Overview:
The Kashmir conflict is a long standing border dispute that involves three of the world’s nuclear powers, India, Pakistan, and China. This conflict was born out of the 1947 partition of India into India and Pakistan and the conflicts between Hindus and Muslims. The conflict saw a dramatic increase in violence in 1989 when a Kashmir insurgency group caused violence between India and Pakistan. Although an official “Line of Control” is drawn and tentatively recognized by both nations, border skirmishes and crossings are common. Further complicating the matter is the slew of various ethnic groups that live in the Kashmir region who are not unified as to what their future should be. Numerous United Nations resolutions have attempted to solve this problem, yet India and Pakistan continue to fight over the region. The portion that China controls remains largely undisputed, as it was captured during the Sino-Indian war of 1962, but China tends to ally with Pakistan in many matters, putting more pressure on India, the world’s largest democracy. This conflict has cyclical periods of violence in which they are years of relative peace followed by near war-like episodes. Several people were killed in 2017, prompting fears of a return to more serious and prolonged fighting.

Historical Context/ Background:
India was known as the crown jewel in the British empire. The enormous subcontinent that the British managed to subdue provided the empire with enormous wealth in terms of natural resources, new markets to engage in mercantilism, and people to work the British estates that sprung up. However, following the conclusion of the second world war, the British empire was dismantled worldwide. Decolonization was the new approach that Britain would take to empire building as they were saddled with massive war debts and could not afford to maintain the colonies and regions who began pushing for autonomy as the concept of “human rights” was developed from the horrors of the Holocaust. Once of the most difficult places to decolonize was India. India was originally composed of dozens of different cultures each living separate from one another throughout the subcontinent. Loosely aligned during the Mongol conquests of the subcontinent, there was never a real and organic “India” that we know of today. Therefore when Britain went to divide India, there were many conflicts surrounding just exactly how the country should be divided.
Despite Gandhi’s best intentions, India was divided between Muslim Pakistan and Hindi India. A mass migration occurred with families travelling to the newly created countries to live amongst their ethnic people. However, there was a section of land that remained unaccounted for, the Kashmir region. The region is bordered by the Uygur autonomous Region of Xinjiang to the northeast, Tibet to the east, and the Indian states of Himachal Pradesh and Punjab to the south.

The 1947 partition of India was marked by violence and bloodshed as millions moved from one country to another to live amongst their own cultures.

Although India and Pakistan were divided by ethnic lines, Kashmir was left to decide itself as to who they would belong to. Despite being majority muslim, the inhabitants of the region could not initially decide who they wanted to align with. The leader of Kashmir at the time, Hari Singh attempted to delay making a decision as long as he could, but after muslims in the region began to rebel, he was spurred to sign a Instrument of Accession to Indian rule in October 1947. This led to an intervention from Pakistan that started a war that lasted until January 1949 until a United Nations ceasefire was put in place. Following the ceasefire, a boundary called the Line Of Control was established, and that line is still enforced to this day. This conflict, known as the Indo-Pakistani War of 1947, led to the states of Jammu and Kashmir to be placed firmly under Indian control. Following the ceasefire, India was to maintain a small military presence in the area, while Pakistan was supposed to withdraw their troops, however Pakistan refused to fully remove their military presence.

The conflicts in the region were only beginning, as 1962 led to the Sino-Indian war when military personnel from China invaded Kashmir and overwhelmed the Indian forces. The better equipped and well-organized Chinese forces overwhelmed India and they occupied part of the region. This area was renamed Aksai Chin, and the border between this area and the rest of
Kashmir is known as the Line of Actual Control, not to be confused with the Line of Control dividing Indian and Pakistan-administered Kashmir.

Only a few years later, in 1965, conflicts again broke out between India and Pakistan. This then escalated to the 1971 Indo-Pakistani war. Pakistan was defeated and the Pakistani military withdrew from the area known as East Pakistan, now known as the nation of Bangladesh. Following Pakistan’s defeat, the Simla Agreement was signed by India and Pakistan. Both countries agreed to settle all issues by peaceful means and mutual discussion through the framework of the UN charter. However, many in both countries, and Kashmir itself, saw this as just a political statement that did nothing to curb the tensions that twenty years of warfare had produced. The Simla agreement reinforced the Line of Control as the legitimate boundary in the Kashmir region, and attempts to construct a fence around the line of control have prompted criticism from China and Pakistan against the Indian government.

War returned to the region in 1999 when India and Pakistan clashed after militants crossed from Pakistan-administered Kashmir into India-administered Kargil region. India repelled the attack and accused the Pakistani government of supporting the militants which led to the two nations breaking off formal relations. The early 2000s saw more conflict between the two nations, and several attempts to make peace were hindered when an attack on the Indian parliament of Jammu and Kashmir led to more conflict.

The 2008 terror attacks on the Indian capital of Mumbai by Pakistan based terrorists from Lashkar-e-Taiba group, which lasted four days and killed 168 people, created more anti-Pakistani conflict in Kashmir.

In 2011, following protests from Pakistan over a demonstrator that was killed by the Indian Army, the Indian State Human Rights Commission discovered 2,000 unidentified bodies in unmarked graves near the Line of Control. Later, in September of the same year, Indian forces kill three Pakistani soldiers while firing across the the Line of Control.

2013 saw a peace attempt between the Prime Ministers of India and Pakistan to try and reduce conflict in Kashmir, however the peace talks failed in by August 2014 when India cancelled the talks after accusing Pakistan of interfering in their internal affairs.

Recent Events
In July of 2016 an indefinite curfew was imposed across the Kashmir region after a popular militant was killed and muslim forces rioted. The riot was lifted a month later, but schools, shops, banks, and mobile and internet services remain suspended in the region. Following the
implementation of the curfew, more violence erupted, resulting in the deaths of at least 68 civilians and more than 9000 were injured. The threat of another war seemed even more possible when on September 18 Indian soldiers were killed by gunmen who raided a base. In November, Human Right Watch appealed for an end to the burning of schools in Indian-administered Kashmir.

The year 2017 also saw many instances of conflict in the region, with thousands of refugees fleeing Kashmir following the defiance of a curfew in the region. In July, militants attacked Hindus making pilgrimages, killing seven and injuring 16.


**Involved Actors**


*The All Parties Hurriyat Conference (APHC)*- Founded in 1993 as a political front alliance of 26 political, social, and religious organizations in Kashmir. Their main objective is to ascend the Indian controlled regions of Kashmir to Pakistan and initiate Islamic governance.

*The Indian National Congress (INC)*- One of two major political parties in India, a center-left party on the Indian political spectrum.


*Jaish-e-Mohammed*- A militant organization that operates in Kashmir but is based in Pakistan. They want to cede Indian controlled sections to Pakistan. They have carried out numerous attacks in the region and despite being officially banned from existing in Pakistan since 2002, the group continues to operate.

*Hizb-ul-Mujahideen*- A militant organization that has operated in Kashmir since 1989 and operates as the militant wing of the Kashmiri political/religious group, Jamaat-e-Islami. This
group is led by Sayeed Salahudeen and is known as the most widely and supported militant group in the conflict.

Farooq Abdullah- The son of Sheikh Abdullah who founded the National Conference party. He has stated that Kashmir should remain a part of India but has campaigned for greater autonomy. He has faced criticism for shifting alliances to different political parties and is currently allied with the BJP.

Omar Abdullah- The son of Farooq Abdullah who served as the head of the national conference in 2008, however he resigned in 2009 amidst a sex scandal. He currently serves as the Chief Minister for Jammu and Kashmir.

Abdul Gani Bhat- An influential politician who advocates for the ascension of Kashmir to Pakistan.

Source: https://www.peaceinsight.org/conflicts/kashmir/conflict-profile/key-people-and-parties/

**UN Resolutions and Activities**

**UN Security Council Resolution 38, January 17th, 1948:** Called upon India and Pakistan to refrain from aggravating the situation in Kashmir and requested that the two new nations inform the council on any updates to the situation.

**UN Security Council Resolution 39, January 20th, 1948:** A three member commission is founded to investigate the Kashmir dispute. However, nothing is investigated until May 1948.

**UN Security Council Resolution 47, April 21st, 1948:** This was one of the earliest resolutions passed by the security council and dealt with the Kashmir conflict in the wake of the Pakistan/India division. The three member commission is increased to five members. It recommended three steps in order to escalate conflict in the region. First, Pakistan was asked to withdraw all nationals from Kashmir. Secondly, India was asked to progressively remove military forces until only the minimum for maintaining rule of law were left. Finally, India was to appoint a plebiscite administrator nominated by the UN to conduct free and open elections.


**UN Security Council Resolution 80, March 14th, 1950:** This resolution is also known as the McNaughton agreement after Canadian ambassador General A.G.L. McNaughton who oversaw the compliance of India and Pakistan surrounding Resolution 47. This resolution commended India and Pakistan on their compliance with Resolution 47 and their commitment to de-escalating violence in the region. This resolution slightly altered the intent of Resolution 47
by asking Pakistan and India to simultaneously withdraw troops from the region, rather than just asking Pakistan to do so as noted in the previous resolution.


**UN Security Council Resolution 91, March 30th, 1951:** The UN passed this resolution to denote that the elections which were held for the Constituent Assembly of Jammu and Kashmir did not substitute as a plebiscite (election of the people) as the election was clearly rigged as shown when Sheik Abdullah’s National Conference party won all 75 seats that were allotted to the Indian-administered section of Kashmir.

**UN Security Council Resolution 122, January 24th, 1957:** This resolution resolved that the state constitution, drafted by the rigged constituent assembly, was not a final legal disposition of the State. India still refused to allow for a plebiscite.


**First Person Report: Killing a Journalist in Kashmir**

Large crowds gathered in Kreeri village in Kashmir last Monday to honor the life and journalistic work of Shujaat Bukhari, the slain editor of the Rising Kashmir. Bukhari, who lived under constant threat, was gunned down as he was leaving his office last Thursday. Three heavily armed assassins on motorcycles-opened fire on him with dozens of rounds, killing the fifty-year old family man, along with two of his security guards. He was on his way home to break his Ramzan fast with his family.

Bukhari, who had already been kidnapped once and escaped, was murdered soon after he took up the case of a young man, Kaiser Bhat, who was tragically run over and killed by security forces, during one of many recent street protests in Indian-Administered Kashmir. Last tuesday, local and regional newspapers in Kashmir left large blank spaces where editorials would typically appear to honor the highly revered editor and journalist.

I spoke at length with writer and noted author Vijay Prashad about the life and times of Shujaat Bukhari. Prashad was a colleague of Bukhari—who was for many years the bureau chief of the Hindu newspaper where Prashad’s work also appears.

**Dennis Bernstein: Welcome Vijay Prashad, Good of you to do this.**

**Could you tell us about Shujaat Bukhari in the context of his working in that dangerous part of the world?**

Vijay Prashad: Shujaat Bukhari was highly respected in Kashmir and well known in other parts of India. Shujaat was for many years the bureau chief of the Hindu newspaper, for which I write. Then he was the head of station for the magazine Frontline. These periodicals highly valued the reports Bukhari submitted from Kashmir. He was a very honest reporter, in an age when many
reporters who are trying to tell different stories is very much a part of the agenda of war-making. Bukhari reported in a heartfelt way on what the conflict in Kashmir meant from the standpoint of the people. Genuine journalists are an endangered species. When you set out to report about the world from the standpoint of the people, you cross the line of somebody powerful. I have seen so many friends—in Pakistan, in Afghanistan, in Turkey—killed by the state. A friend of mine who was working on the Bin Laden story was picked up by Pakistani intelligence in May of 2011 and his body was found mutilated north of Karachi.

**DB: Could you explain exactly how he was murdered? I believe his murder followed his reporting of the killing of an activist, Kaiser Bhat, who was run down on the street at a protest.**

**VP:** Let me give you some context. From the standpoint of the state and the stenographer/reporter, someone like Kaiser Bhat, who was run over by a jeep, was an aberration, a terrorist. But what Bukhari and others with great sensitivity demonstrated is that Kaiser Bhat is just an ordinary Kashmiri. He reverses the question of the burden of proof: We don’t have to wonder why Kaiser Bhat became a militant. What we should wonder about is why all the other young people don’t become militants. The context of Kashmir almost demands that the population rise up in revolt. The Indian state certainly didn’t appreciate the kind of reporting that Bukhari was doing on Kashmir. It was also reporting that the militants didn’t always appreciate. He was also critical of the way that some militant groups had inflamed the situation, working for their own advantage rather than the will of the people. He was killed by masked gunmen who came on a motorcycle. It is unlikely that they will be caught or that their handlers will be identified. But whether or not we are able to establish forensically who killed Bukhari, we know who killed him. It was people in power who were threatened by the honesty of this very brave journalist.

**DB: This was not the first threat to this courageous journalist. He was kidnapped in the past.**

**VP:** Those who have reported from areas of great conflict know the dangers very well. After he was abducted, he made a statement to the effect that he didn’t know who the enemies were. When someone points a gun at you, you don’t know whose gun it is. You’re not out there to have a debate with the person. If some militia group stops you at a checkpoint and puts a gun to your head, you’re not thinking about which side you are on. You’re thinking, this is the end of my life. Remember that this is not just about a checkpoint in the middle of nowhere. It is also the United States, which targeted the Al Jazeera office in the Palestine hotel in Baghdad during the 2003 invasion of Iraq. This is a serious issue, this disregard for the person who is out there to get the story. We know that control of the story is a very important part of warfare. Going after reporters who are trying to tell different stories is very much a part of the agenda of war-making.
For those listeners who don’t know a great deal about Kashmir, could you describe how dangerous it is there?

VP: The region is a vast and beautiful place. There are Muslims of all kinds of different traditions. There are Hindus, there are Buddhists. They also define themselves in terms of ethnicity and culture. It is a very complex place. Sadly, in 1947-1948 the new government of Pakistan couldn’t come to terms with what was happening in Kashmir. There was no appreciation of the self-determination of the Kashmiri people. Both the new states of India and Pakistan captured territory. Pakistan holds about a third of the Kashmir region and India holds about two-thirds. China took a section of it in a war against India in 1962.

The people of Kashmir have felt alienated from the Indian state. Kashmir has erupted on several occasions, where people have protested against Indian state control. The framework is that Kashmir is a security problem and that Pakistan is infiltrating to create problems there. Some of this, of course, is true. But the core issue isn’t Pakistan’s involvement in Kashmir. The core issue is the alienation of the Kashmiri people. This exploded in a massive uprising in the 1980’s, which mirrored the First Palestinian Intifada. The Freedom Movement that began in 1989 was met with immense force. Right now that are between 700,000 and one million Indian troops in the Kashmir Valley. By the count of the Indian government, there are only 150 militants. That is an awfully strange ratio. This highly militarized region resembles an occupation. The people’s interface with the Indian state is not in the form of a postman or a social worker. It is a military officer. Until the Indian government comes to terms with the fact that you cannot allow a state’s primary interface with the population to be a soldier and allow security to be the main framework, until you come to terms with that and create an alternative framework, there is no solution to the Kashmir problem.

1947- The Maharaja (leader) of Kashmir signs a treaty of accession with India following an attack from Pakistani tribal armies, the first India-Pakistan war in the region begins.

1948- The issue of Kashmir is raised in the Security Council, Resolution 47 is passed which calls for a ceasefire and the removal of Pakistani troops in the region, Pakistan refuses.

1951- Elections in Jammu and Kashmir back accession to India, India claims that this means a plebiscite is not not needed but the UN questions the legitimacy of these elections and presses for the needed of a plebiscite.

1953- PM Sheik Abdullah is arrested after he takes a pro-referendum stance and delays formal accession to India.


1962- China easily defeats India during a short war and takes control of Aksai Chin.

1965- The second Pakistan-India war occurs, a ceasefire is declared with no changes to the Line Of Control.

1971-72- The third Pakistan-India war occurs and is concluded with the Simla agreement. The Kashmir line of control is legitimized to both countries, both sides agree to work within the framework of the UN, and this is declared to be the end of all hostilities in the region.

1984- The Indian Army seizes control of the Siachen Glacier, an area not demarcated by the Line Of Control. Pakistan attempts to take the land several times in the following decades.

1987- Following disputed elections in Jammu/Kashmir, a pro-independence insurgency called the Jammu and Kashmir Liberation Front (JKLF) arises, India blames Pakistan for backing the insurgency which Pakistan denies.

1990- The conflict intensifies after the Indian army kills 100 demonstrators at Gawakadal Bridge, the insurgency escalates and leads to most Hindus in the Kashmir valley fleeing to India.

1990s- The insurgency continues with Kashmiri militants being trained in Pakistan and India deploying half a million troops in the region. Violence against civilians is attributed to both sides.
1999- The fourth Pakistan- India war occurs after militants from Pakistan-administered Kashmir cross into the Indian-administered Kargil district. India repulses the attack, blames Pakistan for it, and formally breaks off diplomatic relations between the two nations.

2001-04- Attempts to reinstate relations between the neighboring nations are hampered by continuing violence.

2010- Major protests erupt in Jammu and Kashmir over the summer following the death of a demonstrator at the hands of the Indian Army.

September 2011- Indian forces kill three Pakistani forces by firing across the Line of Control.

September 2013- Prime Ministers of India and Pakistan meet to try and agree to reducing the violence in the region.

August 2014- India cancels further talks with Pakistan after accusing them of interfering in India’s internal affairs, a claim that Pakistan refutes.

October 2014- Pakistan and India issue potential words of war against one another following violence on their border that leaves 18 dead.

July 2016- A curfew is instilled in Indian-administered Kashmir following the killing of a popular militant by Indian security forces.

August 2016- The curfew is lifted but schools, shops, banks, and mobile and internet services remain suspended.

September 2016- Indian and Pakistan again exchange a war of words following a raid on an Indian base in Kashmir in which 18 Indian soldiers are killed.

November 2016- Thousands of villagers in Pakistan-administered Kashmir are evacuated after violence escalates following the killing of seven Pakistani soldiers across the Line Of Control.