan but not by India that insists on not losing any territory.

The seventh scenario is, The Chenab Formula. "This plan, first suggested in the 1960s, would see Kashmir divided along the line of the River Chenab. This would give the vast majority of land to Pakistan and, as such, a clear victory in its longstanding dispute with India. The entire valley with its Muslim majority population would be brought within Pakistan's borders, as well as the majority Muslim areas of Jammu". (BBC, n.d.)

Analysing all these scenarios and evaluating the maps that are published along with the scenarios, we can clearly see that BBC, has failed to give any solution to the Chinese controlled Kashmir, so called Aksai Chin.

There is one more possibility that in my researches I see a more possible and acceptable from all parties, is that the Andorran model that Lamb (1997) has offered, internally autonomous but internationally in protection of India and Pakistan.

“The major advantage of this ‘Andorra’ solution is that it would be constructed out of elements already in place. No territory under Indian control would be transferred to Pakistan, and no territory under Pakistani control would be transferred to India. The existing cease-fire line (Line of Control) would become the accepted border, either between India and Pakistan or between Azad Kashmir and the Vale. In the greater part of the old State of Jammu and Kashmir the status quo would be accepted”. (Lamb 1997, p. 328)

A survey (Bradnock 2010) that British academic claims is the first ever evaluation of ideas of Kashmiri’s regarding the issue of Kashmir, tells us that the most popular answer to the question on the Future of Kashmir, is the independence of Kashmir. Average of 44 % people in Pakistani-administered Kashmir is in favour of independence, whereas this number is 43% in Indian-administered Kashmir.

Dr Bradnock said that in the Kashmir valley - the mainly Muslim area at the centre of the insurgency - support for independence is between 74% and 95%. (BBC 2010) According to him support for such an idea is less in the region predominantly with other religions

SIXTH CHAPTER: Interviews and Survey

6.1 Interviews

In this chapter we are going to examine the views of Kashmiri entrepreneur, civil society organization director and a journalist, regarding the history and rights of Kashmir and recent developments.

We also intend to share the results of the survey that we did with Pakistan based Kashmiri's, Indian based Kashmiri's, Pakistanis, Indians, and many other people regarding the issue of Kashmir.

6.1.1 Muzzammil Ayyub Thakur Director of The Justice Foundation - Kashmir Institute of International Affairs

First, thanks in advance for giving me this opportunity to interview you, which is going to be very useful for my master thesis. My aim is to present a very broad research for the Kashmir conflict and the struggle of Kashmiri people in their path for independence.

1. There have been many researches and surveys in the past that show the wish of Kashmiri people for independence. We also know that the first Indian Prime Minister Jawaharlal Nehru had promised to hold a plebiscite in Kashmir. Why the wish of Kashmiri's is ignored in this direction?
2. As a director of a foundation that strives for the rights of Kashmiri people what are the frequently expressed concerns of the people of Kashmir in both Kashmir's. How they see the issue of independence or accession to either side, Pakistan or India?

3. Last move of India for Kashmir triggered a lot of reaction. There are reports of internet outage, detention of political figures in Kashmir and many other violations of human rights. What could this new development bring to the disputed region?
4. Having in mind that Pakistan and India are some great nations that possess nuclear warheads, what may happen if starts a war between this 2 countries in the aspect of international relations?
5. There is a lot of to talk about relations between India and Pakistan about the dispute. What is the role of China in this direction? What could happen with Aksai Chin if there will be an independence? Can we consider the Chinese interest in this direction linked with the 'One Belt, One Road' or known as Silk Road?
6. How can the role of Great Britain be evaluated regarding the Kashmir? Is there any resemblance between the secession of Britain from India and from the European Union?
7. How can be the role of other countries that are in close relations with India and Pakistan; Russia and Turkey respectively?
8. There is a huge diaspora of Kashmir out of Pakistan and India. What could be the percentage of people traveling back to their country of origin if there is a possible independence. How can they integrate in a possible new country of Kashmir if something like that is possible?

According to Muzzammil Ayyub Thakur (personal communication, October 23, 2019) Director of The Justice Foundation - Kashmir Institute of International Affairs, based in London, the reason why the wish of Kashmiri's for independence is ignored is because "plebiscite does not suit India's colonial dreams of a pan Hindu nation" as he refers to the promises of the Indian Prime Minister Jawaharlal Nehru about plebiscite in Kashmir.

He states that besides "the colonial dreams of a pan Hindu nation" there is a fear that troubled states in India would also try to demand freedom and independence.

“The south Indians have a completely different identity, culture, and language, then there are other movements in India against the State of India such as Nagaland, Maoists, Naxals, and Sikhs of Punjab demanding an independent nation of Khalistan. If India granted plebiscite to Kashmir, there would be a domino effect and the entire house of cards India is built on would collapse,” says Thakur.

Furthermore, he argues that the Kashmir issue is one of the ways the Indian government has used regularly to whip up sentiments of nationalism in the past, but after 72 years, that strategy is beginning to wear out.

As per frequently expressed concerns of people of Indian administered Kashmir, Thakur expresses that “Kashmiri’s living the Indian occupied Kashmir are concerned for their lives as bullets of Indian forces don’t discriminate, they are concerned for their eyes as pellets blind them, parents are concerned will they be able to see their children. Extrajudicial killings, disappearances, rape as a weapon of war and nothing less than war crimes, crimes against humanity, ethnic cleansing, genocide and now even demographic changes are committed in Indian Occupied Kashmir”.

He also states his concerns about the Kashmiri’s living in the Pakistani administered side.

“Whereas Kashmiris living in Pakistan Administered Kashmir face administrative issues as faced by any underdeveloped and developing nations, as mentioned in the recent report by the office of the UN High Commissioner for Human Rights released in 2018”, stated Thakur.

“The Kashmiri Diaspora complain of the lack of space given to indigenous people to represent themselves. Support is always appreciated but the best impact is when the affected party is able to express their sentiments, aspirations, and pain by themselves”, he added.

According to Thakur, the obvious concern expressed among the Kashmiri’s is the inability to decide their own fate, something India dismisses, but also the “rampant human rights abuses that occur on a daily basis in Indian occupied Kashmir”.

“The issue of a plebiscite and which way the people decide is a democratic process, so the result of the plebiscite is not a concern, it is the ability to actually get the opportunity to decide through a plebiscite as mandated by the United Nations and agreed upon by both India

and Pakistan. India outrightly refuses for any type of referendum whereas Pakistan continues to uphold the UN resolutions in relation to Kashmir's right of self-determination", he emphasized.

On the fifth of August 2019, Indian government scrapped the special status of Jammu and Kashmir, the Indian Administered Kashmir.

According to Thakur, the abrogation of article 370 and 35A on 5th August was an illegal move of the Indian Government. "It not only violates the Indian constitution but also the United Nations Resolutions by annexing Indian Occupied Kashmir. Since then we have seen two hundred thousand additional troops deployed in Kashmir (making the total number of personals nearly 1 Million)", said Thakur.

Reminding the reaction of the people of Kashmir to the killing of Burhan Wani, an armed resistance fighter, in 2016, Thakur stressed that "millions came to his funeral, and he spurred a new 'intifada' in Kashmir, representing the silenced voices who had no space to peacefully protest and humiliated on a daily basis by Indian occupational forces".

Thakur is using the metaphor of "intifada" for the move of the people of Indian administered Kashmiri, which is a significant concept in Arabic, which is associated with "legitimate uprising against oppression".

In pursuit of explaining the latest developments, he continues this way:

"Then in February 2019, we saw a young Kashmiri armed resistance fighter who attacked an Indian military convoy resulting in India's failed attack on Pakistan through military airstrikes and the capture of their air force pilot, who was swiftly returned by Pakistan as a goodwill gesture towards peace. It is the first time in history that two nuclear countries have attacked each other and what's important to remember is escalation of violence has always been done by India in many shapes and forms. When space to dissent is crushed, it pushes people to find alternative means to dissent such as armed resistance. Further excesses committed by India will result in more atrocities in Kashmir and more young people resisting against the oppression and subjugation by any means necessary. BBC reported in September that protestors were chanting 'there is only one solution, gun solution gun solution' and that gives India an opportunity to accuse a terrorized people of terrorism, which is ironic. Furthermore, any reaction by the people in Kashmir will be blamed on Pakistan and so-called

‘insurgency’ and ‘terrorism’ which is a false narrative to expand islamophobia and criminalize those who advocate for a solution to the Kashmir conflict in accordance with the wishes of the people”.

“All this could lead to a potential war, a World War III of sorts between two nuclear powers. Bear in mind that two other nuclear powers are in the region, China and Russia, but also that any nuclear war would not just devastate the subcontinent, but the entire world”, he sums up.

According to him a war between Pakistan and India would most certainly be of direct concern to China, United States of America (USA) and Russia, explaining that the concern of China would be because of China–Pakistan Economic Corridor (CPEC) and One Belt One Road (OBOR).

The concern of the USA, in this sense, according to Thakur is because of Afghanistan as well as their geostrategic partnership with both India and Pakistan. “Russia because it too wants to be a game player in the region and not be isolated. A nuclear war would, of course, be major concern to the rest of the world as no one would be able to survive the aftermath”, he added.

Since the escalated tensions in Kashmir, Thakur says that we have seen a keen interest of politicians around the world condemning Indian actions which could be capitalized upon by Pakistan to maneuver into a stronger moral as well as diplomatic, geo-strategic, political and military positioning.

“There are no permanent friends or enemies in politics, and India’s radical shift towards neo-colonial fascist imperialism due to extreme Hindu religious ideology dictating a pan Hindutva nation beyond India’s borders, has caused the world community to rethink their relationship with India, particularly with the ruling party of the Bharatiya Janata Party (BJP) - Indian People's Party, which is backed by the Rashtriya Swayamsevak Sangh (RSS) - National Volunteer Organization, an organization that follow the ideals of Adolf Hitler”, he said.

Talking about the role of China in the region, he furthermore stated that, CPEC, OBOR is China’s main if not only interest in the region. Thakur asserted that unlike USA and “other

imperialistic countries” in the past, China has been quietly growing and strengthening themselves.

Even though China has a strong relationship with Pakistan, as regards to him, China often remains neutral on the issue of Kashmir, even though has its own dispute with India over territory of Arunachal Pradesh, currently a state of India and formerly referred to as “North-East Frontier Agency”.

“We still believe that all parts of Kashmir that are scattered right now be given the right to decide once plebiscite is granted”, he urged.

“It is, therefore, the responsibility of the UK to intervene and resolve the Kashmir problem according to the aspirations of the people of Kashmir. However, any time the UK has attempted to even start dialogue, India flatly refuse and refer the British Government to their own issues of Ireland. Furthermore, the UK does not want to risk trade relations with India, particularly after the Brexit issue and need to renegotiate trade deals”, said Thakur, by stating that it was British Empire that left the subcontinent.

Regarding the question of the role of the other countries in resolving this matter, he underlines that:

“Turkey and Pakistan are great friends, but regardless of sentiments for one another, both countries face their own internal as well as international issues, be it Turkey in relation to Syria and Kurds, or Pakistan with India and terrorism. Russia, on the other hand, is more stable and less prone to external influences so I expect them to attempt to become more diplomatically relevant in the region, especially to negate American influence. Ultimately, we will see either self-interests, be the geostrategic/economic, or one based on shared values”.

He, regarding the return of the diaspora if independence happens, says that history has shown how revolutions, be they positive forms or negative, have drawn diaspora to return and rebuild a nation.

“With many people living outside of Kashmir with vast amounts of experience and knowledge, who have a vested interest in their homeland, I am certain that many, including myself, are prepared to return to Kashmir and develop it into a prosperous nation. Although it may sound idealistic, the passion for one's homeland is overpowering, as we saw after the end

of apartheid in South Africa and the return of trained specialists to rebuild their nation”, he pointed out.

6.1.2 Majid Mirza Hussain - Entrepreneur

1. There have been many researches and surveys in the past that show the wish of Kashmiri people for independence. We also know that the first Indian Prime Minister Jawaharlal Nehru had promised to hold a plebiscite in Kashmir. Why the wish of Kashmiri's is ignored in this direction?
2. As an entrepreneur of Kashmiri origin what are the frequently expressed concerns of the people of Kashmir in both Kashmir's. How they see the issue of independence or accession to either side, Pakistan or India?
3. Last move of India for Kashmir triggered a lot of reaction. There are reports of internet outage, detention of political figures in Kashmir and many other violations of human rights. What could this new development bring to the disputed region?
4. There is a lot of to talk about relations between India and Pakistan about the dispute. What is the role of China in this direction? What could happen with Aksai Chin if there will be an independence? Can we consider the Chinese interest in this direction linked with the 'One Belt, One Road' or known as Silk Road?
5. There is a huge diaspora of Kashmir out of Pakistan and India. What could be the percentage of people traveling back to their country of origin if there is a possible independence. How can they integrate in a possible new country of Kashmir if something like that is possible?

What is your opinion about the economical aspects of Kashmir now? What would change if there will be independence?

On the other hand, according to Majid Mirza Hussain (personal communication, October 21, 2019) Entrepreneur, based in London, the aspirations, hopes, and desires of Kashmir are not paramount to those that have political and military power in the region.

As he further explains the structure of the region, recalls that Kashmir was once known as a tourist hotspot and famed with the saying “Kashmir is like heaven on earth” the boat barges that cruise through the rivers, natural wildlife, and lush greenery have made Kashmir a desirable geographical region.

“Kashmir is also a strategic military vantage point for any army, particularly with arch-nemesis India and Pakistan. Neither country can afford to lose its part of Kashmir as it would weaken the economy and reduce power structures within the Indian subcontinent”, he added.

However, over 70, 000 Kashmiri’s have been killed in recent decades due to strife and struggle and Indian army brutality and oppression, according to Hussain. “Many human rights cases of abuse occur on a daily basis in the area. Kashmir is simply too valuable to lose for its colossal stakeholder nations and with this regard the will of the Kashmiri people is not likely to be heard”, said Hussain.

Hussain explains that in terms of an economic basis Kashmir is a region that could easily become a viable platform that would attract thousands of tourists and increase GDP.

“Many of the Kashmiri diaspora living in countries such as the UK or USA have invested thousands of pounds into the Pakistani administered Kashmir for example and helped its economy thrive. People from Azad Kashmir (Pakistani administered Kashmir) want to be united with their kinsfolk across the border and in the main wish for oppression and brutality to stop being administered by the Indian army. The vast majority of Kashmir occupied by India is of Muslim descent and followers of the Islamic faith. Incidentally it is the only Muslim majority state in India”, stated Hussain.

According to him, Kashmiri diaspora's uttermost desire is to be with their fellows from the Indian side Kashmir, either in Pakistan or independent.

“Many Kashmiri people living in the UK have desires for Indian occupied Jammu Kashmir to unite with Azad Kashmir and either become independent or join Pakistan. It would be extremely difficult for a small country to govern in between two superpowers independently.

Therefore, the argument leans towards a plebiscite for the Kashmiri people to express their will. I believe the majority of Kashmiri's would vote to join Pakistan", he said.

Mr. Hussain argues that India's decision for revoking the article 370 essentially would leave the Kashmir's even more vulnerable and in a more difficult existence.

"On top of all the difficulties and the large military build-up in the area, there was a complete media blackout. Within this context many human rights abuses have been reported and freedom has been restricted for the predominantly Muslim communities living in the area. Psychological and physical stresses have added to the tensions and reality on the ground", said Hussain.

"There could be a bloodbath in the region", he quoted the Prime Minister of Pakistan, Imran Khan.

"Since these developments has erupted worldwide against India's new position and political discourse which is likely to have disastrous knock-on effects. There could be further escalation and potential military action between Pakistan and India. As both are nuclear powers this could have a major impact globally", he stated.

China controls a small part of Kashmir primarily known as the Aksai Chin and Trans-Karakoram Tract which lead to the Chinese nation bordering India and Pakistan.

Talking about China's role in the region, Hussain argues that "China is a geopolitical unicorn in this situation as it is a superpower on the global stage, nuclear-armed and has one of the fastest-growing economies in the world".

As he explains further the role of China in the Kashmir issue, he continues:

"China has traditionally had strong relations with Pakistan both politically and militarily. This relationship has depended in recent years. The Chinese are planning to invest \$62 billion into the Chinese Pakistan Economic Corridor better known as CPEC. This deal has seen new infrastructures such as roads and a purpose-built port being developed at Gwadar. Some commentators have noted that this is indeed the revival of the ancient 'Silk Road' that brought trade through China across Asia and into Europe hundreds of years ago".

“China is likely to continue to politically side with Pakistan due to the economic investment already undertaken and being strategized as Pakistan is a key ally to the Chinese political regime”, Hussain asserted.

Talking about the possible return of the Kashmiri diaspora if independence happens, Mr. Hussain, explains: “It is not known if people would immigrate back permanently to a newly independent Kashmir. Many Kashmir’s from the UK, for example, do regularly go on short term breaks to see family members flying into Pakistan and traveling throughout Kashmir. There would potentially be a small percentage of entrepreneurs who may consider setting up businesses in the area to boost the economy”.

“If there was independence, I believe Kashmir could open to the global community. Travel, Halal travel, and tourism would have great potential in the region. Travel businesses and tour companies would quickly be able to reap the rewards with opening up opportunities for visitors from around the world to admire the beauty of Kashmir. This would also allow other infrastructure such as roads, hotels, and resorts to be created. Natural resources could be explored i.e. operation to excavate pink diamonds. The region has fantastic wildlife and greenery which could also promote eco-friendly travel and tourism”, Hussain sums up.

6.1.3 Muhammad Faysal – Journalist for TRT World

1. There have been many researches and surveys in the past that show the wish of Kashmiri people for independence. We also know that the first Indian Prime Minister Jawaharlal Nehru had promised to hold a plebiscite in Kashmir. Why the wish of Kashmiri’s is ignored in this direction?
2. As a journalist what are the frequently expressed concerns of the people of Kashmir in both Kashmir’s. How they see the issue of independence or accession to either side, Pakistan or India?

3. Last move of India for Kashmir triggered a lot of reaction. There are reports of internet outage, detention of political figures in Kashmir and many other violations of human rights. What could this new development bring to the disputed region?
4. What are the challenges as a journalist in breaking the news for/from Kashmir, if we consider the last developments?
5. Having in mind that Pakistan and India are some great nations that possess nuclear warheads, what may happen if starts a war between this 2 countries in the aspect of international relations?
6. There is a lot of to talk about relations between India and Pakistan about the dispute. What is the role of China in this direction? What could happen with Aksai Chin if there will be an independence? Can we consider the Chinese interest in this direction linked with the 'One Belt, One Road' or known as Silk Road?
7. How can the role of Great Britain be evaluated regarding the Kashmir? Is there any resemblance between the secession of Britain from India and from the European Union?
8. How can be the role of other countries that are in close relations with India and Pakistan; Russia and Turkey respectively?
9. There is a huge diaspora of Kashmir out of Pakistan and India. What could be the percentage of people traveling back to their country of origin if there is a possible independence. How can they integrate in a possible new country of Kashmir if something like that is possible?

According to Muhammad Faysal (personal communication, December 14, 2019) a Kashmiri journalist who works for TRT World based in Istanbul, Kashmir is in the heart of geopolitical mess with three military states surrounding it and occupying parts of it. "That's why Kashmiris don't matter as it is occupied and colonized", he stated.

He explains that Kashmiris have one agreement on the end of military occupation and unification of their state. "However, they might overwhelmingly share Independence or pro-

Pakistan sentiments just like Kosovans have about Albania”, said Faysal further comparing Kashmiri’s just like Kosovans.

About the last move of India, on revoking the special status of Kashmir, Faysal indicates that it could put Kashmir under a demographic threat with Indian state applying the settler-colonial model on the region.

“There’s widespread threats and intimidation tactics used by the Indian state against journalists. There are over 100 journalists that have been killed/arrested/tortured since the 1990. India also restricts foreign journalists from coming to Kashmir”, he explains further the situation in Indian administered Kashmir and the challenges that journalists in the region are facing.

About a possible war that may break out between two nuclear powers, India and Pakistan, he points out that “It would mean an annihilation of world’s 1/3 population and an escalation to a Third World War because it would affect everyone”.

Faysal claims that the Chinese interest in the region is economic and is based on its expansion as a superpower. “It allies with Pakistan on Kashmir but at the same time extracts benefits from India. Aksai Chin historically is a part of Tibet and not of Jammu Kashmir. China’s OBOR crosses Gilgit-Baltistan which is also part of the disputed region of Kashmir”, says Faysal.

Faysal further explains that Britain first sold Kashmir in 1846 and allowed the partition of the state by shaking off from its responsibility in 1947. “It did not enforce accountability on India-Pakistan in 1947 and continues to be a bystander”, observed he.

Talking about the Russia and Turkey’s role over resolving the issue of Kashmir, he points out that, they can pressure India to end its occupation and put sanctions on individuals involved in the crimes against Kashmir.

He doesn’t see it as a problem if Kashmir were to be an independent country, the integration of the Kashmiris.

6.2 Survey

In assistance to our work, we also conducted a mini survey on what could be the future of Kashmir. We provided participants with 9 questions via the online survey maker (Survey Planet). In this direction, we sent the questions to Pakistan, India, Pakistan administered Kashmir, India administered Kashmir, and other part of the world via internet. We had total of 153 participants.

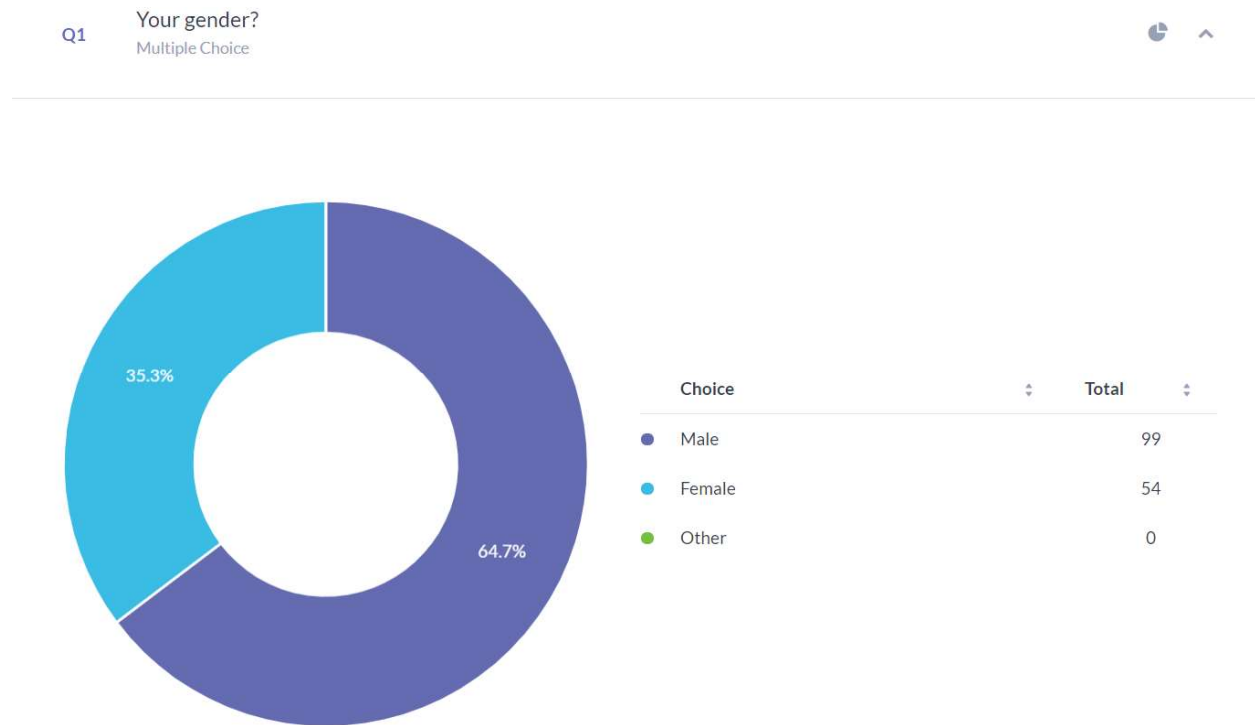


Figure 3. The gender of the participants of survey

From total of 153 participants, we had 99 males and 54 females, in other words 64.7 % males and 35.3 % females. Because of the reason that the survey was done online, and we shared it in many platforms to get as many answers as we could, the number of the participants by their gender is not well-proportioned.

Q2 Your age?
Multiple Choice

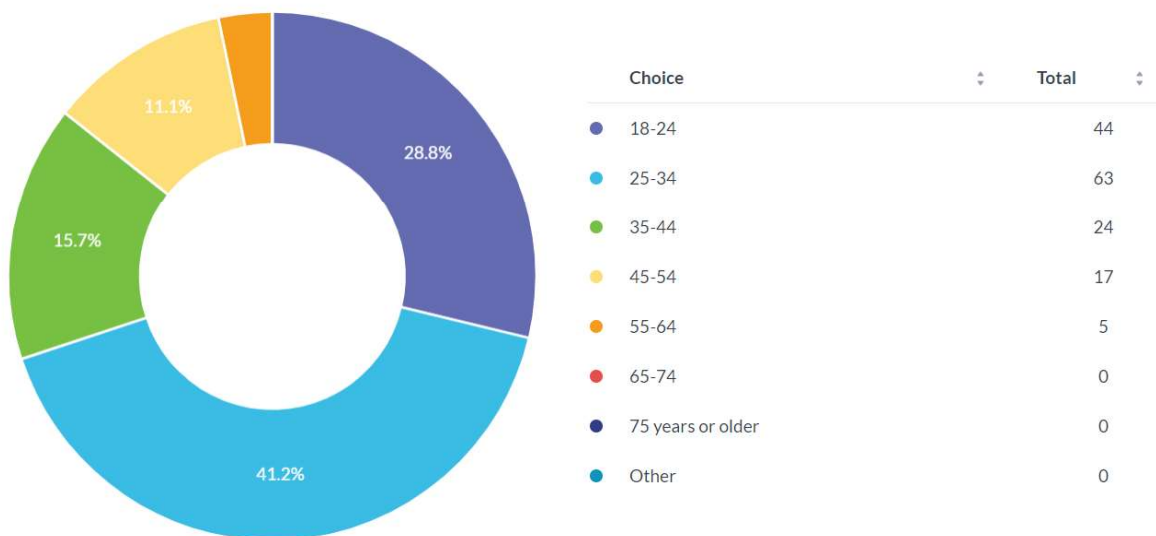


Figure 4. The age of the participants of survey

Most of the participants were of age range between 25-34 with 41.2 % or 63 participants. It was followed by 18-24 with 28.8 % or 44 participants. Third place was between 35-44 with 15/7 % or 24 participants and the fourth place 45-54 with 11.1 % or 17 participants. In this context it is very important to analyse what the rising generation is thinking. With all due respect to elderly people, statistics show that different generations had great impact on Brexit.

In relation to aforementioned issue, according to the BBC (Curtice, 2018), just over 70 % of 18 to 24-year-olds who voted in the Brexit referendum backed the option to remain in the European Union, however 30 % backed leave. "In contrast, only 40 % of those aged 65 and over

supported Remain, while 60% placed their cross against Leave”, reads the analysis of Sir John Curtice, Professor of Politics at Strathclyde University, for BBC.

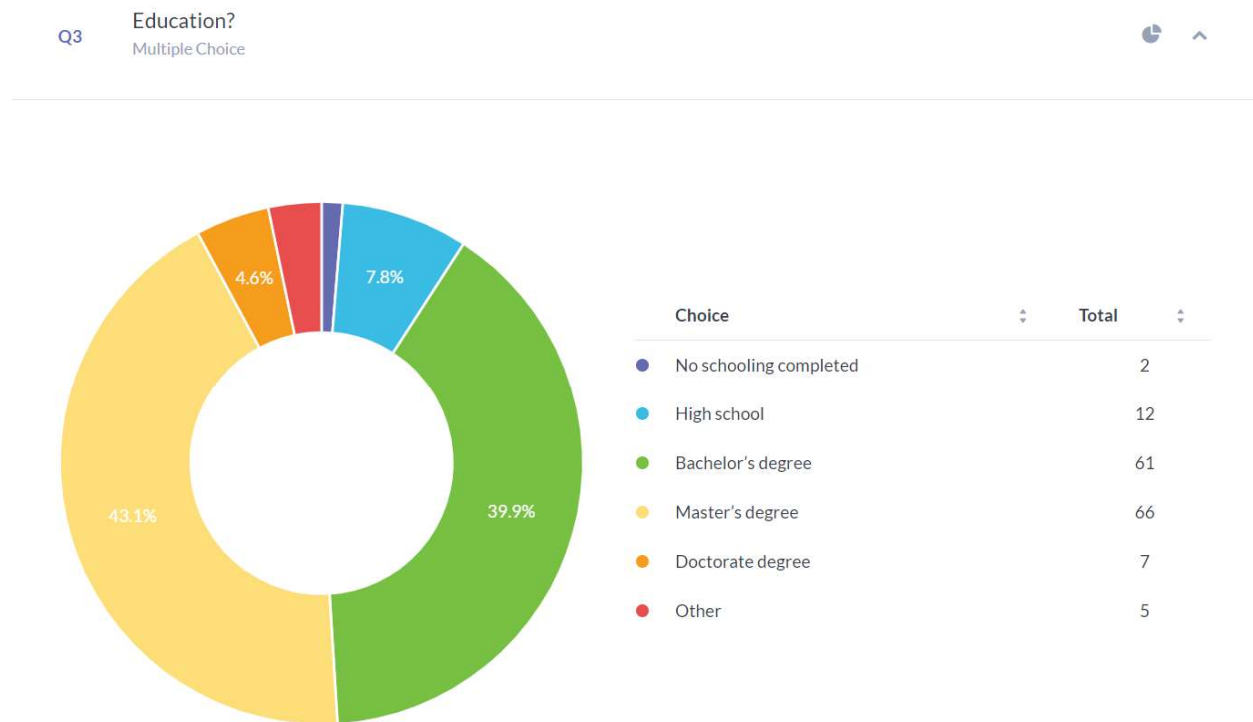


Figure 5. The education level of the participants of survey

The highest education level of the participants was with 4.6 % or 7, Doctorate degree. However, the most participants were master's degree with 43.1 % or 66 participants, followed by Bachelor's degree with 39.9 % or 61 participant. These numbers showed us that the participants were of a high level of education.

Q4 Employment status?
Multiple Choice

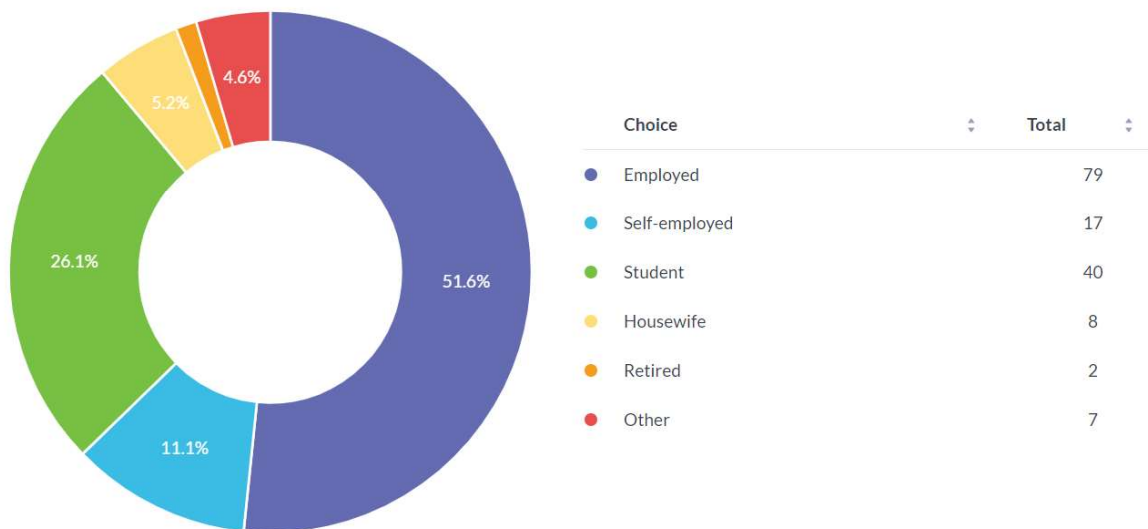


Figure 6. The employment status of the participants of survey

More than half of the participants of the survey or 51.6 % or 79 persons were employed, as the second majority of participants were students with 26. % or 40 persons.

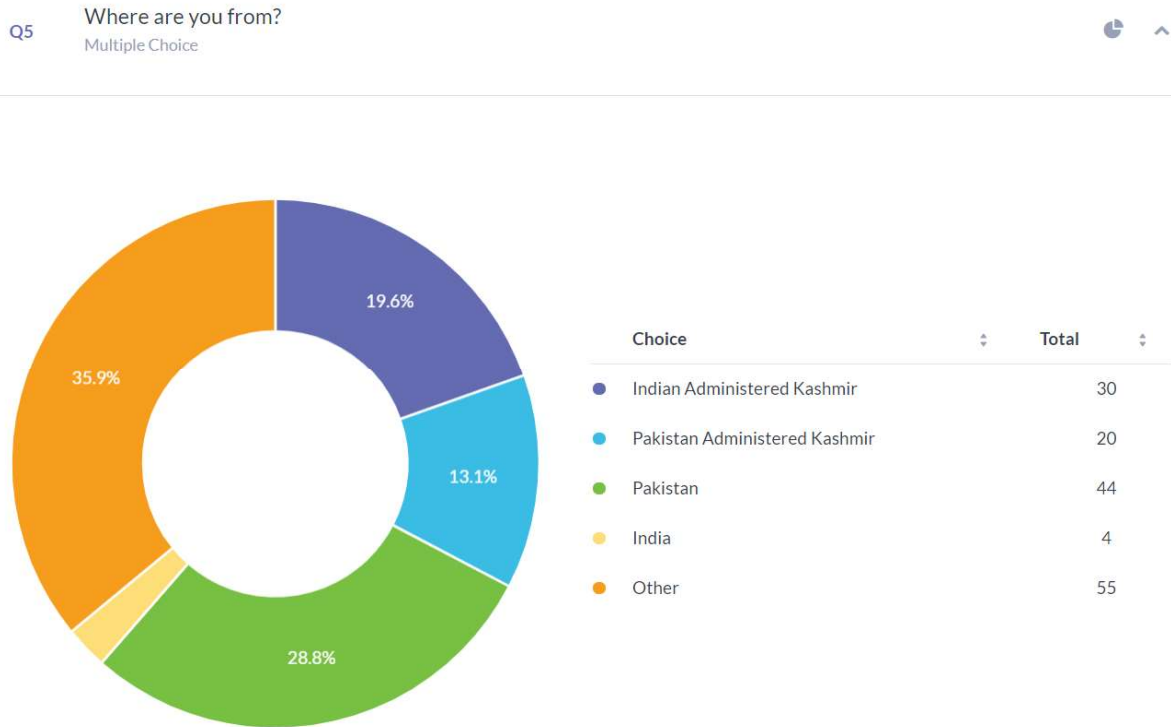


Figure 7. The origins of the participants of survey

One of the most crucial questions of the survey was, when we asked the participants where they are from. We had a great majority of third-party state participants (35.9 % or 55 persons), however we still had good percentage of Indian Administered Kashmir residents (19.6 % or 30 persons) which may give us desired results in this context. We had also 28.8 % or 44 persons from Pakistan. However, the participation from India was too little (4 participants).

We also asked the participants their ethnic group which are not shown as a chart, because of the reason that this option was optional, and they had to fill in. Having in mind that there are lots of ethnic groups in the region and lots of other ethnicities that may have contributed to the survey.

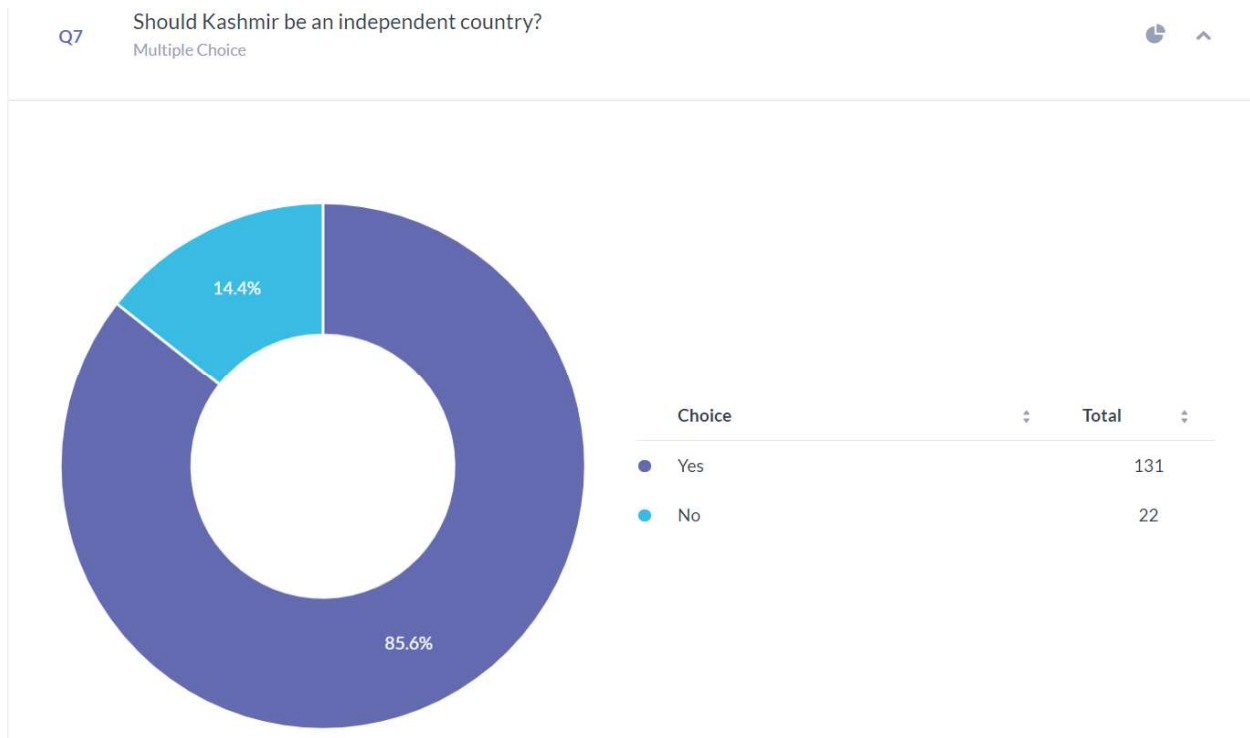


Figure 8. Should Kashmir be an independent country?

To the referendum-like question, “Should Kashmir be independent country?” the majority of the participants answered “Yes” with 85.6 % or 131 participants. On the other hand, the participant that said “No” were 14.4 % or 22 participants.

In this context we can also analyse the official stance of both India and Kashmir in order to get clearer picture on the issue. As we broadly cited different work on the issue, by different authors and analysis, we can decidedly say that either side is not willing to allow any kind of small debate on the issue, let it be the independence.

From our research, on the official web sites of both Indian and Pakistani authorities, Kashmir related sections are indispensable.

According to the information on Kashmir Library, which cites the Indian Embassy in Washington D.C., says that, Kashmir is an integral part of India. They explain this on 4 relevant articles. According to them Kashmir is not a disputed territory and the accession of it to India is definitive and legal. India is asserts that Pakistan should relinquish the, Pakistan Administered

Kashmir and they should not call it, as they do, Azad Kashmir. They also claim that Kashmir is the international affair of India and no one should interfere there, moreover even the international community.

They firmly oppose the idea of holding plebiscite, asserting that the people of Jammu and Kashmir repeatedly participated in the elections of the state. "People of Kashmir are largely happy with India", states the statement of the embassy's note. They also claim that Pakistan is sponsoring terrorism, and whatever happens in the Kashmir Valley, is not freedom struggle but a terrorist movement caused by India. They point out that there is no Human Right violations, but they are just allegations.

According to the same site, citing Pakistan's ministry of foreign affairs, it states, regardless of the fact that India does not accept, Kashmir is a disputed territory.

"Accession of Jammu and Kashmir to India is disputed because Maharaja Hari Singh acceded to India under duress without consulting the wishes of the people", explains the ministry's note, expressing that Kashmir is not a finished partition, the promised plebiscite by India was never held.

Pakistan also perceives Kashmir as their "jugular vein", and that they only provide moral and diplomatic support for the freedom struggle of Kashmir. They urge of implementation of the UN resolutions.

"The solution to the dispute requires a unitary plebiscite for the whole of J&K under international auspices. UN resolutions call for the holding of a plebiscite to determine the wishes of the Kashmiri people", states the ministry.

Q8 If independence doesn't happen, what is your opinion how should be the future of Kashmir?
Multiple Choice

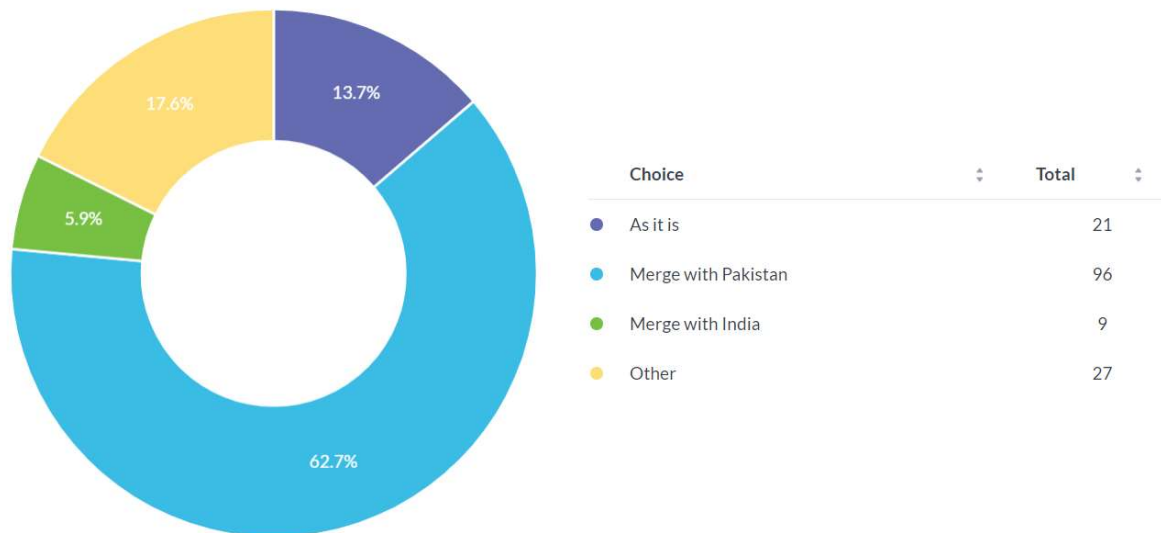


Figure 9. If independence doesn't happen, what is your opinion how should be the future of Kashmir?

To the question "If independence doesn't happen, what is your opinion how should be the future of Kashmir?", participants overwhelmingly answered that it should merge with Pakistan, with 62.7 % or 96 participants. The percentage of answers containing "merge with India" were too small with 5.9 % or 9 participants. Besides the answer "As it is" with 13.7 % or 21 participants there was a huge percentage (17.6 % or 27 participants) which gave different answer and solutions as "buffer state", "current status with greater autonomy", "referendum to decide" etc.

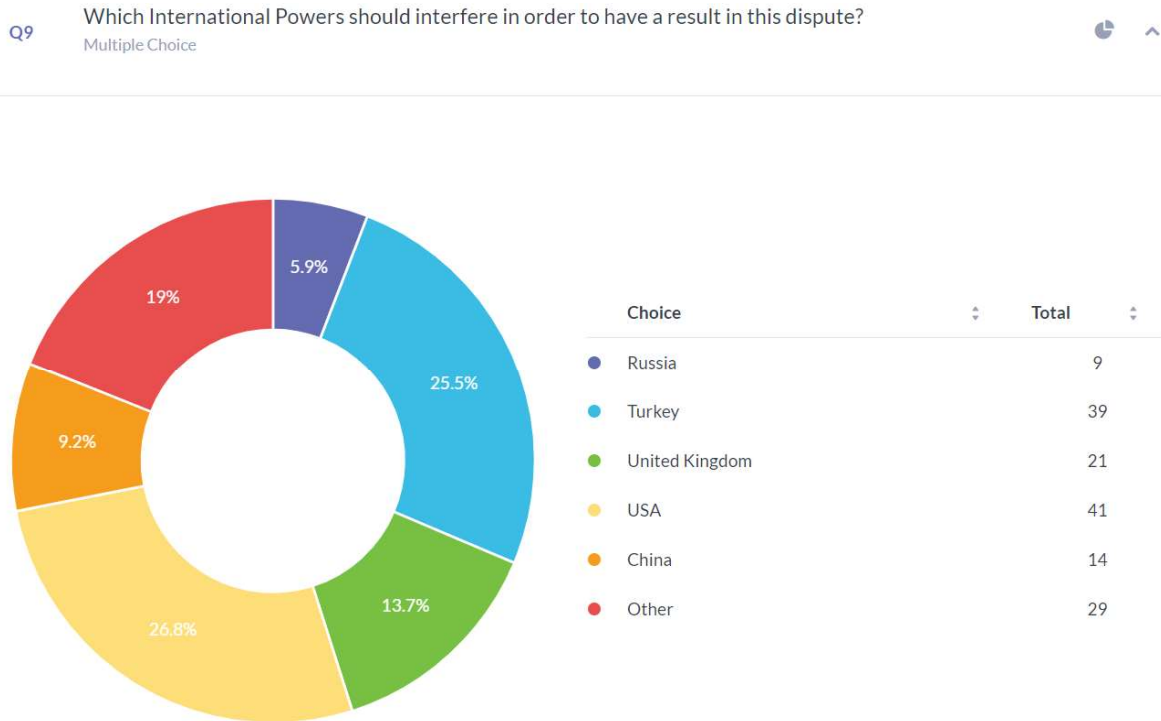


Figure 10. Which International Powers should interfere in order to have a result in this dispute?

The last question was about the effort in resolving the dispute. The participants were asked “Which International Powers should interfere in order to have a result in this dispute?”. Participants in majority believed two states, USA (26.8 % or 41 participants) and Turkey (25.5 % or 39 participants) should have efforts in the process of peace-making.

The number of participants in this context in favour of Russia was too little (5.9 % or 9 participants), a little more in favour of China (9.2 % or 14 participants), however United Kingdom as a predecessor umbrella of the Indian-subcontinent was 13.7 % or 14 participants.

Participants also offered another third-party states or organisations in this matter, like “UN, Norway, Sweden, Germany, EU etc”.

However, India rejects any interference. According to news on Press Trust of India (2019), the Minister of External Affairs of India, Subrahmanyam Jaishankar, said that they

categorically reject any scope for third party mediation between India and Pakistan on Kashmir, and the two countries can discuss the issue bilaterally.

Conclusion

As a result of our broad research on the issue we can clearly see that the only path that is going to give us a solution passes by mutual agreement of India and Pakistan. As a matter of fact, they have been in several talks in the past however neither of those did not result with a final solution and did not respect the decisions of the United Nations.

In this context we think that an international conference on Kashmir with the mediatorship of the international community, as such USA, Turkey, UN or EU can give positive results, to say the least, for debating the issue and searching a possible solution.

The conclusions of the conference to an extent may be submitted to both parties, India and Pakistan. Further, to resolve the problem a UN brokered talks between parties may also apply. Past experiences tell us that any final solution between two states, India and Pakistan, that are not willing to give up territory is far than impossible.

In this thesis we concluded that the best scenario that both sides may accept is the Andorran model, internally independent but internationally dependant to both India and Pakistan. But, still, many independence movements and nationalistic movement in India and Pakistan may reject this offer.

Having in mind that the region is unstable and even the smallest sparkle can cause devastated results, a possible independence of Kashmir, if there will be any consensus in the issue, may bring peace in the region and beyond. It may also epitomise other examples. In this direction, China may play a crucial role, as an intermediary, forwhy a peaceful region will contribute to its global projects like One Belt One Road.

United States, also, would want to restore its reputation by contributing to the resolution of the issue. Turkey on the other side as rising star in international politics, and as a impartial state would contribute a lot.

One of the biggest problems through out the research was that we were unable to perform surveys and interviews in the conflicts proper place.

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APPENDIX

The survey

1. Your gender?
 - a. Male
 - b. Female
2. Your age?
 - a. 18-24
 - b. 25-34
 - c. 35-44
 - d. 45-54
 - e. 55-64
 - f. 65-74
 - g. 75 years or older
3. Education?
 - a. No schooling completed
 - b. High school
 - c. Bachelor's degree
 - d. Master's degree
 - e. Doctorate degree
4. Employment status?
 - a. Employed
 - b. Self-employed
 - c. Student
 - d. Housewife
 - e. Retired
5. Where are you from?
 - a. Indian Administered Kashmir
 - b. Pakistan Administered Kashmir
 - c. Pakistan
 - d. India
 - e. Other
6. Which ethnic group you belong?
 - a.
7. Should Kashmir be an independent country?
 - a. Yes
 - b. No
8. If independence doesn't happen, what is your opinion how should be the future of Kashmir?
 - a. As it is
 - b. Merge with Pakistan
 - c. Merge with India
9. Which International Powers should interfere in order to have a result in this dispute?
 - a. Russia
 - b. Turkey
 - c. United Kingdom
 - d. USA
 - e. China