

KASHMIR DISPUTE: SOVEREIGNTY, SECURITY, AND STRATEGIC POLICY ANALYSIS

Policy Analysis for the Ministry of External Affairs, Republic of India

I. ISSUE BRIEF

The Kashmir dispute represents India's most consequential territorial and security challenge, encompassing questions of sovereignty, territorial integrity, national security, communal relations, and great power dynamics. The former princely state of Jammu and Kashmir, comprising approximately 222,236 square kilometers,[1] remains divided between Indian administration (Jammu and Kashmir and Ladakh Union Territories, approximately 101,338 square kilometers),[2] Pakistani control (Azad Jammu and Kashmir and Gilgit-Baltistan, approximately 85,846 square kilometers),[3] and Chinese occupation (Aksai Chin and Trans-Karakoram Tract, approximately 37,555 square kilometers ceded by Pakistan to China in 1963).[4]

India's legal position rests on the Instrument of Accession signed by Maharaja Hari Singh on October 26, 1947, legally and irrevocably incorporating the entire princely state into the Indian Union under the provisions of the Indian Independence Act 1947.[5] This accession, executed in accordance with constitutional procedures established for princely state integration, transferred sovereignty over defense, external affairs, and communications to India,[6] making the entire territory—including areas currently under Pakistani and Chinese control—legally integral parts of India. The Government of India maintains that Pakistan's military intervention beginning October 22, 1947 (prior to accession),[7] constitutes illegal aggression and occupation of Indian sovereign territory, while Chinese occupation of Aksai Chin following the 1962 war represents territorial conquest contrary to international law principles prohibiting acquisition of territory by force.[8]

Current operational realities reflect contested control and persistent instability. The Line of Control (LoC) with Pakistan, established through the 1972 Simla Agreement following the 1971 war,[9] extends approximately 740 kilometers through mountainous terrain,[10] representing a de facto border maintained through military deployments but not recognized by India as legitimate boundary. The Line of Actual Control (LAC) with China in Ladakh, spanning approximately 826 kilometers,[11] remains disputed and imprecisely defined, having been the site of multiple military standoffs including the 2020 Galwan Valley clash resulting in combat casualties—the first deadly confrontation since 1975.[12]

Within Indian-administered Jammu and Kashmir, security challenges persist despite significant improvement since peak militancy periods of the 1990s. Pakistan-backed cross-border terrorism continues, with 180+ infiltration attempts recorded in 2023,[13] while indigenous militancy, though substantially reduced from 1990s levels (when active militant strength exceeded 3,000),[14] maintains residual capacity with approximately 180-200 active

militants as of 2023.[15] The August 5, 2019 constitutional reorganization—revoking Article 370's special status and bifurcating the state into two Union Territories[16]—fundamentally altered the governance framework, generating domestic political controversies, international criticism particularly from Pakistan and the Organization of Islamic Cooperation,[17] and legal challenges currently before the Supreme Court of India.[18]

Strategic implications extend beyond bilateral India-Pakistan dynamics to encompass great power competition. The China-Pakistan Economic Corridor (CPEC), flagship project of China's Belt and Road Initiative with investments exceeding \$62 billion,[19] traverses Gilgit-Baltistan—territory India considers illegally occupied by Pakistan—creating direct Indian objections to Chinese infrastructure development on disputed Indian territory.[20] Chinese military infrastructure development in Aksai Chin, including construction of all-weather roads, airbases, and military installations,[21] enhances PLA capabilities for potential conflict scenarios while supporting Pakistan through strategic partnership characterized as "all-weather" and "iron brotherhood." [22]

The fundamental policy challenge lies in defending territorial integrity and sovereignty claims over all of the former princely state, managing ongoing security threats from cross-border terrorism and insurgency, preventing further territorial losses to China or Pakistan, maintaining domestic governance legitimacy particularly among Kashmiri populations, navigating international opinion increasingly critical of human rights situations, and balancing Kashmir commitments against competing national priorities including economic development, technological advancement, and broader strategic competition with China across the Indo-Pacific.

II. STRATEGIC INTERESTS

Primary Interests:

Preservation of territorial integrity over all areas of the former princely state of Jammu and Kashmir constitutes a non-negotiable core national interest grounded in constitutional mandate, legal sovereignty, and national identity. The Indian Constitution's First Schedule explicitly lists "Jammu and Kashmir" as constituent territory,[23] while successive governments have maintained that the entire former princely state, including Pakistan-occupied and Chinese-occupied areas, represents integral Indian territory temporarily under illegal foreign occupation. Article 1 of the Indian Constitution defines India's territory to include "the territories of the States,"[24] creating constitutional obligation to maintain sovereignty claims.

National security imperatives make Kashmir defense essential. Geographic realities position Kashmir as the critical buffer between the Indian heartland and hostile neighbors. Loss of additional territory, particularly the Kashmir Valley or strategic heights commanding approaches to the Indo-Gangetic plain, would fundamentally compromise Indian security by providing adversaries direct access to densely populated core regions. The Siachen Glacier, at 5,400-7,400 meters elevation and extending 76 kilometers,[25] represents the world's highest battlefield where Indian forces maintain positions (Operation Meghdoot, 1984)[26] preventing Pakistani-Chinese territorial linkage that would create a continuous hostile border from Afghanistan to Myanmar.

Strategic waterways flowing from Kashmir—the Indus River system including five rivers allocated to Pakistan under the 1960 Indus Waters Treaty (Indus, Jhelum, Chenab)[27] and three rivers allocated to India (Ravi, Beas, Sutlej)—originate in or flow through Kashmir, making territorial control essential for water security. While the treaty allocates waters, Indian control of Kashmir territory provides physical ability to construct storage projects and regulate flows, capabilities that would be compromised by territorial loss.[28] Pakistan's 80% agricultural dependence on Indus waters[29] makes this strategic leverage significant, though constrained by treaty obligations and escalation risks.

Secondary Interests:

Prevention of Islamic radicalization and separatism serves vital national cohesion interests in a multi-religious democracy of 1.4 billion people, 14.2% Muslim (approximately 200 million Muslims, making India the world's third-largest Muslim population).[30] Successful separatism in Kashmir would establish precedent encouraging secessionist movements elsewhere—particularly in India's diverse Northeast region where multiple insurgencies have historically operated[31]—and validate the "two-nation theory" underlying Pakistan's creation, suggesting that Hindu-Muslim coexistence within secular democratic framework is impossible.[32] Maintenance of Kashmir within the Indian Union demonstrates secular democracy's viability and refutes religious determinism in state formation.

Credibility regarding border defense and territorial integrity extends beyond Kashmir to affect China-India boundary disputes spanning 3,488 kilometers across Ladakh, Himachal Pradesh, Uttarakhand, Sikkim, and Arunachal Pradesh sectors.[33] Chinese claims to approximately 90,000 square kilometers of Indian territory in Arunachal Pradesh[34] (which China terms "South Tibet") and Indian claims to 38,000 square kilometers in Aksai Chin[35] create extensive disputed areas where demonstrated resolve in Kashmir affects Chinese calculus regarding potential aggression elsewhere. Perceived weakness in Kashmir defense would encourage Chinese territorial assertiveness across the LAC.

Tertiary Interests:

Regional stability and prevention of Pakistan-China axis consolidation serve broader strategic interests. The deepening China-Pakistan partnership, formalized through "All-Weather Strategic Cooperative Partnership" (2015),[36] creates two-front security challenge requiring simultaneous capability for conflicts on western (Pakistan) and northern (China) borders. CPEC infrastructure development enhances Pakistani economic and military capabilities while creating Chinese strategic presence in South Asia, directly challenging Indian regional primacy. Kashmir's strategic position makes it the geographic nexus of this axis—CPEC traverses Pakistani-occupied Kashmir, Chinese forces occupy Aksai Chin, and coordination between Pakistan and China regarding Kashmir complicates Indian defense planning.[37]

International reputation and great power status aspirations require successful Kashmir governance demonstrating state capacity for managing complex ethno-religious situations. India's candidacy for permanent United Nations Security Council membership, leadership of Global South through forums like G20 presidency (2023), and positioning as democratic counterweight to China depend partially on demonstrating effective governance, human rights protection, and conflict resolution capabilities. International criticism of Kashmir human rights situations—including communications restrictions, detention policies, and security force actions[38]—complicates these aspirations, though India maintains these

represent internal matters not subject to external interference under Article 2(7) of the UN Charter.[39]

III. CONSTRAINTS

Military-Security Constraints:

Two-front war scenarios create severe resource allocation challenges. The Indian Armed Forces must simultaneously prepare for potential conflicts with Pakistan (western border) and China (northern border), requiring force structure, logistics, and planning for concurrent operations. The 2020 Galwan Valley clash with China occurred during ongoing tensions with Pakistan, demonstrating realistic possibility of simultaneous crises.[40] Military planning assessments indicate that fighting high-intensity conflicts on both fronts simultaneously would severely strain logistics, ammunition stockpiles, air assets, and reserves.[41]

Force deployment requirements constrain operational flexibility. India maintains approximately 800,000-900,000 troops in Jammu and Kashmir for counter-terrorism, counter-insurgency, and LoC defense operations,[42] representing substantial proportion of 1.46 million active duty personnel.[43] Permanent deployment of 7-8 Corps in Kashmir (including elements of XV Corps, XVI Corps, XIV Corps)[44] limits force availability for other contingencies including China border defense, maritime security, or rapid reaction forces. Mountain warfare requirements in Kashmir terrain—elevations ranging from 1,000 to 8,611 meters (K2 peak)—necessitate specialized training, equipment, and acclimatization, further limiting force fungibility.[45]

Infrastructure limitations create logistics vulnerabilities. Road connectivity to Ladakh remains dependent on seasonal mountain passes including Zoji La (closed November-May due to snow)[46] and Rohtang Pass, though tunnel projects (Atal Tunnel completed 2020, Zoji La tunnel under construction)[47] are improving all-weather access. Air supply represents the only year-round logistics option for many forward positions, creating dependence on weather conditions and vulnerable transport aircraft. Chinese infrastructure advantages in Tibet and Xinjiang—including permanent paved roads, railway lines to Lhasa and extending toward the LAC, and multiple airfields[48]—provide substantial logistics superiority enabling rapid force concentration.

Nuclear dimensions constrain conventional military options. Both India and Pakistan possess nuclear weapons arsenals (India approximately 164 warheads, Pakistan approximately 170 warheads as of 2023),[49] creating escalation risks in any major conflict. Pakistani nuclear doctrine emphasizes "first use" options if Indian conventional forces threaten Pakistani territory or military capacity,[50] introducing catastrophic risks to conventional military operations. The "stability-instability paradox"—nuclear weapons deter major war while enabling sub-conventional aggression through terrorism—allows Pakistan to sponsor cross-border terrorism while relying on nuclear deterrence to prevent large-scale Indian retaliation.[51]

Political-Governance Constraints:

Domestic political complexities create policy constraints across multiple dimensions. The 2019 Article 370 revocation, while implemented by the ruling Bharatiya Janata Party

government, remains politically contested. Opposition parties including Congress and regional parties criticized the constitutional changes,[52] while legal challenges before the Supreme Court question the procedural validity and substantive constitutionality of the reorganization.[53] Any future government might face pressure to restore some form of special status, creating policy uncertainty.

Kashmiri Muslim population sentiments affect governance legitimacy and security effectiveness. While reliable public opinion data remains limited due to security situations, available surveys suggest mixed attitudes—significant segments desire independence or greater autonomy, others prefer current status or improved governance within Indian framework, while support for merger with Pakistan remains limited.[54] Alienation among Kashmiri youth, partially driven by security force actions, communications restrictions, and political detentions, provides recruitment pool for militancy and reduces intelligence cooperation essential for effective counter-terrorism.[55]

Democratic accountability requires balancing security imperatives with civil liberties and human rights protection. India's identity as the world's largest democracy creates expectations for transparent governance, due process, freedom of expression, and protection of minority rights. Security measures including extended communications shutdowns (particularly the 18-month internet restrictions following August 2019 reorganization),[56] preventive detentions under Public Safety Act,[57] and Armed Forces Special Powers Act (AFSPA) provisions granting immunity for security force actions[58] generate domestic criticism from civil society, media, and opposition parties, constraining operational freedom.

International Constraints:

Pakistan's diplomatic strategy positions Kashmir as core dispute requiring international mediation, consistently raising the issue in United Nations forums, Organization of Islamic Cooperation platforms, and bilateral engagements with major powers. Pakistan's 2019-2020 diplomatic campaign following Article 370 revocation generated UN Security Council closed-door discussions (the first Kashmir-related UNSC meeting since 1971),[59] OIC resolutions criticizing Indian actions,[60] and statements from various countries expressing concern about human rights situations. While India successfully prevented UNSC formal resolutions and maintained support from major powers (United States, Russia, France),[61] the campaign demonstrated Pakistan's capacity for generating international attention.

UN Security Council Resolutions 47 (1948) and 91 (1951), calling for plebiscite to determine Kashmir's future,[62] remain on record despite being superseded by subsequent developments (Simla Agreement's bilateral framework, changed ground realities). Pakistan regularly invokes these resolutions arguing for plebiscite, while India maintains that resolutions are obsolete, Pakistan's failure to withdraw forces as required by Resolution 47 nullified subsequent provisions, and the 1972 Simla Agreement established bilateral framework excluding third-party involvement.[63] International legal scholarship remains divided on current applicability of these resolutions.[64]

China-Pakistan coordination creates diplomatic complications. Chinese positions consistently support Pakistan on Kashmir, characterizing it as a "dispute left from history" requiring resolution through UN resolutions and bilateral dialogue,[65] implicitly rejecting Indian sovereignty claims. Chinese UNSC permanent membership enables procedural blocking of any Indian-favorable resolutions, while Belt and Road Initiative investments through Gilgit-

Baltistan provide economic leverage supporting Pakistani positions. The 2019 Wuhan Summit and 2020 Galwan clash demonstrated Chinese willingness to apply military pressure in Ladakh potentially coordinated with Pakistan-related tensions, complicating Indian strategic calculations.[66]

Western democracies increasingly emphasize human rights concerns affecting bilateral relationships. The United States Commission on International Religious Freedom has designated India for "Countries of Particular Concern" list consideration regarding religious freedom in Kashmir,[67] while European Parliament resolutions have criticized Kashmir communications restrictions and detention policies.[68] Human rights organizations including Human Rights Watch and Amnesty International regularly publish critical reports on Kashmir situations,[69] influencing international opinion. While major powers maintain strategic partnerships with India given China competition imperatives, human rights concerns constrain defense cooperation, technology transfers, and diplomatic support on Kashmir-specific issues.

Economic Constraints:

Kashmir's economic underdevelopment limits governance legitimacy and creates grievances exploitable by militants. Jammu and Kashmir's per capita income (\$1,430 in 2019-20)[70] significantly trails the all-India average (\$1,820),[71] while unemployment rates in Kashmir Valley (approximately 18% overall, higher among youth)[72] exceed national averages. Economic activity remains constrained by security situations, infrastructure limitations, and uncertain political status that deters private investment. Tourism, historically a major economic sector generating 8% of Kashmir's GDP and supporting 11% of employment,[73] remains below potential due to security concerns and periodic restrictions.

Fiscal burden of Kashmir security and development assistance strains national budgets. Annual security expenditure for Kashmir operations, including troop deployment costs, infrastructure security, intelligence operations, and counter-terrorism, is estimated at ₹750-900 billion (\$9-11 billion) annually.[74] Development assistance through special central government packages and subsidies adds substantial costs. This expenditure occurs within broader defense budget constraints—India's defense spending of \$81.4 billion (2023)[75] must cover all services, modernization, pensions, and operational costs across all borders and maritime domains, creating opportunity costs for Kashmir resource allocation.

Development investments show limited returns due to security disruptions and governance challenges. Despite substantial central government funding for infrastructure development, education, healthcare, and economic programs, outcomes remain suboptimal. Corruption in implementation, local resistance to perceived "occupation" infrastructure, and periodic violence disrupting development projects reduce effectiveness of economic initiatives designed to build governance legitimacy through material improvements.[76]

Legal-Constitutional Constraints:

Supreme Court jurisdiction creates judicial review risks for executive policies. Multiple petitions challenging Article 370 revocation procedural validity and substantive constitutionality remain pending before a Constitution Bench.[77] Petitioners argue that the reorganization violated constitutional procedures requiring state legislature consent (which had been dissolved), exceeded executive authority by effectively amending the Constitution

through presidential orders, and violated federalism principles by demoting a state to Union Territory status without following proper amendment procedures.[78] Adverse Supreme Court ruling could require restoration of special status or reversal of reorganization, fundamentally constraining policy options.

International humanitarian law obligations under Geneva Conventions potentially apply to Kashmir situations given prolonged armed conflict characteristics, though India maintains that internal security operations against terrorism do not trigger international humanitarian law applicability, instead falling under domestic law enforcement frameworks.[79] International humanitarian law scholars debate applicability of Common Article 3 (non-international armed conflicts) to Kashmir, with potential obligations including humane treatment, due process before judicial organs, and proportionality in use of force.[80]

IV. POLICY OPTIONS

Option A: Maximum Pressure Through Offensive Operations

Pursue comprehensive military strategy to reclaim Pakistan-occupied Kashmir and eliminate cross-border terrorism infrastructure through large-scale conventional operations. Execute Cold Start doctrine or successor Integrated Battle Groups concept[81] through rapid mechanized thrusts across the international border and LoC, targeting Pakistani military formations and capturing strategic territory including Muzaffarabad (capital of Azad Kashmir), Mirpur, and Gilgit-Baltistan areas. Simultaneously conduct sustained counter-terrorism operations eliminating militant infrastructure in Kashmir Valley through cordon-and-search operations, neutralization of all active militants, and comprehensive intelligence-based targeting of support networks. Implement comprehensive information control including extended communications restrictions, media management, and counter-narrative operations. Pursue economic isolation of Pakistan through diplomatic pressure for Financial Action Task Force (FATF) blacklisting,[82] bilateral trade restrictions (already minimal given Most Favored Nation status revocation),[83] and pressure on international financial institutions to condition assistance on Pakistan ceasing support for terrorism.

Assessment: Maximizes pressure for achieving historical irredentist objectives and eliminating Pakistan's capacity for supporting terrorism. Successful military operations reclaiming Pakistan-occupied Kashmir would resolve territorial disputes decisively, eliminate CPEC infrastructure from disputed territory, and restore complete Indian sovereignty over the entire former princely state. Comprehensive counter-terrorism operations could substantially reduce violence in Kashmir Valley if executed effectively. Economic pressure could force Pakistani policy changes if sustained internationally. However, generates near-certain catastrophic escalation risks. Large-scale conventional military operations threatening Pakistani territorial integrity or military capability would likely trigger Pakistani nuclear use given explicit first-use doctrine and statements that nuclear weapons exist precisely to deter such conventional aggression.[84] Even conventional war would impose massive casualties (the 1999 Kargil conflict involving limited territory resulted in 500+ Indian casualties and 2,000+ Pakistani casualties),[85] economic costs of sustained mobilization and conflict (estimated \$5-10 billion for major operations), and international pressure for ceasefire before objectives achieved. Chinese intervention probability high—Pakistan's "all-weather ally" status suggests Chinese military or material support, potentially triggering two-front war scenarios. Prolonged information restrictions and aggressive counter-terrorism operations would generate massive domestic civil liberties opposition, international condemnation, and

potential Supreme Court intervention. Economic isolation strategy limited by China's UNSC veto preventing sanctions and Pakistan's limited integration in global economy reducing leverage. Strategy assumes military victory achievable, but Pakistan's nuclear arsenal specifically designed to prevent Indian conventional victory, making fundamental premise unrealistic. Governance of newly-captured territories with hostile populations would create massive counter-insurgency challenges comparable to Iraq or Afghanistan occupations.

Option B: Strategic Accommodation Through Negotiated Settlement

Pursue comprehensive negotiated settlement with Pakistan converting the Line of Control into permanent international border with mutual recognition of existing territorial control, accompanied by robust peace treaty and normalization of relations. Accept permanent partition of Kashmir with formalized borders, demilitarization of the LoC, and establishment of cross-border economic cooperation zones. Offer autonomy enhancement for Indian-administered Jammu and Kashmir through restoration of Article 370 provisions or negotiated alternative providing greater self-governance within Indian constitutional framework, addressing Kashmiri aspirations for political empowerment. Engage China regarding Aksai Chin through potential territorial compromise such as accepting Chinese control over Aksai Chin (which India has never physically controlled post-1962) in exchange for Chinese recognition of Indian sovereignty over Arunachal Pradesh and reduction of military tensions. Implement comprehensive economic development program in Kashmir supported by international assistance, creating material incentives for peace acceptance among Kashmiri populations. Reduce security force presence progressively as violence declines, repealing AFSPA and transitioning to normal civilian policing.

Assessment: Offers potential conflict resolution ending seven-decade dispute through realistic compromise acknowledging changed ground realities. LoC-as-border solution has significant strategic logic—the Line has remained stable since 1972, populations have adjusted to partition, and perpetual conflict imposes massive economic and human costs without realistic prospect for military resolution. Autonomy restoration could reduce Kashmiri alienation and address governance legitimacy deficits, while demilitarization would free substantial military resources for China border defense and economic development. Economic development would provide material improvements reducing militancy appeal. However, fundamentally contradicts constitutional positions and historical commitments. Government of India maintains Pakistan-occupied Kashmir represents illegally occupied Indian territory—formalizing partition would constitute abandonment of constitutional territory and breach of Instrument of Accession obligations. Domestic political consequences would be catastrophic—opposition parties would characterize settlement as surrender of Indian territory, nationalist constituencies would view compromise as betrayal, and political viability of any government pursuing this path highly doubtful. Supreme Court and constitutional constraints make formal abandonment of territorial claims legally difficult absent constitutional amendment requiring two-thirds parliamentary majority and state ratifications.[86] Article 370 restoration faces substantial political opposition given BJP's ideological commitment to "one nation, one constitution" and electoral messaging regarding integration. Pakistan unlikely to accept LoC formalization without plebiscite provisions or substantial Indian concessions exceeding border recognition, given domestic political investment in Kashmir cause and military establishment's ideological commitment. China has demonstrated unwillingness to trade Aksai Chin for recognition of other areas—2005 "political parameters" agreement proposed limited territorial swaps but no serious progress since.[87] Negotiated settlement would likely generate perceptions of Indian weakness,

potentially encouraging Chinese assertiveness elsewhere and emboldening separatist movements in Northeast India. Historical precedent of Simla Agreement (1972) pledging bilateral resolution without third-party involvement[88] suggests that subsequent multilateral negotiations or extensive compromises could be characterized as violating past commitments.

Option C: Sustained Attrition Through Status Quo Management

Maintain current approaches emphasizing military vigilance along LoC and LAC, sustained counter-terrorism operations in Kashmir Valley, gradual infrastructure development improving connectivity and economic opportunities, and diplomatic efforts isolating Pakistan internationally. Continue existing LoC deployment patterns with modernized surveillance technology, improved border infrastructure including smart fencing and sensors, and robust responses to infiltration attempts and ceasefire violations. Sustain counter-terrorism operations targeting militants through intelligence-led operations, minimize collateral damage through improved operational discipline, and maintain security force presence at current levels. Implement Article 370 revocation outcomes through gradual normalization including elections for Union Territory legislature, phased restoration of communications and civil liberties as security permits, and encouragement of economic investment in newly-opened sectors. Pursue incremental confidence-building with Pakistan when opportunities arise—bus services, trade facilitation at border points, cultural exchanges—without compromising security or territorial positions. Maintain firm positions with China regarding LAC, responding to intrusions through military deployments and diplomatic protests, while engaging in diplomatic negotiations and military-to-military dialogues managing tensions.

Assessment: Represents continuation of established policies with incremental improvements, avoiding dramatic policy shifts and associated risks. Current approach has achieved some successes—militancy levels substantially lower than 1990s peaks, infiltration attempts generally intercepted, economic development proceeding, and Article 370 revocation implemented without catastrophic security deterioration. Status quo avoids nuclear escalation risks inherent in offensive operations while avoiding domestic political costs of territorial compromise. However, perpetuates unresolved dispute consuming substantial resources without progress toward resolution. Annual security expenditure of \$9-11 billion represents opportunity cost for development, defense modernization for China contingencies, and other national priorities. Periodic crises—Pulwama attack (2019), Pathankot airbase attack (2016), Uri attack (2016)—demonstrate vulnerability to Pakistan-sponsored terrorism requiring military responses (Balakot airstrikes) that risk escalation.[89] Kashmiri alienation may persist despite security improvements if governance legitimacy deficits continue, creating long-term insurgency potential. Chinese assertiveness in Ladakh, demonstrated through 2020 Galwan clash and ongoing LAC tensions, suggests status quo insufficient for preventing Chinese territorial encroachment. International criticism regarding human rights situations unlikely to diminish absent visible governance improvements and security force accountability measures. Fundamental problem remains unresolved—Pakistan continues seeking territorial change through terrorism and diplomatic pressure, China occupies disputed territory while building infrastructure, and India lacks clear pathway toward achieving stated objective of recovering all occupied territory. Status quo management represents stability but not resolution, with risks that extended stalemate creates "frozen conflict" dynamics seen in other disputes (Kashmir, Cyprus, Nagorno-Karabakh) where resolution becomes increasingly difficult over time.

Option D: Integrated Deterrence With Selective Engagement

Implement comprehensive strategy combining robust military deterrence, selective diplomatic engagement, intensive governance reform, and economic integration. Military component emphasizes credible deterrence through: (a) sustained modernization of Kashmir-focused capabilities including mountain strike corps, precision-guided munitions, advanced surveillance systems, and all-weather logistics infrastructure enabling year-round operations; (b) development of sub-conventional response options through special forces capabilities and cyber/electromagnetic warfare tools enabling precise retaliation against terrorist infrastructure without triggering full-scale war; (c) articulation of clear deterrent thresholds through structured statements regarding unacceptable actions (mass casualty terrorist attacks, territorial incursions) triggering proportional responses; (d) close coordination with China border management ensuring two-front contingency planning while avoiding simultaneous crises through diplomatic deconfliction. Diplomatic component pursues: (a) bilateral engagement with Pakistan when terrorism cessation enables dialogue, offering economic cooperation and people-to-people exchanges without compromising territorial claims; (b) comprehensive border management agreements with China focusing on LAC clarification, confidence-building measures, and crisis management protocols; (c) international messaging emphasizing India's commitment to peaceful resolution through bilateral frameworks while highlighting Pakistan's terrorism sponsorship; (d) selective multilateral engagement where beneficial (Shanghai Cooperation Organization regional security cooperation) while resisting internationalization of sovereignty disputes. Governance reform emphasizes: (a) expedited elections for Union Territory legislatures restoring democratic representation; (b) systematic human rights protections including security force accountability mechanisms, judicial oversight of detentions, and proportionate use of force doctrines; (c) communications normalization through permanent high-speed internet restoration with targeted restrictions only during specific security contingencies; (d) economic liberalization attracting private investment, particularly in tourism, information technology, and light manufacturing sectors. Strategic integration connects Kashmir to broader national priorities including: (a) positioning Kashmir development within Act East connectivity vision linking Central Asia through Kashmir infrastructure; (b) water resource management through hydroelectric projects on allocated rivers generating revenue and employment while respecting Indus Waters Treaty obligations; (c) educational excellence initiatives establishing premier institutions attracting talent and creating knowledge economy opportunities; (d) cultural preservation celebrating Kashmir's historical pluralism and Sufi traditions countering radicalization narratives.

Assessment: Provides comprehensive approach addressing military security, governance legitimacy, economic development, and diplomatic dimensions simultaneously rather than emphasizing single aspect. Integrated deterrence creates credible conventional capabilities and sub-conventional response options enabling proportional retaliation without nuclear escalation—responding to terrorist attacks through limited strikes against terrorist infrastructure (Balakot model) rather than requiring full mobilization. Governance reforms address legitimacy deficits reducing long-term insurgency appeal while meeting democratic norms and international human rights expectations. Economic integration creates stakeholder interests in stability and material improvements addressing grievances. Selective engagement preserves bilateral negotiation frameworks while building confidence where possible. However, requires sustained resource commitments across multiple dimensions—military modernization, development assistance, governance reform—within constrained budgets. Effectiveness depends on Pakistan cooperation for terrorism cessation, which has proven elusive historically given Pakistani military establishment's strategic use of terrorism as low-cost attrition strategy against India.[90] China engagement faces limitations given Chinese

strategic alignment with Pakistan and broader Sino-Indian competition dynamics. Governance reforms may face domestic political resistance from constituencies favoring security-first approaches and skeptical of autonomy/liberalization measures. Economic integration requires private sector confidence and investment that security situations may not inspire immediately. Balancing deterrence with engagement creates risks of appearing weak if engagement interpreted as accommodation under pressure versus strong if deterrence measures escalate into broader conflict. Success requires careful calibration and sustained policy continuity across electoral cycles.

V. RISK ASSESSMENT AND RECOMMENDED COURSE OF ACTION

Recommended Strategy: Option D – Integrated Deterrence With Selective Engagement

This approach optimally balances India's competing imperatives of defending territorial sovereignty, managing security threats, maintaining democratic governance standards, and allocating resources efficiently within broader strategic competition with China. The strategy acknowledges that Kashmir, while critically important, exists within larger strategic context requiring holistic national security approach rather than Kashmir-exclusive focus consuming disproportionate attention and resources.[91]

Integrated deterrence aligns with India's evolving strategic culture emphasizing defensive defense combined with capability for limited offensive operations below nuclear thresholds. Historical Indian strategic restraint—despite multiple terrorist provocations including Parliament attack (2001), Mumbai attacks (2008), Pathankot (2016), Uri (2016), and Pulwama (2019)[92]—reflects both nuclear caution and domestic political constraints requiring visible responses without catastrophic escalation. Development of sub-conventional response capabilities (surgical strikes, airstrikes) provides middle options between inaction and full war, essential for sustained deterrence in nuclearized environment.[93]

Implementation Framework:

Military-Security Component:

Modernize Kashmir-focused force structure emphasizing capabilities for high-altitude mountain warfare, rapid reaction to infiltration, and precision strike against terrorist infrastructure. Priority modernization programs should include:

- Mountain Strike Corps development (XVII Corps establishment approved 2013, implementation ongoing)[94] providing offensive capability for LoC operations without requiring full army mobilization, enabling limited territorial objectives if required by strategic circumstances.
- Precision-guided munition acquisition including artillery shells, rocket systems, and air-launched weapons enabling targeted strikes against terrorist infrastructure with reduced collateral damage, improving effectiveness of limited retaliation operations (Balakot model).
- Surveillance and reconnaissance enhancement through: unmanned aerial vehicles (Heron, Searcher variants)[95] providing persistent intelligence coverage; satellite imagery analysis capabilities through dedicated Kashmir-focused intelligence cells;

ground-based radar and sensor networks along LoC creating comprehensive domain awareness; signals intelligence systems monitoring cross-border communications.

- All-weather logistics infrastructure completing Zoji La tunnel (estimated completion 2026),[96] Srinagar-Leh railway project (surveyed, pending environmental clearances),[97] and additional road projects ensuring year-round access to Ladakh and reducing dependence on air supply vulnerable to weather and Chinese air defense capabilities.

Develop and publicize clear deterrent thresholds through authoritative government statements establishing specific "red lines" triggering military responses. Thresholds should include:

- Mass casualty terrorist attacks exceeding specified casualties (potential threshold: 40+ deaths as in Pulwama) trigger cross-border strikes against terrorist infrastructure using precision munitions, potentially including air operations and special forces ground operations.
- Pakistan Army direct firing across LoC causing military or civilian casualties triggers proportional artillery and possibly air retaliation against Pakistan Army posts, with calibrated escalation if firing continues.
- Territorial incursions by Pakistan armed forces across LoC trigger military operations to restore status quo ante including use of necessary force to expel intruders.
- Chinese LAC transgressions beyond established patrolling limits trigger military responses including blocking Chinese patrols, establishment of equivalent Indian positions, and diplomatic protests escalating to ministerial level.

These thresholds create deterrence through predictability—adversaries understand consequences of specific actions—while preserving flexibility through carefully calibrated language enabling proportionality and de-escalation. Public articulation through National Security Advisor or External Affairs Minister statements backed by demonstrated willingness to implement (as in Balakot 2019) enhances credibility.[98]

Maintain robust China border posture in Ladakh through sustained deployments (approximately 50,000 troops currently deployed in Ladakh sector),[99] infrastructure development including advanced landing grounds and mountain warfare facilities, and close coordination with LoC operations ensuring two-front readiness. However, pursue diplomatic deconfliction preventing simultaneous Pakistan-China crises through:

- Regular military-to-military dialogues under Special Representatives mechanism and Working Mechanism for Consultation and Coordination (WMCC) framework addressing LAC incidents and building confidence.[100]
- Border area development projects emphasizing civilian infrastructure and economic development rather than purely military construction, reducing Chinese perceptions of threat while improving Indian capabilities.
- Diplomatic signaling through Shanghai Cooperation Organization and BRICS frameworks emphasizing Indian desire for stable China relationship despite boundary disputes, creating space for LAC de-escalation separate from Kashmir management.

Governance Reform Component:

Expedite democratic restoration through Union Territory legislature elections providing representative government while maintaining security prerogatives under Union Territory

framework. The October 2023 Supreme Court ruling requiring elections by September 2024[101] creates judicial mandate for electoral process. Implementation should:

- Conduct free and fair elections with international observers if requested, demonstrating confidence in democratic legitimacy and reducing international criticism of authoritarian governance claims.
- Empower elected legislature with meaningful responsibilities including development budgets, education and health policy, and local governance oversight, while maintaining Union Territory status preserving central government authority over security, public order, and land policies.
- Consider phased restoration of statehood conditional on sustained peace and successful democratic governance for specified period (e.g., 5-7 years), providing long-term political incentive while managing near-term security concerns.

Establish systematic human rights protection mechanisms addressing international criticism and improving governance legitimacy:

- Security Force Accountability Commission with civilian participation investigating allegations of excessive force, custodial deaths, disappearances, and due process violations, with authority to recommend disciplinary actions and criminal prosecutions where warranted.
- Judicial oversight of preventive detention through mandatory periodic review (every 3-6 months) by high court judges ensuring detentions based on credible intelligence and proportionate to threats, reducing arbitrary detentions undermining legitimacy.
- Transparent rules of engagement for security forces including proportionality requirements, escalation-of-force procedures, and post-incident investigation protocols, published and subject to civil society monitoring.
- Victim compensation and rehabilitation programs for civilians affected by security operations, including: families of persons killed in encounters (with credible investigation confirming militant status); property damaged in operations; economic losses from prolonged curfews or restrictions.

These accountability measures address legitimate international human rights concerns while improving operational effectiveness—security forces operating with clear rules and public accountability generate better intelligence cooperation from populations, while human rights violations alienate communities and provide militant recruitment narratives.[102]

Implement permanent communications normalization restoring high-speed internet throughout Kashmir with targeted restrictions only during specific security contingencies (active terrorist operations, credible intelligence of planned attacks requiring temporary communications disruption). The 18-month internet shutdown following August 2019 reorganization represented excessive restriction generating massive economic costs (estimated \$2.4 billion)[103] and international condemnation. Permanent restoration with transparent, time-limited, geographically-focused temporary restrictions when operationally necessary balances security imperatives with economic development and civil liberties.

Economic Integration Component:

Attract private sector investment through comprehensive economic liberalization:

- Industrial policy incentivizing manufacturing investment through tax holidays, subsidized land and power, and dedicated industrial parks in Jammu, Srinagar, and other urban centers. Focus sectors: information technology/business process outsourcing (leveraging educated workforce), light manufacturing (textiles, food processing), and tourism-related services.
- Startup ecosystem development through incubators, venture capital access, and talent programs connecting Kashmiri entrepreneurs with national and international networks, particularly in technology sectors where geography matters less than connectivity and skills.
- Tourism infrastructure modernization including: airport expansion (Srinagar, Jammu); hotel and hospitality development through public-private partnerships; winter sports facilities positioning Kashmir as South Asian skiing/snowboarding destination; cultural heritage site preservation and promotion.
- Agricultural modernization through: saffron industry support (Kashmir produces world-renowned saffron)[104]; horticulture value-chain development for apples and other fruits (currently face marketing challenges); dairy and livestock improvement programs.

These initiatives require substantial investment but generate employment, integrate Kashmir into national economy creating stakeholder interests in stability, and demonstrate governance delivering material improvements.

Connect Kashmir development to broader national connectivity priorities:

- Central Asian connectivity positioning Kashmir as trade corridor to Afghanistan (post-stabilization), Central Asian republics, and potentially Iran through Chabahar port complementing Act East vision with Act Central Asia dimension. Infrastructure investments including roads, railways, and potentially cross-LoC trade facilitation (if security permits) create economic logic transcending security preoccupations.
- Hydroelectric potential development on allocated Indus waters (Chenab, Jhelum, Indus rivers) through projects including Ratle, Pakaldul, and others generating revenue, employment, and clean energy while respecting Indus Waters Treaty obligations. Pakistan regularly objects to Indian hydroelectric projects alleging treaty violations,[105] requiring transparent technical compliance and potentially international arbitration as treaty provides, demonstrating Indian commitment to rule-based frameworks.

Diplomatic Engagement Component:

Maintain bilateral framework for Pakistan dialogue as established by Simla Agreement while conditioning substantive engagement on terrorism cessation. Clear preconditions include:

- Demonstrable action against terrorist groups operating from Pakistani territory including Lashkar-e-Taiba, Jaish-e-Mohammed, and Hizbul Mujahideen, verified through: infrastructure dismantling; leadership arrests and prosecutions; financing disruption; and reduction in infiltration attempts (sustained period, e.g., 6-12 months, with minimal incidents).
- Restraint along LoC including ceasefire observance and reduction of unprovoked firing incidents (the 2021 LoC ceasefire has generally held),[106] creating stability enabling confidence-building.

When preconditions met, pursue phased engagement:

- Track-II diplomacy and people-to-people exchanges including: academic and cultural programs; business forums; sports and artistic exchanges; and media dialogues, building constituencies for peace within both societies.
- Trade normalization through Most Favored Nation status restoration, border trade facilitation at Wagah-Attari and potentially Srinagar-Muzaffarabad routes (contingent on security), and economic cooperation in specific sectors (pharmaceuticals, textiles) benefiting both economies.
- Water cooperation through Indus Waters Treaty implementation strengthening including: permanent Indus Commission meetings; data sharing transparency; and potentially broader water management cooperation addressing climate change impacts on Himalayan glaciers affecting both countries.

Critical limitation: Engagement must not signal willingness to compromise on territorial sovereignty or legitimize Pakistani control over occupied Kashmir. Dialogue occurs within framework that Pakistan-occupied Kashmir represents Indian territory, Pakistan's sponsorship of terrorism remains unacceptable, and bilateral framework excludes third-party involvement.

Pursue comprehensive border management with China emphasizing LAC clarification and crisis prevention:

- Border clarification negotiations through Special Representatives mechanism should prioritize: defining LAC precisely through geographic coordinates and maps reducing ambiguity enabling unintentional clashes; identifying overlapping claim areas requiring special protocols; establishing buffer zones in sensitive sectors with withdrawal requirements for both sides.
- Confidence-building measures including: advance notification of military exercises near LAC; limitations on number and type of forces near disputed areas; expanded hotline communications between local commanders; and flag meetings increasing frequency from quarterly to monthly in tension-prone sectors.
- Crisis management protocols detailing: immediate communication procedures during incidents; investigation mechanisms for disputed claims; and de-escalation procedures including force withdrawal timelines and third-party mediation options (potentially Russia or SCO frameworks given mutual trust with both countries).

Maintain effective international positioning emphasizing:

- Terrorism focus: Consistently highlight Pakistan's state sponsorship of terrorism through documented evidence (international terrorist listings of LeT/JeM leaders, Pakistani government official statements, intercepted communications), positioning Kashmir as counter-terrorism issue rather than sovereignty dispute subject to mediation. This framing resonates with Western audiences post-9/11 and justifies Indian security measures.
- Bilateral framework: Reject internationalization through emphasizing Simla Agreement commitment to bilateral resolution, Article 2(7) UN Charter prohibition on interference in domestic jurisdiction, and UNSC Resolution precedents being superseded by subsequent bilateral agreements. Only engage multilaterally when India-favorable (e.g., terrorism-focused forums) while resisting Pakistan's mediation requests.

- Human rights progress: Proactively communicate governance reforms, accountability mechanisms, and democratic restoration initiatives to international audiences, preempting criticism through demonstrated progress rather than reactive defensiveness.

Risk Mitigation:

Principal escalation risk involves Pakistan-sponsored terrorism triggering Indian military responses escalating to broader conflict potentially approaching nuclear thresholds. The Balakot crisis (February 2019) following Pulwama attack demonstrated escalation pathway: terrorist attack → Indian airstrike → Pakistani air response and MiG-21 shootdown → threatened missile strikes.[107] Future crises could escalate further absent careful management. Mitigation requires:

- Clear deterrent thresholds enabling Pakistani understanding of consequences, potentially allowing Pakistani decisions preventing terrorism that would trigger Indian responses.
- Graduated response options ensuring proportionality—surgical strikes, limited airstrikes, cyber operations—avoiding immediate large-scale mobilization suggesting broader war intent.
- International crisis management including: rapid engagement with major powers (U.S., Russia, China) seeking restraint pressure on Pakistan; transparent communication of limited objectives reducing Pakistani existential fears; and diplomatic off-ramps enabling face-saving de-escalation for both sides.

China two-front risk requires continuous assessment preventing simultaneous Pakistan-China crises overwhelming Indian military capacity. The June 2020 Galwan clash occurred amid broader India-Pakistan tensions (though post-Balakot de-escalation), demonstrating real possibility.[108] Mitigation requires:

- Intelligence focus on Pakistan-China coordination through signals intelligence, satellite reconnaissance of China-Pakistan military communications, and analysis of coordinated diplomatic positions, providing early warning of potential combined operations.
- Force structure planning ensuring adequate reserves for two-front contingencies including: theater-level reserves rapidly deployable to either sector; air force assets allocated across both fronts; and logistics stocks sufficient for simultaneous operations.
- Diplomatic deconfliction separating Pakistan and China issues preventing conflation—maintain firm LAC positions while seeking China dialogue, and maintain firm LoC positions while seeking Pakistan terrorism cessation, avoiding policies triggering both simultaneously.

Domestic political risks involve either nationalist criticism of insufficient firmness or liberal criticism of excessive security measures, creating political vulnerability from multiple directions. Balancing requires:

- Transparent communication of strategy including: security imperatives justifying military deployments and counter-terrorism operations; governance reforms demonstrating commitment to democratic values; and long-term vision for Kashmir

integration and prosperity. Political opposition criticism reduced through consultation and information sharing.

- Consistent policy implementation across electoral cycles demonstrating strategic rather than partisan approach, building cross-party consensus on core Kashmir positions while allowing debate on implementation tactics.
- Results-based evaluation measuring: infiltration trends (decreasing); violence incidents (declining); economic indicators (improving); and public sentiment (gradually favorable), providing objective metrics demonstrating policy effectiveness beyond partisan spin.

This comprehensive framework positions India to manage Kashmir challenges sustainably while allocating adequate resources to China strategic competition, economic development, and technological advancement—all requiring attention beyond Kashmir exclusive focus. The approach provides pathway toward gradual conflict resolution through improved governance, reduced violence, and potential long-term Pakistan engagement, while maintaining firm sovereignty positions and credible deterrence preventing territorial losses or terrorism escalation.[109]

FOOTNOTES

[1] Alastair Lamb, *Kashmir: A Disputed Legacy 1846-1990* 2-5 (1991).

[2] Government of India, Ministry of Home Affairs, *Jammu and Kashmir Reorganisation Act, 2019*, No. 34 of 2019.

[3] Sajjad Shaukat, *Pakistan-Occupied Kashmir: Politics, Parties and Personalities* 15-18 (2014).

[4] M. Taylor Fravel, *Strong Borders, Secure Nation: Cooperation and Conflict in China's Territorial Disputes* 89-92 (2008) (analyzing 1963 Sino-Pakistan boundary agreement).

[5] Instrument of Accession executed by Maharaja Hari Singh, Oct. 26, 1947 (on file with Government of India).

[6] Indian Independence Act, 1947, 10 & 11 Geo. 6, c. 30 (U.K.).

[7] Victoria Schofield, *Kashmir in Conflict: India, Pakistan and the Unending War* 46-52 (3d ed. 2010) (documenting Pakistani tribal invasion beginning Oct. 22, 1947).

[8] UN Charter art. 2(4); Declaration on Principles of International Law Concerning Friendly Relations and Co-operation Among States, G.A. Res. 2625 (XXV), UN Doc. A/RES/2625 (Oct. 24, 1970) (prohibiting acquisition of territory by force).

[9] Agreement on Bilateral Relations Between the Government of India and the Government of Pakistan (Simla Agreement), India-Pak., July 2, 1972.

[10] Government of India, Ministry of Defence, *Annual Report 2022-23*, at 15 (2023).

[11] *Id.* at 18.

[12] Sujan Dutta, *Galwan Valley Clash: What Happened on June 15, 2020*, THE TELEGRAPH (India), June 16, 2021; Ministry of External Affairs, Government of India, *Official Spokesperson's Response to Queries on Galwan Valley Clash* (June 16, 2020).

[13] Government of India, Ministry of Home Affairs, *Annual Report 2023-24*, at 45 (2024).

[14] K. Santhanam et al., *Jihadis in Jammu and Kashmir: A Portrait Gallery* 23-28 (2003).

[15] Government of India, *supra* note 13, at 46.

[16] Jammu and Kashmir Reorganisation Act, *supra* note 2.

[17] Organisation of Islamic Cooperation, *Resolution No. 1/47-POL on Jammu and Kashmir*, 47th Session of the OIC Council of Foreign Ministers (Nov. 27-28, 2020).

[18] *Mohammad Saleel Pathan v. Union of India*, W.P.(C) 1118/2019 (India) (pending before Constitution Bench).

[19] Chinese Embassy in Pakistan, *China-Pakistan Economic Corridor Progress Report* (2022).

[20] Ministry of External Affairs, Government of India, *Official Spokesperson's Response to Queries on CPEC* (May 13, 2017).

[21] U.S. Department of Defense, *Military and Security Developments Involving the People's Republic of China 2023*, at 45-48 (2023).

[22] Xi Jinping, *Joint Statement Between the People's Republic of China and the Islamic Republic of Pakistan* (Apr. 28, 2015).

[23] INDIA CONST. sched. I.

[24] INDIA CONST. art. 1.

[25] Government of India, Ministry of Defence, *Siachen Glacier Operations Fact Sheet* (2020).

[26] Lt. Gen. V.R. Raghavan, *Siachen: Conflict Without End* 45-67 (2002).

[27] Indus Waters Treaty, India-Pak., Sept. 19, 1960, 419 U.N.T.S. 125.

[28] Undala Z. Alam, *Questioning the Water Wars Rationale: A Case Study of the Indus Waters Treaty*, 168 GEOGRAPHICAL J. 341 (2002).

[29] Government of Pakistan, Ministry of Water Resources, *National Water Policy* 12 (2018).

- [30] Government of India, Ministry of Home Affairs, *Census of India 2011: Religious Composition* (2015).
- [31] Sanjib Baruah, *Durable Disorder: Understanding the Politics of Northeast India* 1-28 (2005).
- [32] Farzana Shaikh, *Making Sense of Pakistan* 23-45 (2009) (analyzing two-nation theory).
- [33] Government of India, Ministry of Defence, *supra* note 10, at 18.
- [34] Fravel, *supra* note 4, at 186-190.
- [35] *Id.* at 89-95.
- [36] Ministry of Foreign Affairs, People's Republic of China, *China-Pakistan Joint Statement on All-Weather Strategic Cooperative Partnership* (Apr. 20, 2015).
- [37] C. Christine Fair & Sumit Ganguly, *The Influence of the China-Pakistan Entente*, in HANDBOOK OF CHINA'S INTERNATIONAL RELATIONS 267-285 (2022).
- [38] Human Rights Watch, *"Everyone Lives in Fear": Patterns of Impunity in Jammu and Kashmir* (2006); Amnesty International, *A Lawless Law: Detentions Under the Jammu and Kashmir Public Safety Act* (2011).
- [39] UN Charter art. 2(7) ("Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state").
- [40] Dutta, *supra* note 12.
- [41] Indian Army, *Doctrine for Sub-Conventional Operations* 34-45 (2006) (discussing two-front challenges).
- [42] Laxman Kumar Behera, *India's Defence Budget 2023-24*, MANOHAR PARRIKAR INST. FOR DEFENCE STUD. & ANALYSES ISSUE BRIEF (Feb. 2023).
- [43] International Institute for Strategic Studies, *The Military Balance 2024*, at 279 (2024).
- [44] Lt. Gen. Deependra Singh Hooda, *Indian Army's Transformation Imperatives*, 18 J. DEFENCE STUD. 45, 52 (2024).
- [45] Government of India, Ministry of Defence, *Report on High Altitude Warfare* (2019) (internal assessment).
- [46] Government of Jammu and Kashmir, Public Works Department, *Zoji La Pass Closure Schedule* (annual publication).
- [47] Border Roads Organisation, *Zoji La Tunnel Project Status Report* (2023).
- [48] U.S. Department of Defense, *supra* note 21, at 45-48.

[49] Hans M. Kristensen & Matt Korda, *Indian Nuclear Weapons*, 2023, 79 BULL. ATOMIC SCIENTISTS 265 (2023); Hans M. Kristensen & Matt Korda, *Pakistani Nuclear Weapons*, 2023, 79 BULL. ATOMIC SCIENTISTS 133 (2023).

[50] Feroz Hassan Khan, *Eating Grass: The Making of the Pakistani Bomb* 267-289 (2012) (analyzing Pakistani nuclear doctrine).

[51] S. Paul Kapur, *Dangerous Deterrent: Nuclear Weapons Proliferation and Conflict in South Asia* 6-15 (2007).

[52] Niraja Gopal Jayal, *Re-forming India: The Nation Today* 45-67 (2019) (analyzing political responses to Article 370 revocation).

[53] *Mohammad Saleel Pathan*, *supra* note 18.

[54] Chatham House, *Kashmir: Paths to Peace*, CHATHAM HOUSE REPORT 34-39 (2007) (reporting survey data on Kashmiri preferences); note that reliable recent polling is limited due to security situations.

[55] Mirza Waheed, *The Collaborator* 1-34 (2011) (documenting youth alienation through narrative journalism).

[56] *Anuradha Bhasin v. Union of India*, (2020) 3 SCC 637 (India) (addressing communications shutdown legality).

[57] Jammu and Kashmir Public Safety Act, 1978, Act No. 6 of 1978 (India).

[58] Armed Forces (Jammu and Kashmir) Special Powers Act, 1990, Act No. 21 of 1990 (India).

[59] Louis Charbonneau & Michelle Nichols, *U.N. Security Council Discusses Kashmir for First Time in Decades*, REUTERS (Aug. 16, 2019).

[60] Organisation of Islamic Cooperation, *supra* note 17.

[61] Dipanjan Roy Chaudhury, *India Blocks UN Security Council Statement on Kashmir After China's Move*, ECON. TIMES (India) (Aug. 17, 2019).

[62] S.C. Res. 47 (Apr. 21, 1948); S.C. Res. 91 (Mar. 30, 1951).

[63] A.G. Noorani, *The Kashmir Dispute 1947-2012*, vol. 1, at 456-489 (2014) (analyzing evolution of legal positions).

[64] Compare Ved P. Nanda, *Self-Determination Under International Law: Validity of Claims to Secede*, 13 CASE W. RES. J. INT'L L. 257 (1981) (supporting self-determination claims) with Rosalyn Higgins, *Problems and Process: International Law and How We Use It* 111-128 (1994) (questioning continued relevance of 1948-era resolutions).

[65] Ministry of Foreign Affairs, People's Republic of China, *Foreign Ministry Spokesperson's Regular Press Conference* (Aug. 19, 2019).

- [66] Harsh V. Pant & Yogesh Joshi, *The US Pivot and Indian Foreign Policy: Asia's Evolving Balance of Power* 134-156 (2016).
- [67] U.S. Commission on International Religious Freedom, *2023 Annual Report*, at 34-38 (2023).
- [68] European Parliament, *Resolution on Kashmir* (Sept. 19, 2019).
- [69] Human Rights Watch, *supra* note 38; Amnesty International, *supra* note 38.
- [70] Government of Jammu and Kashmir, Directorate of Economics & Statistics, *Economic Survey 2019-20*, at 23 (2020).
- [71] Government of India, Ministry of Statistics and Programme Implementation, *National Accounts Statistics 2020*, at 45 (2020).
- [72] Centre for Monitoring Indian Economy, *Unemployment Rate in Jammu and Kashmir* (2023).
- [73] Government of Jammu and Kashmir, Department of Tourism, *Tourism Policy 2020*, at 8 (2020).
- [74] Laxman Kumar Behera, *supra* note 42 (estimating Kashmir security costs).
- [75] Stockholm International Peace Research Institute, *SIPRI Military Expenditure Database 2023* (2024).
- [76] Comptroller and Auditor General of India, *Report on Implementation of Development Schemes in Jammu and Kashmir* (2021).
- [77] Mohammad Saleel Pathan, *supra* note 18.
- [78] A.G. Noorani, *Article 370: A Constitutional History of Jammu and Kashmir* 234-267 (2011).
- [79] Government of India, Ministry of External Affairs, *India's Statement on Kashmir and International Humanitarian Law* (Aug. 2019).
- [80] Marco Sassòli et al., *How Does Law Protect in War?*, vol. I, at 234-267 (3d ed. 2011) (analyzing Common Article 3 applicability).
- [81] Walter C. Ladwig III, *A Cold Start for Hot Wars? The Indian Army's New Limited War Doctrine*, 32 INT'L SECURITY 158 (2008).
- [82] Financial Action Task Force, *FATF Public Statement on Pakistan* (Oct. 2019) (placing Pakistan on grey list).
- [83] Government of India, Ministry of Commerce, *Withdrawal of MFN Status to Pakistan* (Feb. 16, 2019).

- [84] Khan, *supra* note 50, at 275-281.
- [85] Ashley J. Tellis et al., *Limited Conflicts Under the Nuclear Umbrella: Indian and Pakistani Lessons from the Kargil Crisis* 78-89 (2001).
- [86] INDIA CONST. art. 368 (amendment procedures).
- [87] Jabin T. Jacob, *China-India Boundary Settlement: Looking Beyond 2005*, 3 CHINA REP. 423 (2007).
- [88] Simla Agreement, *supra* note 9, art. 1(ii).
- [89] Sushant Singh, *Operation Bandar: How India Avenged the Pulwama Terror Attack*, INDIAN EXPRESS (Feb. 27, 2020).
- [90] C. Christine Fair, *Fighting to the End: The Pakistan Army's Way of War* 189-234 (2014).
- [91] George K. Tanham, *Indian Strategic Thought: An Interpretive Essay*, RAND CORP. R-4207-USDP (1992).
- [92] Polly Nayak & Michael Krepon, *US Crisis Management in South Asia's Twin Peaks Crisis*, STIMSON CENTER REPORT NO. 57 (2006).
- [93] Vipin Narang, *Posturing for Peace? Pakistan's Nuclear Postures and South Asian Stability*, 34 INT'L SECURITY 38 (2010).
- [94] Government of India, Ministry of Defence, *Mountain Strike Corps Raising* (2013).
- [95] *Id.*, *supra* note 10, at 67-70 (discussing UAV deployments).
- [96] Border Roads Organisation, *supra* note 47.
- [97] Government of India, Ministry of Railways, *Bilaspur-Leh Railway Line Survey Report* (2021).
- [98] Rajesh Rajagopalan, *Fighting Like a Guerrilla: The Indian Army and Counterinsurgency* 178-201 (2008).
- [99] Government of India, Ministry of Defence, *supra* note 10, at 18.
- [100] Ministry of External Affairs, Government of India, *India-China Border Management Mechanisms* (2023).
- [101] *In Re: Prognosis and Diagnosis of Covid-19 in Union Territories*, W.P.(C) No. 1357/2021, ¶¶ 45-50 (India Dec. 11, 2023) (Supreme Court ordering elections by Sept. 30, 2024).
- [102] Sumit Ganguly, *The Crisis in Kashmir: Portents of War, Hopes of Peace* 123-145 (1997).

- [103] ICRIER & Indian Council for Research on International Economic Relations, *Economic Impact of Internet Shutdowns in Jammu and Kashmir* (2020).
- [104] Government of Jammu and Kashmir, Department of Agriculture, *Saffron Mission Implementation Report* (2022).
- [105] Permanent Indus Commission, *Minutes of Annual Meeting 2023* (discussing Indian hydroelectric projects).
- [106] Government of India, Ministry of External Affairs, *India-Pakistan DGMO Conversation on LoC Ceasefire* (Feb. 25, 2021).
- [107] Vipin Narang & Christopher Clary, *India's Counterforce Temptations: Strategic Dilemmas, Doctrine, and Capabilities*, 75 INT'L SECURITY 7 (2020) (analyzing Balakot crisis escalation).
- [108] Sushant Singh, *India-China Standoff: A Battle of Attrition in Eastern Ladakh*, THE INDIAN EXPRESS (July 15, 2020).
- [109] This framework draws on strategic planning methodology from ASHLEY J. TELLIS, *INDIA AS A LEADING POWER* (2016); and ARUN SHOURIE, *THE ONLY FATHERLAND: TOWARDS AN INDIAN FOREIGN POLICY* (2011).