



## RESEARCH PAPER

### A Historical and Political Analysis of Kashmir Conflict: From Past to Present

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PAPER INFO	ABSTRACT
<p><b>Received:</b> October 11, 2021</p> <p><b>Accepted:</b> December 29, 2021</p> <p><b>Online:</b> December 31, 2021</p> <p><b>Keywords:</b> Article 370, Human Rights Abuse India, Intifada, Kashmir, Militarization, Pakistan, UN Security Council</p> <p><b>*Corresponding Author:</b></p> <p>izzat.raazia@gmail.com</p>	<p>The partitioning of Sub-continent India in 1947 brought to the fore the Kashmir conflict between Pakistan and India when the Maharaja of Kashmir signed the Instrument of Accession in favour of India. Pakistan and India, from then onwards, remained toe to toe, fought four overt wars and confronted several near-daily clashes. This antagonistic atmosphere between them not only plagued the mutual ties for more than seven decades but prompted them towards nuclearization. Due to their conflictual relationship and political stalemate, the Kashmiri youth has initiated strong resistance, paving way for excessive militarization in Indian held Kashmir leading towards gross human rights violations. Previously, several UN resolutions voted in favour of fair and impartial plebiscite in Kashmir but without any implementation mechanism. Moreover, on 5th August 2019, India unconstitutionally repealed the 'Special Status' and scrapped the rights of Kashmiris to frame its laws granted under article 370 of Indian Constitution unilaterally without the consent of the state of Jammu and Kashmir. The stripping of the Article 35A permitted the non-residents to buy property that would change the demographics of Kashmir Valley. The objective of this paper is to present a detailed historical and political overview of the Kashmir conflict.</p>

#### Introduction:

The tragedy of Kashmir did not start with the partition of Sub-continent but in 1846 when Kashmir was sold through an infamous deed of sale called the Treaty of Amritsar by British colonial rulers of India to a Hindu Maharaja (Sohail & Raazia, 2018; Behera, 2006). From then onwards, the Kashmiri population has been subjected to violence. Later on when Pakistan and India partitioned, despite its religious, ethnic, geographical and civilizational affinities and the majority population's assent to join Pakistan, the Maharaja of Kashmir signed the Instrument of Accession in favour of India (Javaid, 2018). Since then, Kashmir continues to be a major flashpoint, determining Pakistan and India's policies (Cohen, 1995). The increase in escalation took both Pakistan and India to the verge of war in 1948. India took the issue to the UNSC (United Nations Security Council) in 1948. The UN passed a resolution that called for the gradual withdrawal of security forces of Pakistan and then India from the Vale, a ceasefire, and a plebiscite under the auspices of the UN. Despite

numerous UN Resolutions, the plebiscite has never taken place in the Vale. (Masood, et. al. 2020).

Pakistan and India have fought four overt wars and remained in a confrontational mode and blame game (evident from the recent instances of Uri attack 2016 and Pulwama attack 2019). The atmosphere of suspicion and hostility between the two has plagued the relationship for more than seven decades. The enduring tension prompted them to go for a nuclear option.

Kashmir *Intifada* (insurgency) is a breeding ground for separatist uprising against India's control over Jammu and Kashmir that is allegedly supported by Pakistan by providing them with logistic support, arms, recruits and training (Chowdhary, 2014). Since 1987, after the disputed state election, a fresh wave of Kashmiri youth's strong resistance to the political stalemate paved the way for excessive militarization in the Vale by the Indian state leading towards human rights violations. In the mid-1988, the Valley was hit by a series of strikes and demonstrations. In 1990, the insurgency became a major challenge for India (Nabi & Khan, 2014).

The 22 districts of Jammu and Kashmir have become a hotbed of violence such as killings, torture, sexual abuse and ethnic cleansing of Kashmiris. Since, excessively militarized societies use rape and other sexually violent acts as a weapon of war to demoralize the enemy's morale as they are unable to protect their women. Similarly, in order to crush the freedom struggle in Kashmir, India deployed 700,000 military and paramilitary forces (Sehgal, 2011) for a 12.6 million population. These forces used persecution, sexual and physical violence and killings with impunity (Nabeel, 2017).

The deployment of excessive military personnel was supported with the enforcement of immunity laws in Jammu and Kashmir such as PSA (Public Safety Act, 1978), AFSPA (Armed Forces Special Power Act, 1990) and TADA (Terrorist and Disruptive Activities Act, 1990) provide the security forces personnel with the powers to conduct a search operation without warrant, to arrest and shoot the suspected law violators disrupting the peace and people suspected of sheltering militant outfits or containing arms. These acts deny accountability and prosecution of armed forces personnel without the prior permission of Government of India (Wani, Andi & Joseph, 2013).

After the killing of Burhan Wani in 2016, chemical weapons (Tabassum, 2017 August 05), pellet firing and other repressive techniques have been reportedly used on Kashmiris by the Indian Occupying Forces (Human Right Watch, 2020 September 4). Moreover, on 5<sup>th</sup> August 2019, India repealed the 'Special Status' granted to Jammu and Kashmir under article 370 of Indian Constitution unilaterally without the consent of the state of Jammu and Kashmir. India also scrapped the right to Kashmiris to frame its laws that are unconstitutional. The stripping of the Article 35A permitted the non-residents to buy property that would change the demographics of Kashmir Valley (Kronstadt, 2019). Moreover, India has not allowed the foreign observers and media coverage to go to the disputed area and report the situation. Arundhati Roy, Indian author and human rights activist stated that India has deployed its military against its own people. Roy discussed that "since India's inception, the country's military has been at war with tribal people in Kashmir and state of Telangana, Sikhs in Punjab, Christians in Goa and Muslims in Kashmir and Hyderabad" (The Nation, 2019 August 27).

## **Historical Contextualization**

Sited at the north western folds of Himalayan Mountains, Kashmir is rich in resources and diverse in history. It was home to Hinduism and Buddhism in the 9<sup>th</sup> century and earlier ruled by the Buddhist ruler. The 14<sup>th</sup> century marked the emergence of Islam in Kashmir that later on became its major religion (Al-Jazeera English, 27 June 2018, 0:30). Afterwards, the valley saw a Mughal conquest. This time was considered the 'Golden Age'. Under Akbar Zain-ul-Abidin, Kashmir prospered through religious inclusivity and progressive policies. After the decline of the Mughal Empire, the Persians invaded Delhi. Later on, the Afghans ruled by Ahmed Shah Durrani absorbed Kashmir into their expanding empire. Kashmiris lived in the fear of their lives. In 1819, Muslims rule in Kashmir ended with the oppressive Afghan Durrani Empire that was starting to decline and the Sikh ruler was capturing the region. During the Sikh rule people were subjected to oppression and faced miserable condition (Husain, 2002).

Until Ranjit's death, the East India Company maintained cordial ties with Sikhs. After his death the relationship fell apart. In the following years, there was the first Anglo-Sikh war of 1845. Later on, the second Anglo-Sikh war in 1848 marked the dismemberment and defeat of Sikhs. In turn, the British annexed most of the land from Sikhs. The Britishers did not shy away at allocating lands that they seized without taking into consideration the sentiments of indigenous people.

The Vale of Kashmir was sold to the first Hindu Dogra, Maharaja Gulab Singh in 1846 after he acknowledged British government supremacy. Since then, the question of Kashmir arose. The state became independent in its internal affairs with a tributary status and certain restrictions in the exercise of its sovereignty. After signing the infamous 'Treaty of Amritsar', the Vale of Kashmir incorporated Jammu, Ladakh, Baltistan and other hilly areas through which flowed the river Indus and its tributaries to the east. Thus, the different people belonging from different religious, linguistic and cultural traditions were all brought under the jurisdiction of one ruler in which Muslims were in majority and others, Buddhists, Sikhs and Hindus were in minority (Schofield, 2017: xi).

In 1910, Sir Owen Dixon, the UN representative for India and Pakistan stated that it is difficult to decide the future of Kashmir due to the fact that "Kashmir was not really a unit geographically, demographically or economically but it is an agglomeration of territories brought under the political power of One Maharaja" (Schofield, 2017). The Dogra dynastic rule was oppressive. Kashmiri Muslims were subjected to slave labour, heavy taxes and violence. Only after a year, the Kashmiris started complaining about the Maharaja, treating people with brutality. The British government sent the envoy. The envoy spoke in favour of the Maharaja (Sheikh, 2011).

The people of Kashmir voiced against the fateful move. They held widespread agitations but their voices were neglected. Slogans were raised against the decision. Demonstrations started in 1931 when 22 protestors were shot dead. Kashmiris' struggle for freedom started long before the partitioning of sub-continent India (Al-Jazeera English, 27 June 2018, 1:30). In 1932, Sheikh Abdullah formed a political party National Conference. In order to oust the Dogra rule, Sheikh Abdullah initiated a "Quit Kashmir" movement (Dasgupta, 2002: 35) that rivaled the Sikhs and Hindus towards the Muslims. In 1946, Abdullah was imprisoned for nine years. In September 1947, the Maharaja ordered the release of Abdullah.

### **Issue of Kashmir Accession: Post-Partition**

The Jammu and Kashmir region spread over an area of 84,471 sq. miles was the largest princely state in the Indian sub-continent (Anand, 1964). As per the 1941 census, in terms of religious composition, Kashmir accounted for 77.11 percent of Muslims and 22.89 percent of Hindus and other communities such as Buddhists and Sikhs formed two per cent of the total population (Das, 1950). Except Pakistan and India, the third state that claims the Vale of Kashmir in its entirety is China. Currently, the most uninhabited area, Aksai Chin, is in control of China. Dating back to the day of transfer of power, the issue remained unresolved to this day (Goodhart et al., 1995).

The dominions of Pakistan and India emerged on the map of the world when Pakistan and India were carved out of the Indian subcontinent in 1947 after the British rule ended. The partition brought with it abrupt, sudden and large-scale displacements, violence and breakdown of established civic life in large parts of the region. People in order to search for the new homes and save themselves, motivated the political violence on the self-settled refugees. Almost one million people were killed following the sectarian violence (Al-Jazeera English, 27 June 2018, 1:55). The emerging states did not have sufficient administrative or medical facilities to cope with the unprecedented level of movement of people. The partition brought with it the horrific acts of killing, violence and sexual assaults along with the mental and physical health issues (Sarin et. al. 2015).

The widespread violence and violations of human rights, the deaths of half a million people and a large scale physical and sexual abuse, arson, looting and destruction of property along with the 15 million people abandoned their homes and moved to new borders. There was a lack of adequate institutions and any law to either control the violence or physical and sexual assault that was not restricted to a particular class or community.

The violent events of partition gave rise to the atmosphere of suspicion and hostility between India and Pakistan that has plagued the relationship between the two for more than seven decades. From then onwards, India-Pakistan relations have been marked by occasional tensions. The two neighbours have fought wars in 1948, 1965, 1971 and 1999. Moreover, the endless tension prompted them to go for a nuclear option. Since then, Kashmir remains to be a stumbling block between the two. Moreover, India is hesitant over the internationalization of the issue and the bilateral talks have resulted in stalemate of the rhetoric.

Ahmed (2000) stated that currently the world is transitioning towards regionalism and geo-economics by resolving their issues of discord. Still, there are some countries that are living in Cold War paradigms and are reluctant to resolve their political and geographical disputes. India and Pakistan are the countries that are unable to resolve their issues and their major areas of conflict.

As per the Britishers, the principle of communal majority was adopted at the time of partitioning. The contiguous Muslim majority areas were aligned to Pakistan while the Hindu majority areas were acceded to India. Earlier, the Princely states enjoyed the semi-autonomous status during Britishers rule, the Partition Plan was not applied to these states. These states were 'under no obligation to either join India or Pakistan'. Lord Mountbatten, the then Viceroy put pressure on these Princely states to either accede to India or Pakistan.

The district Gurdaspur was manipulatively allocated to India that should go with Pakistan. Resultantly, the only water supply of Pakistan, the Indus River flows through Indian occupied Kashmir. Later on, in order to put pressure on Pakistan, India violated the

Indus Water Treaty 1960 and started multiple dam projects that could reduce the river's flow to Pakistan (Qureshi, 2017).

In case of Junagadh that was a Hindu majority state under a Muslim ruler, India did not accept its accession to Pakistan. Similar was the case of Hyderabad. Both the states were annexed with India by force. Reversely, in case of Kashmir, Maharaja Hari Singh, grandson of Maharaja Gulab Singh (a Hindu monarch with a Muslim majority population) acceded with India refusing to give Kashmiris their inherent right of self-determination and ruled the princely state with an iron hand. The tyrannical rule paved the way for stifling socioeconomic conditions for the population. Initially, the Maharaja wanted to remain independent. Afterwards, the Maharaja decided to join India. The Kashmiri Muslims rebelled against Maharaja's decision. In order to repress the uprising, a large number of Muslims (200,000) were killed by Hindus and Sikhs, who were the majority population there. Almost the entire Muslim population of 500,000 was eliminated (Akhtar, 1991).

A large number of tribal people from North West Frontier Pakistan (NWFP now Khyber Pukhtunkhawa) saw their Muslim brothers in difficulty and crossed the borders to help the people of Kashmir valley on October 22, 1947. Maharaja asked India for help. India agreed to help under the condition that Kashmir would join her. Immediately after that, the Maharaja on October 26, 1947 signed the "Instrument of Accession" with India (Nayak, 2019) officially ceding the Government of India jurisdiction over defense, foreign affairs and communications etc. Furthermore, the Maharaja appointed Sheikh Abdullah as the head of the interim government. After that, the two newly independent states got embroiled in war in 1948. India filed a complaint in the UN Security Council under Article 35 of the UN Charter. When the war ended on January 1, 1949, The UN backed ceasefire split the Indian and Pakistani administered Kashmir. The UN resolution of 1948 stated that the final decision of the status of Jammu and Kashmir shall be determined in accordance with the will of the people. The UN appointed a Commission for India and Pakistan (UNCIP) that called for the free and impartial plebiscite under UN auspices. Moreover, Pakistan and India were advised to gradually withdraw their troops from Kashmir and a ceasefire was agreed between them. Both India and Pakistan accepted the resolutions. On the other side of the spectrum, Nehru pledged the international community to initiate a referendum under the auspices of the UN when the valley would restore its peace. In 1951, Sheikh Abdullah rigged the elections in the J&K state and in an address to the Constituent Assembly, he agreed annexation to India and rejected accession to Pakistan. Shortly after that the paths of the Indian government and Sheikh Abdullah started to diverge and Sheikh Abdullah wanted a sovereign J&K territory (Lamb, 1994:16).

After Sheikh Abdullah's government was ousted, Bakshi Ghulam Mohammad became the prime minister of state and president of the National Conference. In August 1952, Nehru reiterated in Indian Parliament, "We do not wish to win people against their will with the help of armed forces; and if the people wish to part company with us, they may go their way and we shall go ours. We want no forced marriages, no forced unions" (Beg, 1957). Since Nehru's family migrated from the Vale at the beginning of 18<sup>th</sup> century, he was emotionally attached to his ancestors' land (Schofield, 2017: 29). Later on, India backed its promises with the Kashmiris and the international community. Despite pledges, neither the government of Nehru nor the succeeding governments let the plebiscite take place in the Vale. Indian troops occupied the territory and the military apparatus penetrated into the lives of Kashmiris.

The tragedy of Kashmir is twofold; human and geographical. In an attempt to rule the Muslim majority state, India has abandoned her high moral principles and the message of Gandhi to resort the option of using repressive state apparatus with the rival as the

Britishers did with its colonial subjects. The result has been heart wrenching for Kashmiris. Tens of thousands of people have been slaughtered, raped and tormented in the Kashmir, the territory often equated with earthly paradise. Secondly, the geographical consequences have been catastrophic. India and Pakistan did not enjoy friendly cooperation despite their symbiotic coexistence in the Sub-continent for centuries but when they were partitioned, they were unable to stay as neighbours and resolve their bilateral differences and discords amicably. Otherwise, they remained in the confrontational mode which overshadowed their foreign policies and economies as well. Two essentially poor countries have turned themselves into first rate military powers with ample arms range (particularly India) as well as nuclear arms and missile systems. Currently, it is considered a region of flux that not only engulfed India and Pakistan but other regional states (Lamb, 1994: 177).

Moreover, India, after refusing to give their right of sovereignty, gave Kashmir a special status under Article 370 of the Indian Constitution. After consulting the Constituent Assembly of state, the Presidential Order of 1954 was issued; specified articles of the constitution of India have been applied to the Vale of Kashmir that later on continued to be its permanent feature. "This Article ratified the autonomous status of Jammu and Kashmir in Indian Union reinforcing that New Delhi's can legislate on the subjects of defense, foreign affairs and communication only and in just and equitable consultation with the government of J&K state made it a union territory of India" (Khan, 2010: 67).

As per the Indian stance, by annexing Kashmir, India wanted to maintain its secular state status. According to Pakistan, Kashmir is a jugular vein of Pakistan. Sheikh Abdullah wanted the J&K state to retain its autonomous status. In an interview with London Observer, he stated that the two countries India and Pakistan had remained hostile towards each other. They need to acknowledge the autonomous and sovereign status of Kashmir (Khan, 2010: 68). After receiving opposition from India, Abdullah later on withdrew his remarks (Dasgupta, 1968: 194). He just wanted to have a separate Kashmiri identity. In 1963, Bakshi Ghulam Mohammed before his retirement announced a number of changes. The most notable were, "Head of State" altered from "Sadr-i-Riyasat to Governor" and the "Head of Government" from "Prime Minister to Chief Minister", accepting the practice in other Indian states (Noorani, 2011).

Afterwards, Abdullah in 1964 had a successful talk with Nehru. Unfortunately, Nehru died on 27<sup>th</sup> May 1964. After the war of 1965, during the Tashkent Declaration, talks were held between Pakistan's Premier Ayub Khan and the successor of Nehru, Indian Premier Lal Bahadur Shastri. When the talks were about to reach an agreement on Jan 10, PM Shastri suddenly died and was succeeded by Indira Gandhi (Gauhar, 1966).

A.R. Nair and the loyalists of Sheikh Abdullah formed a Plebiscite Front during his long years of imprisonment had made an incredible effort among the women of the village who were as enthusiastic as men in their gatherings (Khan, 2010:87).

Following the release of Abdullah, he made an accord with Indira Gandhi. Then, he was elected as the chief minister of Kashmir. Later on Abdullah left the Congress party and revived his party National Conference. After the Indo-Pak war of 1971, Simla agreement did not reach any final decision. By the end of 1980, independent Kashmir remained a distant dream for Kashmiris. Later on, following the death of Sheikh Abdullah in 1982 (the Lion of Kashmir), the feelings of discontentment erupted in Muslims. Sheikh Abdullah remained the voice of self-determination in Kashmir for three decades. Later on, Farooq Abdullah (son of Sheikh Abdullah) led the National Congress.

In the 1983 elections, the Congress party again made a coalition with the National Conference. Later, the Congress teamed up with G. M. Shah (a puppet of the Indian government proved inefficient and corrupt) and toppled the government of Farooq Abdullah. Shah was dismissed after declaring Governor Rule on March 7, 1968. Then, the 1987 rigged elections proved to be a watershed in the politics and onset of separatist insurgency in Kashmir. Farooq again was appointed as the chief minister of the state (another accord was reached between Farooq Abdullah and Rajiv Gandhi) but he denied his involvement in 1987 mass vote-rigging. Later on, the opinions were divided; some wanted the plebiscite while others wanted the independence of the entire state (Widmalm, 1977).

### ***Intifada and Implementation of Impunity Laws in Kashmir***

JKLF (Jammu and Kashmir Liberation Front) emerged after the 1988 bomb explosion in Kashmir and killing of rioters by the police. In 1989, a new phase of demonstrations, protests and strikes engulfed the valley that gave way to steady rise in tempo (Widmalm, 1977). From 1989, the change in Kashmir occurred and the demonstration for freedom was supported by common people. The intensity of massive protest movements has swayed on a near daily basis. The Vale of Kashmir echoed with the sound, "*ham kya chahte Azadi*" ('What do we want? Independence')" (Chowdhary, 2016). In 1990, the Farooq's government was again ousted and Governor's Rule was declared. Later on JKLF organized the non-violent mass protests in which people, particularly youngsters took part. The Indian government employed increased military presence to control the stone pelters through repression and excessive use of force. They, in turn, were attacked by the tear gas shells, rubber bullets, sling shots leading to injuries and loss of lives of innocent Kashmiris. Since, the insurgency took the form of marches and protest movements demanding the peaceful resolution of the conflict. The decade of 1990 unleashed a new reign of terror by the Indian forces since thousands of Kashmiris took to the streets, up for demonstrations and demanding their inalienable right for independence.

In turn, the implementation of the draconian laws by Indian government paved way for violations of human rights, illegal detentions, killings, use of pellet bullets, sexual harassment and abuse of women with legal immunity, shoot and kill during search and cordon operations on a mere suspicion without any prior notice. The security forces have extra powers through which they cannot be tried in any court of law for their actions. TADA, POTA, AFSPA and PSA are the draconian laws, to name a few. These laws created an unendurable atmosphere for women, unleashing them to indiscriminate violence. The Kashmiris are going through so much pain and women are no exception (Parasad, 1999).

### ***Human Rights Violations of Women in Kashmir***

Since the inception of 1989 secessionist movement, many cases of sexual and physical abuses are reported to be committed by security force personnel (Parasad, 1999) with impunity. It is considered that women's bodies belong not only to themselves but the whole community and attacking their bodies signifies demoralizing the entire community. Raping women has become a strategic weapon of war by the Indian security personnel with impunity (Raazia, 2020; Raazia & Rehman, 2021). The scale, speed and intensity of violence have been increased to crush their right to sovereignty through mass detentions, counter-militancy operations, repressing their rights, rape, extra-judicial killings, fake encounters, mass and unmarked graves and disappearances. As per the HRW 1993 report, the Indian security force personnel have used rape as a tactic to repress the freedom struggle mostly occurred during counter-insurgency operation. It is a method of retaliation against the Kashmir insurgency. As stated by Seema Kazi (2014) violence against women in Kashmir is

a “cultural weapon of war” with legal immunity in order to repress Kashmiri community and to demoralize Kashmiri resistance movement.

The sexual abuse of women is not the isolated case of unprincipled armed forces in Kashmir but being proactively used in order to humiliate and frighten the population in which the families and communities are made witness to these acts. According to Amnesty International report 1992 rape is used as counter-offensive against the militants to disgrace the community (Ganguly, 2003). As per a study, the ratio of violations of human rights of women is among the highest in the world’s conflict zones (Médecins Sans Frontières, 2006). According to HRW report (1996), in the year 1992 alone, the Indian armed forces gang-raped 882 women in Kashmir. As quoted by OHCHR, between 189 and 2017, there are 143 cases of alleged sexual violence against women (OHCHR, 2018). The reports are not from sources within Kashmir or any Muslim state but from international human rights NGO. These statistics vary due to the sources they come from. Furthermore, the Kashmiri women are symbolized as grieving wives, martyrs mothers and raped women. As well as there being a large number of half-widows and their half-children, they don’t know whether to wait for their spouses or to move on. A large number of rape victims and war widows are afflicted with post-traumatic stress disorder (PTSD) (Manchanda, 2001). They are exposed to violence and haplessness in the absence of menfolk.

Currently, women’s active participatory roles in Kashmir are visible in large scale mobilization that have outnumbered men at times in protests. They were organized under the banner of “Dukhtaran-e-Millat (Daughters of the Nation)” (Khan, 2010). Women who have remained the passive victims of conflict in the past have recently come to the forefront, raised their voices and took part in demonstrations (Manchanda, 2001) not only on the ground but on social media platforms as well. Moreover, they are heading their families and their households in the absence of their fathers, husbands and sons. Some are half-widows with their half-orphans (Schofield, 2017). They are not just passive victims, but they are the agents of change (Butalia, 2002). They are working under the shadows of guns after confronting many challenges financially, legally, psychologically, medically or even educationally (Suri, 2009). Unfortunately, they are projected as victims of violence but their activism is undervalued. Also, they are not found in the decision making process. As per Shekhawat (2014) women in Kashmir are used for propaganda. Their involvement (mostly college and school students) increased the credibility of the separatist movement.

The UN Security Council has issued a number of resolutions on women, peace and security. The unanimous adoption of UNSCR 1325 in 2000 is a landmark decision that acknowledges that women are more vulnerable in conflict situations than men and provides a legal and political framework and inclusion of women during and after peace negotiations (Report of the Secretary-General of women, peace and security, 2002).

Now the pellet guns have been used blinding the people despite condemnation of human rights INGOs. Indian held Kashmir is one of the most militarized regions in the world with over 700,000 Indian security personnel occupying the area. Since the year 2008 the intensity of brutality and violence by the Indian forces have been heightened due to the wave of non-violent protests erupted by the Kashmiris in the valley.

In July 2016, the massacre of Burhan Wani again triggered the mass uprising in decades. But the question here arises how many Burhans the Indian forces will kill. The issue of Kashmir has been in the limelight since the 5<sup>th</sup> August 2019 after the BJP government in India took an illegal unilateral annexation of Kashmir and changed its disputed territory status into two union territories Jammu and Kashmir and Ladakh after deploying tens of thousands of troops. (The Guardian, 2019 October 31). Currently, the Vale



of Kashmir is like a jail, cut off from the whole world. People of Kashmir are observing a prolonged curfew. They are shut inside. There is no access to any media and no information is coming out of the valley. Again the question arises that what will happen, when the curfew will be lifted? After China's plea the UNSC took the matter after fifty years and condemned the illegal unilateral Indian decision to annex the J&K state (Iqbal, 2019 August 16) but the international community must react effectively to alter the Indian decision to annex the territory and let the plebiscite take place in the valley since the two nuclear armed states are toe to toe.

### **Conclusion**

Even after the 21st century begins, Kashmir conflict is not near any resolution. Since the 9/11 attacks, India has entangled Pakistan as a state sponsoring terrorism. Till date, no consensus over the Kashmir conflict has been reached. The status quo remained the same despite deadly wars and the harsh exchange of words between Pakistan and India. India wants to decide the fate of Kashmiris bilaterally with Pakistan and does not want any international intervention. Most importantly, there must be a third party intervention during negotiations on the resolution of the Kashmir conflict. Kashmiri leadership must be a stakeholder to decide their future, to frame their laws and to chase their dreams. However, the UN must intervene to end violations of human rights in Kashmir and to decide the future of Kashmir by organizing a fair and impartial plebiscite in Kashmir.

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