

Analyzing The Kashmir Conflict – Chinese Connection and Implications for the US

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Key Points

- The Kashmir dispute is the oldest pending dispute on the agenda of the United Nations Security Council (UNSC); South Asia may not see sustainable peace and economic growth until this conflict is resolved.
- Kashmir is declared as the most militarized region in the world, where both Pakistani and Indian militaries are deployed eyeball to eyeball against each other.
- Kashmiris are marginalized with their autonomous status by the Indian Government after recent revocation of Articles 370 and 35 A.
- China has become a vital stakeholder in the conflict after the Indian alteration of Kashmir's status; it accused India of undermining its territorial sovereignty. This made the Kashmir issue a dispute between three nuclear states.
- Kashmiris are struggling to seek their identity and gain freedom for decades; disappointed with Global powers not providing essential support for their freedom.
- Owing to its influence and historical relations with both India and Pakistan, US can play a significant role in resolving the conflict to ensure lasting peace in the region.
- Mediating the Kashmir issue will not only ensure lasting regional peace but also grant US a high moral/ diplomatic standing in comparison to China.

Introduction

The dispute between India and Pakistan over Kashmir has resulted in decades of hostility, including three wars. The Kashmir dispute is the oldest pending dispute on the agenda of the United Nations Security Council (UNSC), which merits earnest world attention for a permanent solution. The Kashmiris had looked to the international community/ UN for almost seven decades for a resolution to their plight without success. In the contemporary contested, multi-polar world, the US role is considered critical for preventing instability in the region.

Historical Context

From 1846 until the partition of the Indian sub-continent in 1947, Kashmir was ruled by maharajas of Gulab Singh's Dogra dynasty, as a princely state under British rule. The British regime managed defense, external affairs, and communications for the princely state. According to the 1941 census, the state's population was 77 percent Muslim, 20 percent Hindu and 3 percent others (Sikhs and Buddhists). The princely state of Jammu and Kashmir, despite the

Muslim majority, was governed by maharaja Hari Singh, a Hindu,¹ who signed the Instrument of Accession with India in 1947 against will of Kashmiris, who desired to join Pakistan² as a contiguous Muslim state.

After the Indo-Pak war in 1948, India sought to solve the issue at the UN Security Council. Following the inception of the United Nations Commission for India and Pakistan (UNCIP), the UN Security Council passed Resolution 47 on 21 April 1948. The measure called for an immediate cease-fire and asked the government of India to reduce its forces to minimum strength³ and to hold a plebiscite providing Kashmiris the option of joining either India or Pakistan. However, both India and Pakistan failed to arrive at a truce agreement due to differences over interpretation of the procedure for and the extent of demilitarization.

Cold War historian Robert J. McMahon⁴ states that US officials increasingly blamed India for rejecting various UNCIP truce proposals under various dubious legal technicalities just to avoid a plebiscite. Sir Owen Dixon⁵ concluded that India would never agree to conditions and demilitarization that would ensure a free and fair plebiscite. Dixon's failure also compounded the US ambassador Loy Henderson's misgivings about Indian sincerity, and he advised the US to maintain a distance from the Kashmir dispute, which the US subsequently did, and leave the matter for Commonwealth nations. The struggle to liberate Kashmir from Indian occupation continued in the following years, but the Kashmiris received no international support. The rigged elections of 1987,⁶ in the form of electoral malpractices including vote tampering, sparked the Kashmiri struggle and was declared a watershed event in the politics of the state of Jammu and Kashmir.

Demography of the Kashmir Region

Kashmir is a landlocked region consisting of approximately 86 square miles, of which 32 square miles are occupied by India and about 12 square miles by Pakistan. India controls approximately 55% of the land area of the region that includes Jammu, the Kashmir Valley, most of Laddakh, and the Siachen Glacier. Pakistan controls approximately 30% of the land area that includes Azad Kashmir and Gilgit-Baltistan. China controls the remaining 15% of the land area that includes the Aksai Chin region,⁷ the mostly uninhabited Trans-Karakoram Tract,⁸ and part of the Demchok sector.⁹ According to the 2011 census, out of 12.5 million total population, Muslims comprise approximately 68% and Hindus about 28% in Kashmir.

Reasons/ Significance of the Kashmir Issue

- Kashmir remains the *raison d'être* for India and Pakistan; both consider Kashmir to be their strategic lifeline.
- Kashmir is one of the most strategic places in the world, where three powerful nuclear states, including China, Pakistan, and India, co-exists and considers Kashmir as their strategic core interest due to its geopolitical significance and the potential for conflict in the region.

¹ Gulab Singh Jamwal, *Wikipedia*, April 28, 2023, https://en.wikipedia.org/wiki/Hari_Singh (accessed on November 12, 2023)

² Kashmir: Why India and Pakistan fight over it, August 8, 2019, <https://www.bbc.com/news/10537286> (accessed on November 12, 2023)

³ UNSC Resolution 47, *Wikipedia*, April 28, 2023, https://en.wikipedia.org/wiki/United_Nations_Security_Council_Resolution_47 (accessed, 12 November 23)

⁴ Robert J. McMahon is an American historian of the foreign relations of the US and a scholar of the Cold War. He currently holds the chair of Ralph D. Mershon. Distinguished Professor at Ohio State University (accessed on 12 November 23).

⁵ Sir Owen Dixon, *UN mediator in the Kashmir dispute*, <https://www.nytimes.com/1950/08/23/archives/un-aide-abandons-talks-on-kashmir-no-immediate-prospect-of-an.html> (accessed on 12 November 23)

⁶ 1987 Jammu and Kashmir legislative assembly election, *Wikipedia*, April 28, 2023, https://en.wikipedia.org/wiki/1987_Jammu_and_Kashmir_legislative_assembly_election (accessed on 12 November 23)

⁷ Aksai Chin, *Wikipedia*, April 28, 2023, https://en.wikipedia.org/wiki/Aksai_Chin (accessed on 12 November 23)

⁸ The Trans-Karakoram Tract also known as the Shaksgam Tract is an area of approximately 5,300 km², north of the Karakoram watershed, including the Shaksgam valley, *Wikipedia*, April 28, 2023, https://en.wikipedia.org/wiki/Trans-Karakoram_Tract (accessed on 12 November 23)

⁹ The Demchok sector is a disputed area; It is a part of the greater Sino-Indian border dispute between China and India, *Wikipedia*, April 28, 2023, https://en.wikipedia.org/wiki/Demchok_sector (accessed on 12 November 23)

- Kashmir is more than 60% Muslim, making it the only state in India where Muslims are in the majority.¹⁰
- Kashmir serves as the core foundation of water and power generation¹¹ for India and Pakistan. For that reason, ‘hydro politics’ is a critical policy issue for both governments.
- It is assessed that if India resolves the Kashmir issue, it will invite/ ignite other domestic/ internal separatist’s movement/ groups¹², seeking liberation against the Indian government.
- The core issue of Kashmir, if settled, could create encouraging opportunities between India and Pakistan to resolve other minor disputes like Siachen¹³ and Sir Creek.¹⁴
- If this crucial dispute is settled, it would be a ‘big game changer’ for the region (around 1.7 billion people of both India and Pakistan) as improved stability would result in increased economic investments.
- Settlement of the Kashmir issue is crucial for the strategic competitors US, China, and Russia, as the benefit of peace affects the Eurasian landmass, the ME and beyond.

How China is party to the Issue

- Bordering Jammu & Kashmir region, it does not accept the frontiers as decided by the British.¹⁵
- China desires a settlement between India and Pakistan on the Kashmir issue “through dialogue and consultation” and to “avoid unilateral moves” that could complicate the situation.¹⁶
- It opposes the inclusion of the Chinese territory in the western sector of the China-India border (Laddakh) in the administrative jurisdiction of India. It declared Aksai Chin as an integral part of China and refutes its inclusion in the Kashmir region¹⁷; it also disputes the border over Tibet in various locations.
- Post revocation of Article 370, China objected to the alteration of the status of Kashmir¹⁸ and accused India of undermining its territorial sovereignty.
- China settled its border with Pakistan in a boundary agreement in 1963 (Trans-Karakoram Tract).¹⁹ Pakistan ceded the Shaksgam Valley, which is part of the Gilgit-Baltistan region of Pakistan.
- Recently, the Chinese Civil Affairs Ministry renamed eleven places, including towns, rivers, and mountain peaks in the Indian claimed state of Arunachal Pradesh²⁰ near the disputed border.

¹⁰ Angana P. Chatterji, Kashmir: A Place Without Rights, *Just Security*, August 5, 2020, <https://www.justsecurity.org/71840/kashmir-a-place-without-rights> (accessed on 12 November 23).

¹¹ Kashmir and the politics of water, *Aljazeera*, August 1, 2011, <https://www.aljazeera.com/news/2011/8/1/kashmir-and-the-politics-of-water> (accessed on 12 November 23).

¹² Ikram Sehgal/ Dr Bettina, Separatist movements threatening India’s existence, *Daily Times*, September 16, 2019, <https://dailymtimes.com.pk/466881/separatist-movements-threatening-indias-existence> (accessed on 12 November 23).

¹³ Siachen conflict, *Wikipedia*, April 29, 2023, https://en.wikipedia.org/wiki/Siachen_conflict (accessed on 12 November 23).

¹⁴ What is Sir Creek Issue between India and Pakistan? *GK Today*, March 13, 2020, <https://www.gktoday.in/what-is-sir-creek-issue-between-india-and-pakistan> (accessed on 12 November 23).

¹⁵ Mapping India and China’s disputed borders, *Aljazeera*, September 10, 2020, <https://interactive.aljazeera.com/aje/2020/mapping-india-and-china-disputed-borders/index.html>, (accessed on 12 November 23).

¹⁶ Kashmir issue to be resolved through dialogue for regional peace: China, *The Express Tribune*, August 6, 2022, <https://tribune.com.pk/story/2369639/kashmir-issue-to-be-resolved-through-dialogue-for-regional-peace-china> (accessed on 12 November 23).

¹⁷ How China captured Aksai Chin, *India Today*, June 22, 2020, <https://www.indiatoday.in/india/story/how-china-captured-aksai-chin-1691562-2020-06-22> (accessed on 12 November 23).

¹⁸ Ankit Panda, China Issues Statement Condemning Indian Decision to Bifurcate Kashmir, *The Diplomat*, August 7, 2019, <https://thediplomat.com/2019/08/china-issues-statement-condemning-indian-decision-to-bifurcate-kashmir/> (accessed on 12 November 23).

¹⁹ Trans-Karakoram Tract, *Wikipedia*, March 21, 2023, https://simple.wikipedia.org/wiki/Trans-Karakoram_Tract (accessed on 12 November 23).

²⁰ Sutirtho Patranobis, China renames 11 places in Arunachal Pradesh, *Hindustan Times*, April 4, 2023, <https://www.hindustantimes.com/india-news/china-renames-11-places-in-arunachal-pradesh-deepens-mistrust-with-india-third-renaming-since-2017-chinaindiarelations-arunachalpradesh-southtibet-101680544494711.html> (accessed on 12 November 23).

How The Kashmiris View the Conflict?

- The Kashmiris had lost faith in India,²¹ as they have been denied their identity for decades and are struggling for freedom.
- Kashmiris denounced the Modi Government's decision of ceasing the autonomous status of Kashmir²².
- Kashmiris do not want to be governed by India and prefer independence or union with Pakistan instead.²³
- The All Parties Hurriyat Conference (APHC)²⁴ claims that the Modi-led Indian government is peddling blatant lies of peace and normalcy to mislead the world about the ground situation in Indian-occupied Jammu and Kashmir.²⁵

Recent Unilateral Action by India

On August 5, 2019, the Modi government revoked Kashmir's special unit status by abolishing Article 370 and 35A of the Indian constitution.²⁶ By doing this, the Indian government altered the autonomous status of Kashmir and integrated it into the 'Indian union', in violation of UNSC Resolution 38²⁷ and the fourth Geneva Convention. Paragraph 2 of UNSC Resolution 38 clearly states that both India and Pakistan cannot bring about any unilateral change towards the status of Kashmir.

After revoking Kashmir's special status, the Modi government took several measures including administrative, demographic, and electoral actions, aimed to disenfranchise Kashmiris and to change the Muslim identity of Kashmir. In May 2022, India's Delimitation Commission announced a plan to carve out new electoral constituencies, aimed at giving Jammu (Hindu majority) greater representation to reduce the political weight of Muslims²⁸ in the Jammu and Kashmir Legislative Assembly and shift the balance to Hindus.

The BJP government, in delimiting the constituencies by geography instead of population in order to allocate more seats to Hindus, further oppresses Muslims by minimizing their political representation. This delimitation will pave the way for a Hindu Chief Minister from a Muslim-majority region.

Why Conflict Resolution is important for the US

- Both India and Pakistan are strategic partners of the US; settlement of the Kashmir dispute would improve relations and stability in the region.
- US intelligence, in its 'annual threat analysis,' warned that the Kashmir dispute could lead to a direct conflict between two nuclear-armed nations²⁹, which can be detrimental to US regional interests.
- Evaluating the global geopolitical situation and the US commitments/ priorities in other theaters (Indo-pacific), and now with the recent developing situation in the ME, the US cannot afford a conflict in South Asia.
- If the US does not seriously endeavor to resolve the conflict, China could eventually take the lead and attain the status of 'global peacemaker' with high moral grounds by resolving the seven-decades-old conflict.

²¹Raksha Kumar, For Kashmiris, resolution to decades of conflict remains a distant dream, npr, *August 21, 2022*, <https://www.npr.org/2022/05/13/1098730987/india-kashmir-conflict> (accessed on 12 November 23).

²²Anchal Vohra, Modi Took Complete Control of Kashmir Two Years Ago—and got away with it, *Foreign Policy, August 3, 2021*, <https://foreignpolicy.com/2021/08/03/modi-took-control-of-kashmir-2-years-ago-and-got-away-with-it/> (accessed on 12 November 23).

²³ Kashmir: Why India and Pakistan fight over it, *BBC News, Aug 8, 2019*, <https://www.bbc.com/news/10537286> (accessed on 12 November 23).

²⁴ It is an alliance of 26 political, social and religious organizations formed on 9 March 1993, as a united political front to raise the cause of Kashmiri separatism in the Kashmir conflict

²⁵ Kashmir Media Service; October 18 2023; <https://www.kmsnews.org/kms/2023/10/18/modi-regime-peddling-lies-of-normalcy-in-iiok-to-mislead-world-aphc.html> (accessed on 12 November 23).

²⁶Revocation of special status of Jammu and Kashmir, *Wikipedia, June 26, 2023*, https://en.wikipedia.org/wiki/Revocation_of_the_special_status_of_Jammu_and_Kashmir (accessed on 12 November 23).

²⁷ [Security Council Resolution 38 - UNSCR](#) (accessed on 12 November 23).

²⁸ Deeksha Bhardwaj, Orders of J&K Delimitation Commission take effect, *Hindustan Times, May 21, 2022*, <https://www.hindustantimes.com/india-news/orders-of-j-k-delimitation-commission-take-effect-101653071632723.html>, (accessed on 12 November 23).

²⁹ ANNUAL THREAT ASSESSMENT OF THE U.S. INTELLIGENCE COMMUNITY, *February 6, 2023* (accessed on 12 November 23).

- Within the status-quo situation, if China mobilizes its military at Line of Actual Contact (LAC) against India, and Pakistan also mobilizes and accentuates Indian vulnerabilities at Line of Control (LOC), the major beneficiary will be China.
- Presently, the US does not have a globally competitive 'economic and infrastructure investment framework' that could replace BRI. The security-orientated strategy continues to remain the mainstay of US grand strategy. Resolving the seven-decade-old conflict would afford the US a comfortable standing in the region and strengthens its influence versus other strategic competitors.

Analysis

- War/conflict between nuclear states over Kashmir can be a disaster; political/ diplomatic engagement through multiple confidence building measures may lead to the solution of the problem, but someone of global stature has to take the lead, because it's the people of Kashmir who suffer.
- India opposes a third-party mediation; it declares the Kashmir issue as 'bilateral and regional' to limit the purview of international law on Kashmir, as the charter of bilateral and international organizations prohibits involvement in 'bilateral and contentious issues'.
- China becomes a vital stakeholder in the conflict after the Indian alteration of Kashmir status; it accused India of undermining its territorial sovereignty. This made Kashmir issue a dispute between three nuclear states.
- The present crisis in ME over the 'Palestine Issue', implies that all un-resolved conflicts are a 'ticking time bomb', which can explode anytime; thus, the Kashmir issue may be mediated by US to avoid any future regional conflict.
- To earn international credibility by leveraging its part in the Kashmir issue, China may initiate a peace proposal by mediating with India and Pakistan (as one of the stakeholder) to resolve the Kashmir issue.
- At present, the US is the only global power enjoying the suitable leverage over both India and Pakistan and can encourage them to come to the table for conflict resolution.

Conclusions/Insights

- The immediate step for CENTCOM can be to encourage normalization of dialogue between both militaries; also, both the sides may be urged to preserve the cease fire at the Line of control (LOC).
- To maintain a military balance, CENTCOM may continue to ensure the military needs of Pakistan to defend itself from both internal and external threats, thus preventing them from looking towards China.
- CENTCOM may recommend that DoD maintain a cautious balance with its strategic allies, India and Pakistan, as abandoning one can push the other towards China.
- By resolving the Kashmir issue through a serious effort, the US can counter China and Russia and deter their increasing engagement in the region through a "high diplomatic pedestal". US is still considered as Global Power and mediating the Kashmir issue between regional powers will validate the US status of 'global peacemaker'.