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Abstract

The issue of Kashmir has remained a longstanding dispute since the sub-continent gained independence from British rule. The United Nations has continuously advocated for a peaceful resolution based on the wishes of the Kashmiri people. However, India has consistently denied these calls for dialogue and resolution, despite having sought UN involvement in the past. This has led to accusations of India being in illegal occupation of the region and violating international law, with reports of human rights abuses in India Held Kashmir (IHK). A significant turning point occurred on August 5th, 2019, when the Indian government unilaterally abrogated Article 370 and Article 35A of the Constitution, which altered the region's demographic landscape. While India has presented legal and governance-based justifications for this move, critics argue that it does not legitimize the autocratic abrogation of Kashmir's special status, given its disputed nature between India and Pakistan for over seven decades. This paper highlights the most contentious aspect of India's actions—the demographic alteration of Kashmir—considered by many as a tyrannical step aimed at depriving Kashmiris of their right to self-determination. Amidst allegations of long-standing human rights abuses, this study

critically examines India's actions from a legal perspective, analyzing the potential violations of international law resulting from the revocation of Kashmir's special status. By shedding light on this complex issue, the study aims to contribute to a broader understanding of the legal implications surrounding India's actions in Kashmir.

Keywords: Kashmir, Article 370, India, Pakistan, International Law

Introduction

Kashmir is a beautiful valley with plenty of resources like minerals, water¹, timber and land in the cradle of Himalaya. In 1947, British rule ended in South Asia, and the Indian subcontinent was divided into two independent states; Pakistan and India. Kashmir, like other princely states, faced a crucial decision to opt for one of the two newly born states or remain independent. However, due to its lack of a military, it was compelled to choose between joining India or Pakistan, despite its desire to maintain independence.² The majority of the population in Kashmir was Muslim, leading many people to desire to accede to Pakistan. However, its ruler, Maharaja Hari Singh, was a Hindu who decided to annex Kashmir with India when it couldn't remain an independent state. Pakistan deemed this accession illegal and against the wishes of the state's people. Subsequently, Kashmir became a bone of contention between Pakistan and India, with both nations claiming it as an integral part.

1. Shawn Snow, "Analysis: Why Kashmir Matters," *The Diplomat*, September 19, 2016, <https://thediplomat.com/2016/09/analysis-why-kashmir-matters/>.

2. Pranav Asoori, "A Look into the Conflict Between India and Pakistan over Kashmir," *E-International Relations*, October 7, 2020, <https://www.e-ir.info/2020/10/07/a-look-into-the-conflict-between-india-and-pakistan-over-kashmir>.

As a result, traditional and proxy wars were fought by both states over the Kashmir issue.³

After the first Kashmir war in 1947-48, the princely state was divided into Azad Jammu & Kashmir (AJK) and Jammu & Kashmir (J&K). As a result of this war, AJK came under Pakistan's administration, while India gained control of J&K. India later granted J&K special status under Article 370 of its constitution. Article 370 allowed J&K to have its flag, independence, and constitution to govern its affairs, except for communication, defense, and foreign policy, which remained under the purview of the central government of India. However, on August 5, 2019, the Bhartiya Janata Party (BJP) revoked Article 370, depriving the Kashmiris of their right to self-determination and separate identity. This move invited criticism of the BJP and its leader, Narendra Modi, from both within the state and the international community. However, it also increased support from Hindu extremists, who form a significant vote bank for the party. The New Delhi government justified the constitutional amendment as a gesture of goodwill towards Kashmiris and linked it with Kashmir's progress.

Nevertheless, this act of the ruling party violated both domestic and international law. Common Kashmiris and their leaders analyzed the consequences of the abrogation of Article 370 and began protesting to regain their right to self-determination, which is a fundamental right under international law. In response, the Indian government used force to suppress the agitators, imposing curfews and placing Kashmiri leaders under house arrest, effectively taking full control over the region. During this entire situation, India violated numerous fundamental human rights, particularly the "right to life," which was infringed upon during conflicts with Indian forces. The people of the

³. Abdul Majid et al., "Kashmir: Major Source of Conflict between Pakistan and India," *South Asian Studies*, no.2, (2019):11.

valley were also deprived of their freedom of speech, movement, and communication, confined to their homes. Additionally, India's actions in Kashmir have been in violation of not only many international treaties but also bilateral treaties with Pakistan, which have Kashmir as a significant component. The situation in Kashmir remains complex, with continued tensions and human rights concerns, prompting the need for international attention and dialogue to find a lasting resolution for the region's future.

Article 370: A Constitutional Provision in Perspective

Article 370 of the Indian Constitution was enforced in 1949 and deals with the special semi-autonomous status of the State of Jammu & Kashmir (J&K). This article grants J&K its own constitution, a separate flag, and the freedom to make laws. However, the central government of India retains authority over defense, communications, and foreign affairs.⁴

According to the law, Jammu & Kashmir (J&K) has the authority to determine who can buy land and who are considered permanent residents. The Indian government cannot enforce any law on this autonomous region without the approval of its legislative body, except in the above-mentioned areas. However, the legislative body was dissolved by India in 1957.⁵ Article 370, along with 35A⁶ of the Indian Constitution, also specifies that the Indian legislative body

⁴. Geeta Panday, "Article 370: What happened with Kashmir and why it matters," *BBC*, August 6, 2019, <https://www.bbc.com/news/world-asia-india-49234708>.

⁵. A. G. Noorani, *Article 370: A Constitutional History of Jammu and Kashmir* (London: Oxford University Scholarship Press, 2011), 11.

⁶ Article 35A of the Indian constitution, which was enforced in 1954, further strengthens the provision of article 370 related to property. According to this article, the matter of permanent residence of J&K and privileges such as the acquisition of property, government jobs and educational scholarships will be decided by the state's legislature. See also Krishnadas Rajagopal, "What is Article 35A," *The Hindu*, August 26, 2017, <https://www.thehindu.com/news/national/what-is-article-35a/article19567213.ece>.

cannot amend this law. Additionally, this article deals with property ownership, stating that non-natives of Jammu & Kashmir cannot own land in the state.

Kashmir's Altered Status: A Result of Political Calculations

The political reason behind changing the status of Kashmir is to alter its demography by increasing the Hindu population there and granting them citizenship. The main objective of this move is to shift Jammu & Kashmir's status from a Muslim-majority region to a minority. India seeks to assert its sovereignty over Kashmir and aims to manipulate the outcome of a referendum in its favor. However, in doing so, India is in violation of its own land law (Article 35A) and international law.⁷

For instance, under the 49th article of the 4th Geneva Convention, an occupying power is prohibited from altering the demography of the occupied territory to assert its sovereignty. If India intends to annex Jammu & Kashmir through a referendum, such a referendum would be considered null and void according to United Nations (UN) resolutions. This is evident in the case of France and the Comorian island, where France occupied the island and conducted a referendum, which favored its interests.⁸ Later, through its resolution, the United Nation General assembly (UNGA) declared that referendums were null and void.

Despite having ratified numerous international treaties on political, civil, social, and economic rights, India continues to violate these

⁷. Micheal Siegrist, *The Functional Beginning of Belligerent Occupation* (Geneva: Graduate Institute Publications, 2011).

⁸. Flora Lewis, "Comoro Island Choose Freedom from France by Large Vote," *The New York Times*, December 24, 1974, <https://www.nytimes.com/1974/12/24/archives/comoro-islands-choose-freedom-from-france-by-a-large-vote-special.html>.

rights in Jammu & Kashmir, thus breaching international law.⁹ For example, Indian forces use pellet guns to suppress civilians who are peacefully voicing their demand for the right to self-determination, resulting in severe injuries and fatalities. Furthermore, men, women, and even children are subjected to mental and physical torture by the occupying forces. To exert pressure on the local population, the Indian government has imposed communication and food supply restrictions in the valley. Such actions by India blatantly violate international treaties it ratified in 1979, including the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social, and Cultural Rights (ICESCR).

Legal Aspects of Article 370's Removal: India's Stance

The revocation of Article 370 has sparked diverse views both within the region and across the globe. This incident has led to a clear divide among politicians, analysts, and scholars, with some opposing the decision and others supporting it. Following the abrogation of Article 370, Kashmiri politicians and citizens expressed their criticism and recorded their protests against what they viewed as an illegal act. In an effort to pacify the natives of the valley, the Indian Premier addressed the Kashmiris and sought to provide them with a ray of hope by labeling Article 370 as a source of corruption and terrorism.¹⁰

In defense of his actions, he further promised a bright future for Kashmiris, emphasizing transparent elections and selecting youth as representatives of the state. However, the lockdown imposed in

⁹. Hasnaat Malik Waqas, "Changing IOK Status will Violate International Law: Experts," *The Express Tribune*, August 3, 2019, <https://tribune.com.pk/story/2027543/changing-iok-status-will-violate-international-law-experts>.

¹⁰. Alex Ward, "Narendra Modi tells India that "a New Era Has Begun" after Kashmir Power Grab", *Vox*, August 9, 2019, <https://www.vox.com/world/2019/8/9/20798273/kashmir-narendra-modi-india-speech>.

Kashmir had made Narendra Modi's defense seem vague. As a result of this deadlock, instead of gaining representation in legislation, Kashmiris ended up losing their fundamental right to freedom, and the region became known as the world's largest jail.¹¹

Moreover, not only did politicians applaud this act by the BJP, but legal specialists also lent their support on various platforms. According to Subhash Kashyap, a constitutional expert, this order is in accordance with the constitution of India, and there is no fault in it. Meanwhile, as per the Indian law of the land, this amendment is permanent and cannot be altered without the consent of the Jammu & Kashmir legislature.¹²

Domestic opponents of the abrogation of Article 370 raise a central question regarding the Indian interpretation of "Government of State," which is seen to refer to the centrally appointed governor of the state. Since governors are representatives of New Delhi in the states and are appointed by the national government, this is perceived as tantamount to the national government, thereby violating the principles of federalism.

Another point of contention lies in the legitimacy of such actions when a state's government is dissolved. The imposition of President's rule is meant to be a temporary solution until an elected government takes charge, making it unfair to make significant state-altering decisions during this period. Additionally, questions arise

¹¹. Yusuf Hatip, "Jammu and Kashmir World's Largest Open Jail," *Asia-Pacific*, August 03, 2019, <https://www.aa.com.tr/en/asia-pacific/jammu-and-kashmir-worlds-largest-open-jail/1572239>.

¹². K. Deepalakshmi, "Fact Sheet: What is True and What isn't on J&K, Article 370," *The Hindu*, August 6, 2019, <https://www.thehindu.com/news/national/fact-check-what-is-true-and-what-isnt-on-jk-article-370/article28835918.ece>.

concerning Article 367(4)(d), which equates the state constituent assembly with the state legislative assembly.¹³

Following the revocation of Article 370, the situation in the Kashmir valley deteriorated, yet Indian government officials viewed it as a roadmap for the progress of Jammu & Kashmir. For instance, in an interview with CNBC TV, the Indian foreign minister, Subrahmanyam Jaishankar, asserted that this 70-year-old provision (Article 370) was always meant to be temporary, and the new order was not an imposition on the occupier state. Instead, it was deemed as a measure to promote progress and development in the region.

Additionally, Indian Home Minister Amit Shah justified the scrapping of Article 370 in Parliament, citing it as a gateway for terrorism, and through its revocation, the Indian government has aimed to curtail the entry of terrorism into India. This decision was presented as a move to address security concerns and foster stability in the region.¹⁴ The prevailing situation after the constitutional amendment witnessed an escalation in the social environment due to protests by the Muslim community and the use of force by Indian security forces against agitators. This step taken by the Indian government significantly impacted the peace in Kashmir and triggered protests not only from the opposition party but also from Kashmiri students in Indian universities and citizens at large. Moreover, it intensified the law-and-order situation in major cities of India and disrupted the daily routines of many citizens. The unrest and tension that followed the abrogation of Article 370 had

¹³. Laya Maheshwari, "How the Indian Government Changed the Legal Status of Jammu and Kashmir," *Lawfare Institute*, August 12, 2019, <https://www.lawfareblog.com/how-indian-government-changed-legal-status-jammu-and-kashmir>.

¹⁴. Zulfikar Majid, "After Delimitation, J&K Statehood will be Restored, says Amit Shah," *Deccan Herald*, October 23, 2021, <https://www.deccanherald.com/national/national-politics/after-delimitation-jk-statehood-will-be-restored-says-amit-shah-1043480.html>.

profound implications on the social fabric of the region and had a ripple effect on various segments of the Indian population.¹⁵

Article 370's Abrogation: Examining its Conformity with Customary International Law

According to international law expert Ahmar Bilal Soofi, the abrogation of Article 370 by India constitutes a violation of the Fourth Geneva Convention. Former Pakistan's ambassador to France, Ghalib Iqbal, stated that "if Indian-held Kashmir is divided into states, India will be in clear violation of UN Resolutions." He further emphasized that legally disputed territories cannot be subdivided, and doing so would not alter the legal status of the disputed land."¹⁶

By abrogating Article 370 and 35A, India appears to be attempting to change the demography of Jammu & Kashmir through state policy while also employing force against its inhabitants. Such actions have the potential to lead to the forceful transfer of the indigenous population, which could qualify as war crimes against humanity, especially when part of a widespread or systematic attack directed against any civilian population. The establishment of the International Criminal Tribunal for Rwanda (ICTR) serves as a pertinent example in this context. In 1994, the United Nations Security Council (UNSC) established the ICTR through resolution 955 to adjudicate the responsibility of the Rwandese Patriotic Army (RPA) for the genocide of nearly 200,000 Rwandans and other violations of international law. The ICTR's establishment stands as a

¹⁵. Raja Muzaffar Bhat, "Two Years Without Article 370 Has Done Little to Benefit the People of J&K," *This Wire*, August 5, 2021, <https://thewire.in/rights/article-30-kashmir-august-5-jammu-and-kashmir-two-years>.

¹⁶. Waqas, "Changing IOK".

precedent for addressing grave violations of human rights and international law committed during conflicts.¹⁷

The permanent alteration of the ethnicity of Jammu & Kashmir, which could potentially lead to ethnic cleansing, would constitute a severe violation of international law and the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD). India is a party to this UN treaty, having ratified it without highlighting any objections back in 1968. Similar violations have been confirmed by the ICERD Committee in its 1995 decision on Bosnia-Herzegovina.

In an approach reminiscent of Israeli settlement policies, India is adopting a strategy to change the demography of Jammu & Kashmir by establishing Sainik colonies to permanently settle Indian soldiers in the region. This move is seen as an attempt to replace indigenous Kashmiris and erode their culture and identity. Such measures, if implemented, raise serious concerns regarding potential human rights abuses and violations of international law, including ICERD, which aims to combat racial discrimination and protect the rights of ethnic and indigenous groups.¹⁸

Indeed, there are parallels between the actions of India in Jammu & Kashmir and Israel in occupied Palestine. Both countries have been accused of settling their civilians in these occupied territories, leading to the displacement of the local populations. Additionally, they have utilized the land and natural resources of these regions for

¹⁷. Stefaan Vandeginste, "The International Criminal Tribunal for Rwanda: Justice and Reconciliation," *Humanitarian Practice Network*, May 1, 1998, <https://odihpn.org/magazine/the-international-criminal-tribunal-for-rwanda-justice-and-reconciliation/>.

¹⁸. Sikandar Shah, "A New Strategy," *Dawn*, April 20, 2019, <https://www.dawn.com/news/1477304>.

various purposes, including military and security interests, which raises concerns about potential violations of international law.

The usage of private property for military and security purposes in occupied territories is considered unlawful under international law, particularly in accordance with the Hague Regulations and Fourth Geneva Convention. By employing similar methods to tighten their control over these occupied territories, both India and Israel have faced criticism for their actions, with concerns raised about potential human rights violations, dispossession of local communities, and the impact on the prospects for a peaceful resolution to these longstanding conflicts.

India's Violation of Treaties/ Agreements

Since the inception of Pakistan and India as two independent states, the issue of Kashmir has been a longstanding source of conflict and tension between them. Both countries lay claim to Kashmir and consider it an integral part of their respective territories. The first war between these neighbors in 1947-1948 was also centered around the Kashmir issue. The conflict escalated when tribal forces from then North-West Frontier Pakistan (now known as Khyber Pakhtunkhwa) invaded the valley, leading to a full-fledged war involving the armies of both states. The United Nations (UN) intervened, and a conditional ceasefire was reached with the promise of holding a referendum in Kashmir. However, more than seven decades have passed, and the referendum is yet to be conducted, thereby violating UN Security Council Resolution 47.

In 1949, with the assistance of the UN, the "Karachi Agreement" was signed between the two rival states, establishing a ceasefire line. After 16 years, Pakistan and India found themselves in conflict once again in 1965. The reasons behind this war included Indian forces' penetration of Pakistani territory and India's claim that Pakistan was

supporting militant groups to gain control of India Held Kashmir (IHK). The UN intervened once more, and both nations agreed to a ceasefire. The Soviet Union played the role of mediator, leading to the normalization of relations between the two countries through the Tashkent Agreement in 1966. While this agreement aimed to prevent further conflict and interference in each other's affairs, it did not address the resolution of the Kashmir issue, leaving it unresolved.

In 1971, Pakistan and India once again confronted each other when India violated the Tashkent Declaration, intervened in East Pakistan, and supported the Mukti Bhani Movement, leading to the separation of East Pakistan from West Pakistan. Pakistan suffered heavy losses in this war, with 90,000 soldiers taken as prisoners by India. Subsequently, the two countries signed the "Shimla Agreement" in 1972 with the goal of putting an end to conflicts and confrontation and normalizing their relations. The agreement included provisions for settling issues related to prisoners of war and Jammu & Kashmir.

Despite multiple treaties and agreements, the Kashmir issue remains a contentious and unresolved matter between Pakistan and India. The conflict over Kashmir continues to impact their diplomatic relations and regional stability, making it a complex and long-standing challenge for both nations and the international community.¹⁹ The abrogation of Articles 370 and 35A is a violation of the Shimla Agreement by India. In this agreement, both countries decided that "pending the final settlement of any of the problems between the two countries, neither shall unilaterally alter the situation and both shall prevent the organization, assistance, or encouragement of any acts determined to the maintenance of peace and harmonious relations." While India did send back Pakistani soldiers to their homeland, it has not taken

¹⁹. Ahmar Bilal Soofi et al., "The Status of Jammu & Kashmir Under International Law," *Research Society of International Law*, August 15, 2019, <https://rsilpak.org/wp-content/uploads/2019/08/Legal-Memo-Kashmir.pdf>.

any steps to resolve the Kashmir issue, thus falling short of fulfilling its promise.

Moreover, India's actions are resulting in a change in the demography of Jammu & Kashmir, which constitutes a severe violation of international humanitarian law. According to Article 49 of the Geneva Convention IV (1949), "the occupying power shall not deport or transfer parts of its own civilian population into the territory it occupies." This principle is reaffirmed in the 1977 Additional Protocol I to the Geneva Conventions, which reflects customary international law and categorizes India's actions as a breach of the protocol.

According to Article 20(c)(i) of the International Law Commission Draft Code of Crimes against the Peace and Security of Mankind, such forced transfers of people are considered war crimes. Furthermore, under Article 8(2)(b)(viii) of the International Criminal Court (ICC) Statute (1988), such transfers, whether direct or indirect, constitute war crimes in international armed conflicts.

The abrogation of Articles 370 and 35A and its implications on the demographic makeup of Jammu & Kashmir have significant legal ramifications under international law, and they have sparked international concern regarding potential human rights violations and breaches of international humanitarian law.

The Unfulfilled Promise: Lack of Enforcement of UN Resolutions on Kashmir

When examining the lack of enforcement of the UN resolutions on the Kashmir issue, several significant causes come to light, as discussed below.

India's Stance: The UN has passed several resolutions on the Kashmir issue; however, India has not acted upon these resolutions nor accepted the

recommendations put forth by the UN commissions. Despite initially presenting the matter before the UN on December 30, 1947, India has not taken steps to implement suggested solutions. For instance, when the UN mediator Owen Dixon requested both India and Pakistan to withdraw their forces from Kashmir on April 12, 1950, Pakistan complied, but India rejected the proposal.

The UN commission proposed arranging a plebiscite in Kashmir, but India has not acted upon this suggestion to date. Initially, the primary point of contention between India and Pakistan was the withdrawal of troops, but now India is accused of illegally settling non-Kashmiris to alter the region's demography. This move is seen as an attempt to influence the outcome if the UN pressures India for a plebiscite.

The UN mediator, Owen Dixon, proposed a plebiscite covering the entire region of Kashmir, but both India and Pakistan rejected the idea. Dixon expressed his inability to bring the parties to a resolution, citing the pre-conditions and unwillingness of the Indian government as significant obstacles.

On February 21, 1951, UK delegates proposed the appointment of a UN representative for India and Kashmir. The representative would facilitate demilitarization with the consultation of India and Pakistan based on Dixon's proposal and then conduct a plebiscite with their consent. However, this proposal was also not acceptable to India.

The UNSC appointed Dr. Frank P. Graham as the UN representative for India and Pakistan on March 30, 1951. He made several visits to both countries and submitted a report stating that Pakistan wanted 4,000 men on the ceasefire line, while India insisted on 16,000 men, thereby creating further hindrances in resolving the Kashmir issue.

Major Powers Role: The United Nations (UN) has been unable to find a resolution to the Kashmir issue due to the deep-seated mutual

rivalry between major powers, particularly the United States and Russia, as well as the vested interests of some other influential nations like China and the UK. During the Cold War era, the UN made its last significant attempt to address the Kashmir issue in 1958, but it encountered formidable obstacles primarily stemming from big power rivalries.

At that time, the US and USSR were deeply engaged in the Cold War and sought to expand their influence by supporting their allies in different regions. Consequently, they often wielded their veto power to block UN resolutions related to Kashmir that contradicted their interests or those of their allies. The Soviet Union, being India's ally during the Cold War, frequently used its veto to support India.

For the UN to effectively resolve the Kashmir issue, both India and Pakistan must refrain from adopting antagonistic stances towards each other and instead cooperate as they did in the case of Congo. The UN can succeed in resolving major issues only when major powers extend their full support to its efforts. For the Kashmir issue to be genuinely addressed, it would require the US, Russia, the UK, and China to set aside their individual interests and work collectively to assist the UN in finding a solution that would promote international peace and security. Only through such concerted efforts and cooperation among major powers can a meaningful resolution to the Kashmir issue be achieved.

Mistrust between India and Pakistan

The major reason for the unresolved conflict and the key hurdle to the implementation of UN resolutions on the Kashmir issue is the deep-rooted mistrust between India and Pakistan. Both countries have been reluctant to obey the UN resolutions regarding the withdrawal of troops from Kashmir, as they fear that if one party

withdraws its forces, the other may not reciprocate, potentially leading to a disadvantageous outcome for the party that complies.

The lack of meaningful bilateral contact and trust between India and Pakistan has exacerbated the situation, further hindering the resolution of the Kashmir conflict. The history of numerous wars between the two countries has only deepened the existing mistrust and further complicated the prospects for peaceful resolution.

Addressing this deep-seated mistrust and fostering genuine confidence-building measures are essential steps to make progress towards resolving the Kashmir issue. Building trust between the two nations is critical to creating an environment conducive to constructive dialogue and negotiations. Establishing open channels of communication and engaging in sincere efforts to find common ground can help pave the way for a potential resolution and contribute to a more stable and peaceful South Asian region.²⁰

Conclusion

The BJP's vote bank primarily consists of rigid and extremist Hindus. To garner maximum support from this dominant segment of Indian society, the BJP had to offer something extraordinary that aligned with their ideology and beliefs. Among other offerings, the BJP committed to Kashmir's annexation by amending the Indian constitution. However, this move overlooked internationally accepted norms and traditions and disregarded the wishes of the Kashmiri people, a fundamental aspect of all UN resolutions on the Kashmir issue.

²⁰. Sumathi Subbiah, "Security Council Mediation and the Kashmir Dispute: Reflection on its Failure and Possibilities for Renewal," *Boston College International & Comparative Law Review* 27, no. 1 (2004): 173-185.

Historically, the involvement of global powers has been a hindrance to the resolution of the Kashmir issue. During the Cold War, India, aligned with the Soviet Union, successfully blocked every binding resolution over Kashmir in the UN Security Council, with Russia consistently supporting India's stance against Pakistan. Presently, Russia-Pakistan relations are improving, while India has strengthened its ties with the US, both countries sharing a common goal of containing China.

The non-binding nature of UN resolutions on Kashmir has not paved the way forward towards a peaceful solution. Altering Kashmir's autonomous status is a serious violation of international customary law. Although India made a mistake by abrogating Kashmir's special status, Pakistan should adopt a lenient approach to influence India to restore the special status until the issue is completely resolved. Eventually, India will have to revoke its decision to abrogate Articles 370 and 35A, as it is tarnishing India's image internationally.

Key Findings and Way Forward for Pakistan: Pakistan's diplomatic efforts have been impeded by various contemporary issues, but it continues to raise the Kashmir issue on international forums. However, building significant international pressure has proven challenging due to India's market size and political influence.

- International law is not binding on states, but winning a case internationally can help pressure certain stakeholders. Currently, the West and many Muslim countries are not in a position to support Pakistan's stance against India, necessitating an alternative approach.
- The UAE-Israel relations normalcy is partly based on the former's attempt to prevent further annexation of disputed Palestinian land. India-Pakistan relations could potentially benefit from similar efforts if normalized to some extent.

- Building trust between India and Pakistan is essential for resolving the Kashmir issue. Military solutions are not viable, and diplomatic cooperation should remain an open option. Building trust takes time, requiring continuity of policies in successive governments.
- Afghanistan should not be a battleground for India and Pakistan's bilateral rivalry. Removing Afghanistan from the list of contested grounds is necessary to address trust deficits between the two countries.
- Bilateral and multilateral forums can be utilized to resolve the issue politically and diplomatically.
- The Shanghai Cooperation Organization (SCO) can be rightly utilized to resolve the Kashmir issue, as it was established to address bilateral border disputes. Pakistan should push for the SCO's assistance in resolving the issue based on the wishes of the Kashmiri people.
