

The background of the entire slide features a close-up of a globe showing the continents of Africa and Europe. In the foreground, on the left, is a large, light-colored wooden chess piece, likely a king or queen, which is out of focus. The overall lighting is soft, and the colors are muted, giving it a professional and academic feel.

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The Kashmir Conflict: A Matter of Geopolitics and Micropolitics

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The Kashmir Conflict: A Matter of Geopolitics and Micropolitics

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Disputed Area, New York Times (Goel,2019)

Abstract

This article gives an overview of the conflict that has been taking place in Kashmir since 1947 and has killed millions of innocent Kashmiris. How did this conflict start? Who are the parties involved? What is the importance of this conflict for the countries involved and how does it affect their politics? In this short viewing of the historical context of the conflict some of these questions can be answered, and even more questions can be raised.

Key words: *Kashmir, Conflict, India, Pakistan, History, Geopolitics;*

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Introduction

One of the most complicated conflicts in the modern era, Kashmir hasn't stopped making headlines worldwide since the conflict in the area started in 1947. India and Pakistan, that claim part of the Jammu and Kashmir territory do not seem to have any intentions to retreat from this ongoing "battle". Both countries want peace and safety for the land, but still have not come to an agreement that will provide these to the Kashmiri people. There have been multiple attempts from both sides, to find a solution that will satisfy the people and the states involved, but they only made the situation even more complicated. Since the two countries were unable to come to an agreement, the United Nations (UN) was brought in as an objective judge that might "shed light" on Kashmir's dark fate.

On the 9th of July 1951, Pandit Jawaharlal Nehru, then Prime Minister of India, said that "Kashmir has been wrongly looked upon as a prize for India or Pakistan. People seem to forget that Kashmir is not a commodity for sale or to be bartered. It has an individual existence and its people must be the final arbiters of their future".¹ A chance for the people to choose their future hasn't been given yet, keeping Jammu and Kashmir in an unstable state. The physical contiguity with both countries, the state's endless water resources and its access to major trade routes, make Kashmir a land of great geo-political, economic, strategic and military importance for all countries involved in this endless conflict.

Millions of people died during the partition of India and Pakistan, but Kashmir shows that this conflict still is not over. The two neighboring countries, China, the United Nations along with various other organizations involved in solving one of the century's biggest conflicts have made no progress, resulting in even more Kashmiris getting hurt each year.

Short history of the conflict

It all started with the partition of India and Pakistan in 1947, after being under British rule for hundreds of years. Britain had created a separation between the Hindu and Muslim population of India by historically putting Muslims into a minority status and creating separate electorates for the colony's Muslim population. On the 3rd of June in

¹ Ali, T., Bhatt, H., Chatterji, A. P., Khatun, H., Mishra, P., & Roy, A. pg:128

1947, the British announced their withdrawal from its colony and with that, India would have to be separated into the two independent dominions of India and Pakistan, as first requested by Muhammad Ali Jinnah (then leader of India's Muslim league). The independent, Muslim-majority state of Pakistan was created on the 14th of August 1947 and the Hindu-majority nation of Hindustan (India), one day later, on the 15th. The British rule was connecting the different peoples of the subcontinent, as the diversity in the now states of India, Pakistan and Bangladesh is of immense importance. It is also important to understand, that the subcontinent has hundreds of different languages and each region has its own characteristics, religious beliefs, and way of living, which makes it difficult to make all these people part of only one identity. Muhammad Ali Jinnah stated that "India is not a nation, nor a country. It is a subcontinent of nationalities"².

The princely states, that made India, theoretically had two options according to Lord Mountbatten, British Governor General of free India. The first one was to remain independent, which wasn't recommended, and the second one was to accede to either one of the new countries. The truth was that staying independent wasn't a realistic choice, as Kashmir's development showed. When the time came, the weight of choosing which newly-formed nation state they would accede to, fell upon the rulers of the princely states. The rulers bearing in mind the wishes and characteristics of their people, had to choose an accession of their state, to either India or Pakistan.

The ruler of Muslim-majority Kashmir at the time, the Maharaja Hari Singh, was a Hindu. The maharaja initially decided to keep his princely state independent, and so did Osman Ali Khan Asaf Jah VII and Muhammad Mahabat Khanji III, the rulers of Hyderabad and Junagadh respectively. The rulers of Hyderabad and Junagadh were in a similar situation as Singh, because they were Muslim rulers of Hindu-majority states. The state of Hyderabad signed on 1947 an agreement with India hoping to keep some of its independence, as India were to not station troops in the state. After a militant rise in Hyderabad, India found it necessary to invade the state whose ruler later signed an Instrument of Accession to India. Junagadh's situation was different. Its ruler decided to join Pakistan, even though his state only had borders with India and connected to Pakistan through the sea. While Pakistan accepted the accession, India, as is logical, did not agree with such a decision and ceased all trade with the state, which then to avoid financial collapse asked India to take over. The difference between the three states is that

² Marshall, 2015: 170

Kashmir is still struggling to find its place in this decades long conflict between India and Pakistan.

The state of Jammu and Kashmir acceded to India under the India Independence Act passed by the British Parliament in 1947. Pakistan never accepted the legality of this accession by Hari Singh, because it took place months after the two countries gained their independence and both had to agree on it.

When tribesmen from Pakistan entered Kashmir to join a revolt in August 1947, the Maharaja Hari Singh was incapable of stopping an ongoing rampage and had to ask for India's help, which came after he signed the so-called, Instrument of Accession, bringing Kashmir to India. The Indian forces arrived in Kashmir in October 1947, and the fighting escalated to the first Indo-Pakistani War. With both India and Pakistan sending forces to Kashmir, India was the first to address the United Nations in 1948 and by 1949 a cease-fire line was agreed upon, leaving two-thirds of Kashmir under the control of the Indian state. When India made its constitution and when that same constitution came into effect, so did the Article 370, which gave Kashmir its "special status" within India.

Less than two decades later, in 1962, and with no plebiscite in the horizon yet, tensions in the Ladakh territory, ended in a loss of territory for both India and Pakistan, from China. After that border dispute, and after Pakistan violated the 1949 cease-fire line agreement, by sending armed troops past the control line, the second Indo-Pakistan war broke out in 1965. The second Indo-Pakistan war ended in Indian victory and the separation of Pakistan and then East Pakistan to today's Bangladesh.

In July 1972, the Simla agreement was signed by India and Pakistan, with which the UN-cease fire line was re-appointed as the "Line of Control"(LoC), with the purpose to solve the conflict through bilateral talks and respect the new "border". Through the years, armed resistance broke out and kept going as former Muslim United Front (MUF) members supported it and India's militarization grew. More deaths and demonstrations followed during the 90s, until February 1999, when Atal Bihari Vajpayee (Prime Minister of India) and Nawaz Sharif (Prime Minister of Pakistan) signed the Lahore Declaration, once again aiming to resolve the Kashmir conflict peacefully. This agreement only lasted a few months, until May 1999, when the Kargil War took place between India and Pakistan, in the Kargil area of Kashmir and along the LoC.

Since 2000, and for most of the new decade protests were non-violent, but Kashmir stayed deeply militarized and with no certain views for the future of either the land or the people. The violence may have been reduced since 2000 and for some years but when

will the Kashmiris be heard? Lord Mountbatten endorsed back in 1947 that “in the case of any State where the Issue of Accession has been the subject of dispute, the question of accession should be decided in accordance with the wishes of the people of the State”³. It has been more than 30 years since the secessionist insurgency against the Indian Government started in Kashmir. The movement split in two groups, with different ideology and demands. One of the groups supports the creation of an independent state, which will be achieved by the combination and merge of the areas of the Indian administered Kashmir and the Pakistan administered Kashmir. The second and dominant faction within the secessionist movement espoused the view that Kashmir should become a part of Pakistan or, failing that, at least an independent Islamic state with close ties to Pakistan.⁴

The rise of the insurgency gave a chance to Pakistan to train and arm various insurgent groups in Kashmir, leading to further conflicts and ending any trace of a diplomatic relationship might have been left with India. This infamous insurgency first started in 1989 and keeps going until this day. Yet after all these years and bloodshed, no chance of self-identification has been given to the people.



³ Schofield,

⁴ Ganguly, R. (2001). Pg: 310

The Kashmir region (Happymon, 2016)

Actors involved in the dispute

India

Kashmir is seen as strategically vital for India, as it is seen as a key characteristic of its secular identity. The territory is also considered to be “the only window open towards central Asia” as it does have physical access with Afghanistan and East Turkestan and is hence a so called “integral part” of India.

India considers the region of Gilgit-Baltistan to be of great strategic and economic importance. Gilgit-Baltistan is part of Jammu and Kashmir, presently under Pakistan’s control, with most of the people asking for independence, as they’re not satisfied by the Pakistani government.

There are many other areas in Kashmir that are of major geo-political significance. One such area is the Siachen Glacier. It is considered to be the only barrier that prevents China and Pakistan from combining their forces in Kashmir. “If Pakistan and China were allowed to link up their militaries at Siachen, India’s national security over the entire northern frontier would be greatly undermined. Such a link up would create a very powerful military force, consisting of India’s two biggest rivals”⁵.

India’s policy on Kashmir hasn’t been the most flexible throughout the years, as the nuclear-armed country doesn’t seem to want to loosen its grip when it comes to Kashmir or the self-determination of its people. Since 2014, when the BJP (Bharatiya Janata Party) became the Governing Part, the Kashmiri situation has been heated. According to Yasir Masood, “the BJP is a right- leaning, Hindu nationalist party. It is the first major party to mobilise overtly on the basis of religious identity and to adopt a clearly anti-Muslim stance.”⁶

Since Narendra Modi took office, India has been particularly aggressive against Pakistan and has plenty of open matters to deal with. During the last two years, India has been violating ceasefire agreement along the LoC and the Working Boundary and killed and injured many innocent people⁷

⁵ Kalis, N. A., & Dar, S. S. pg: 115–123

⁶ Yasir Masood Khan, (2014):13

⁷ Rupam Jain Nair and Mehreen Zahra-Malik,

Since 2014, India's key leadership has adopted an aggressive posture towards Pakistan. The manner in which the bilateral talks have been put off twice, demonstrates how India intends to bring about change through implicit means.⁸ In an editorial published in the Express Tribune, it was expressed that "the BJP government holds the affairs of India in an iron grip for now following its sweeping electoral win and the consequences of this for Pakistan are just now beginning to be felt."⁹

Pakistan

According to the "Two Nation Theory" of Mohammad Ali Jinnah, Kashmir should be a part of Pakistan due to its Muslim majority. From a Pakistani perspective, Kashmir's location can be used to "cripple Pakistan economically and militarily". The presence of Indian troops in Jammu and Kashmir could constitute a direct threat from the rear to North West Frontier Province (NWFP), thus Jammu and Kashmir can be used as an offensive strategy by the Indian military¹⁰

Kashmir is of high military importance, as there are thirteen routes to Siachen Glacier, which is the highest military base of India and Pakistan. The territory, also, offers a route for the Indian army to access the Pakistani heartland, making the protection of the area from Pakistan even more important. Without Kashmir, Silk route to China will be greatly endangered. But Pakistan's greatest and most vital interest in Kashmir is the state's water resources. Without Kashmir, Pakistan would lose its greatest water provider. Pakistan's position was that the accession of the state of Jammu and Kashmir to India was based on "fraud and violence" and therefore was not "bona fide"¹¹ Pakistan claims that the Accession in itself is invalid, but what are the country's arguments to support this position?

One argument is that the Maharaja of Jammu and Kashmir had been overthrown by his people and had already fled Srinagar, when he signed the Instrument of Accession to India, therefore he did not have the right or the authority to make such a decision. Additionally, according to Victoria Schofield, the state of Jammu and Kashmir had signed a standstill agreement with the dominion of Pakistan, which "debarred the state

⁸ Khan, K., & Cheema, P. I. (n.d.).

⁹ Khan, K., & Cheema, P. I. (n.d.).

¹⁰ Behera (ed.), pg: 212

¹¹ Schofield, V. (2003).

from entering any kind of negotiation or agreement with any other countries”¹². (The Pakistani “intruders” in Kashmir are claimed to have entered with the belief, that the revolution came to be after the mistreatment and repression of the people by the maharajas government, and their goal was to aid their people, after cruelty reports against Muslim people of Kashmir surfaced. In that way, the Pakistani “intrusion” (as seen by India) of Kashmir, became for Pakistan a way to protect the people it believes should be a part of Pakistan, and its territories from the Indian military forces.

The situation appears to be the same currently, since Pakistan considers Kashmir to be a vital and very important part of the country and as the Pakistani Prime Minister, Imran Khan, said in the 74th United Nations General Assembly on the 27th of September 2019, Pakistan will fight, may the need come to do so.

India has been trying to use Pakistan’s economic problems to have better chances with Kashmir, but according to Khurshid Khan and Pervaiz Iqbal Cheema, “It is viewed that India’s bullying attitude, since 2014, has only strengthened Islamabad’s resolve to harden its stance over the Kashmir Issue”¹³. Because of Pakistan’s economic troubles, Nawaz Sharif (Former Prime Minister of Pakistan) was trying to stay on India’s good side and maintain economic ties with the neighboring country, while avoiding tensions when it came to the issue of Kashmir. This strategy did not work, as India refuses to back out when it comes to Kashmir and the BJP has clearly shown its anti-Pakistan, anti-Muslim positions.

China

Kashmir is of key importance to China, as it creates diplomatic leverage for the country with New Delhi and Washington. Beijing’s known policy towards Kashmir has changed since the 1950’s, when the Chinese position was still agnostic. India granting Refuge to the Dalai Lama, shattered the cooperation of the two countries and shifted Chinese support towards Pakistan in the 1960s and ‘70s. From 1964 to 1980 Beijing’s position on Kashmir paralleled Pakistan’s, which agreed with giving the Kashmiris a chance to self-determination as had been promised multiple times by United Nations resolutions¹⁴¹⁵. China’s policy after 1980, has underlying reasons. If a war were to happen, between China's neighboring countries, Beijing would lose its status quo. A war between

¹² Schofield, V. (2003). pg:71

¹³ Khan, K., & Cheema, P. I.

¹⁴ United Nations Security Council, 1950

¹⁵ United Nations Security Council, 1948

two nuclear powers in such a close proximity to China could ruin the country's international drive. Currently, China is the biggest arms supporter of Pakistan¹⁶. In the chance of a war over Kashmir, China's strategy in South Asia could be destabilized, making the country unable to improve relations with all south Asian states.

A spokesman called on India to "stop unilaterally changing the status quo" and urged India and Pakistan to exercise restraint. China's foreign minister reportedly has vowed to "uphold justice for Pakistan on the international arena," and Beijing supports Pakistan's efforts to bring the Kashmir issue before the U.N. Security Council.¹⁷

Developments in 2019

Pulwama Strike

On the 14th of February 2019, the conflict heated up once again. An Islamic militant, blew up a convoy of trucks carrying paramilitary forces in Pulwama (southern Kashmir) killing at least 40 Indian paramilitary police members¹⁸. Since this side of the LoC is under Indian control, this suicide bombing attack was seen as an attack to India. Later on, the terrorist group Jaish-e-Mohammad took responsibility for that action¹⁹. The militant group might be based in Pakistan, but Islamabad denied any involvement in the attack.

An Indian response followed, when an Indian aircraft fired airstrike, inside the Pakistani airspace, near the town of Balakot. The Indian Government, when asked about the counter-attack, claimed that the target was a training camp of Jaish-e-Mohammad, the militant group that took responsibility for the bombing in Pulwama²⁰.

Only the next day, air-jets of the two neighboring countries engaged in a fight over Indian controlled territory. An Indian aircraft was downed and controlled by the Pakistani forces and its pilot was captured, but quickly returned to India, easing the diplomatic tension in the territory. The goal of the return of the Indian pilot, by the Pakistani Prime Minister, Imran Khan, was to show that Pakistan is willing to cooperate and solve the problems of the area through peaceful talks.

¹⁶ Garver, 2004

¹⁷ Kronstadt, K. A. (n.d.)

¹⁸ Goel, 2019 (NYT)

¹⁹ Goel, 2019 (NYT)

²⁰ Goel, 2019 (NYT)

Abolition of Article 370

On the 26th of January 1950, the Indian constitution came into effect. In article 370 of that same constitution lies the autonomous status which was granted to the state of Jammu and Kashmir, restricting Indian jurisdiction to defence, foreign affairs and communications.

The way Kashmir acceded to India was not accepted by all involved actors and that creates tension to this day. The restrictive nature of Hari Singh's accession to India meant that integration with India could not take place without a new agreement and until such time, Kashmir would retain its special status.²¹

In his election manifesto, Modi promised to re-integrate Kashmir into the Indian Union by doing away with Article 370 of the Indian Constitution, and that is what he's trying to do. In early August 2019, the Indian government announced that it would make major changes to the legal status of its Muslim-majority Jammu and Kashmir state, specifically by repealing Article 370 of the Indian Constitution, which provided the state "special" autonomous status, and by bifurcating the state into two successor "Union Territories" with more limited indigenous administrative powers.²²

India's views and the cause behind the Article 370 repeal, is the fact, that, "while Article 370 provided "special status" *constitutionally*, the state suffered from inferior status *politically* through what amounted to "constitutional abuse"²³

In late July and during the first days of August, India moved an additional 45,000 troops into the Kashmir region in apparent preparation for announcing Article 370's repeal.²⁴ The government of Jammu and Kashmir ordered the cancelation of major religious pilgrimages, while calling for all tourists to leave the area, allegedly due to "intelligence inputs of terror threats". Kashmiri citizens feared that their state would no longer enjoy its "special" identity started panicking. Two days later, the state's senior political leaders—including former chief ministers Omar Abdullah (2009-2015) and

²¹ Schofield, V. (2003). pg: 78

²² Kronstadt, K. A. (n.d.).

²³ Noorani, A. G. A. M. (2015).

²⁴ Kronstadt, K. A. (n.d.).

Mehbooba Mufti (2016-2018)—were placed under house arrest, schools were closed, and all telecommunications, including internet and landline telephone service, were curtailed.²⁵



By Scott Reinhard
Map of the Line of control, New York Times (Goel, 2019)

Conclusion

In the rough but true words of T. Marshall, “although a majority of Kashmiris want independence, the one thing India and Pakistan can agree on is that they cannot have it”²⁶

Both India and Pakistan, but China and the US as well, look at Kashmir as a pawn to serve their diplomatic purposes and add to their power. It should be in the hands of the Kashmiris to choose who to follow, and who will be responsible for their future and their safety. Such a peaceful future looks utopian and inaccessible, because at this given moment, that’s what it is.

This conflict has turned from a fight for the justice of the Kashmiri people to a constant reminder of the bilateral nuclearization, by two states that clearly wouldn’t be able to control such a power, if needed, without international support. To facilitate this, leaders in both states would be wise to remember some of the lessons of history.²⁷ The

²⁵ Kronstadt, K. A. (n.d.).

²⁶ Marshall, T. (2015)

²⁷ Ganguly, R. (2001). Pg: 329

wars of 1948, 1965, 1971 and 1999 attest to the fact that there is no military solution to the Kashmir dispute.²⁸

Hoping for a solution in the near future would be unrealistic, but keeping the pressure high in the area shouldn't be negotiated. An agreement must be made and the needs of the Kashmiris must be met, so the next generation has an opportunity to live in a Kashmir without curfews or blackouts.

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